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On the Project

The enlarged EU of 25 members is in a process of reshaping its constitutional and political order and at the same time of expanding its membership and taking on new obligations in international politics. This project sheds light on key issues and challenges of European integration. "EU-25 Watch" informs about debates in the EU member states including the following aspects:

- Ratification of the Treaty establishing a Constitution for Europe;
- Policy-making under the Nice Treaty provisions and in the perspective of the EU Constitution;
- Formation of post-enlargement agenda of the EU-25;
- Positions of old and new members on the next financial framework and policy reform (Agenda 2007);
- Coalition building in the enlarged EU;
- Next rounds of enlargement and European neighbourhood policy.

T.E.P.S.A. and other partner institutes in the 25 EU member states of the European Union conduct this regular stock-taking in order to monitor the main features and problems of deepening and widening the enlarged EU.

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List of Abbreviations

CAP	Common Agricultural Policy
EFTA	European Free Trade Area
CFSP	Common Foreign and Security Policy
CIS	Commonwealth of Independent States
CR	Czech Republic
CSP	Cohesion and Structure Policy
EFSP	European Foreign and Security Policy
ENP	European Neighbourhood Policy
EP	European Parliament
EPP	European People's Party
ESDP	European Security and Defence Policy
EU	European Union
FYROM	Former Yugoslav Republic of Macedonia
GNI	Gross National Income
GNP	Gross National Product
IGC	Intergovernmental Conference
MEDA	Mediterranean-European Development Agreement
MEP	Member of European Parliament
MFA	Ministry of Foreign Affairs
MP	Member of Parliament
NATO	North Atlantic Treaty Organization
PCA	Partnership and Cooperation Agreement
PES	Party of European Socialists
PHARE	Poland and Hungary Assistance for the Restructuring of the Economy
PM	Prime Minister
QMV	Qualified Majority Voting
TACIS	Technical Assistance for the Commonwealth of Independent States
TCE	Treaty establishing a Constitution for Europe
UK	United Kingdom
UN	United Nations
WTO	World Trade Organization

Introduction

Welcome to the first issue of “EU-25 Watch”! We present interesting insights into national debates on the deepening and widening of the European Union and on basic trends in European integration. Those who are interested in how the agenda of deepening and widening of the European Union is discussed in political circles and the wider public of member states, and those who want to compare trends and topics across the EU-25 will find competent information and analysis. In this issue we cover 24 of the EU member states, among them all ten countries that joined the EU on 1 May 2004.

Topics dealt with are:

- The Treaty on a Constitution for Europe (TCE) and probable hurdles to its ratification in member states;
- The elections to the European Parliament in June 2004;
- The continuation of the enlargement process;
- The European Neighbourhood Policy;
- The Agenda 2007, i.e. the financial perspective 2007-2013 and the reform of policies;
- An outlook on the future agenda of the EU and on new dynamics in the EU-25.

Overall, the country reports show that the compromise found by the Intergovernmental Conference on the TCE in summer 2004 is welcomed as a fair balance between differing positions and most notably between the intergovernmental and the community method. Quite a number of authors who report on their countries stress the importance of the member states as components of the European Union. That is why generally the formula on the composition of the Commission with one national from each member state (up to a future introduction of system of rotation within an smaller collegiate) is regarded as an improvement over the provisions originally foreseen by the Convention. Some also recall the initial hesitations in their countries (e.g. in Portugal or Latvia) to accept key institutional innovations of the Constitution, such as the president of the European Council. In particular smaller member states (like Ireland, Cyprus, Hungary) were keen to keep the institutional balance within the triangle “Council – Commission – European Parliament”. The principle of the double majority - even with the new quora - is expected to increase the EU’s capacity to act. In at least eleven countries referenda will take place, among them Poland, the UK and also France (which is unfortunately not covered in this issue) as the most crucial cases for the whole of the EU. In the UK the pro EU campaign seems to have a very slow start; in Poland Euro-sceptics are very vocal. The campaign on the EU constitution might trigger a second referendum on EU-membership of Poland and there seems to be a considerable risk that citizens reject the constitution. Given the many uncertainties in many member states, the ratification of the constitution is very much an open game. A negative outcome in one or the other member state might work as a catalyst for the formation of a core Europe or other forms of differentiated integration.

Across the enlarged EU European elections were met with little enthusiasm in June 2004. In new and old member states the elections to the European Parliament were again second order elections while national issues dominated the campaigns and behaviour of voters. The turnout was very low (45,7%) in the EU and in particular in the new member states from Central and Eastern Europe (31,9%). Interestingly, all reports assess the significance of the elections in the light of national politics, rather than discussing the outcome in the European context.

The continuation of enlargement and imminent membership of Bulgaria and Romania, even of Croatia is widely expected to run on schedule. On Turkey a wait and see attitude underpins the general appraisal of the reform successes of the Erdogan government and the willingness of the EU governments to open negotiations on membership in 2005. In some countries, like Germany and Austria the issue is more controversial and reaches far into the wider public. Developments in the countries of the Western Balkans gain comparatively less attention.

Across the EU-25 we realise an awareness of the need to develop a European Neighbourhood Policy, however, a sense of urgency and original ideas to make this policy effective and attractive are widely missing. The geographic focus of the member states depends on their geographic proximity to and historic ties with the neighbourhood countries. The inclusion of countries in the Southern Caucasus has been widely appreciated. One might expect some bilateral initiatives to promote neighbourhood relationships (e.g. Poland and Estonia vis-à-vis the Ukraine; Estonia more generally towards the

Western NIS or Germany and Finland regarding Russia) to give momentum to a strategy which is still very much only on paper and which is not made for crisis management, as the recent developments following the presidential election in the Ukraine show. By and large the Central and Eastern European EU members are quite critical towards the strategic partnership with Russia. They claim a more realistic and also tougher approach towards Moscow, in particular as far as political standards, namely democracy, rule of law, human rights etc. are concerned.

The debate on the next financial framework of the EU-25 plus is only about to start in many of the member states. Cleavages are running between net payers and net recipients as well as defenders of the status quo, namely in those regions and countries which suffer from the so called statistical effect in regional policy after enlargement (such as Spain, the UK or East Germany). However, even the net payers that signed the letter of the six in December 2003 and who insist on a ceiling for own resources of 1.0% of EU-GNI have not yet reached a common line on key questions, such as the British rebate (in which the UK is really isolated) and the introduction of a general correction mechanism. Many old members find themselves already in the medium term in a new position with regard to their contributions to the budget and ranking among the net payers/net recipients. A case in point is Ireland. Estonia which will remain a net recipient for some time nevertheless contemplates to join the "1.0% - club". Also the approach of Slovenia shows that there is no such thing like a Eastern or new members' block in the EU. However, for miles around there are no indications of a strong reform effort with regard to common agricultural policy and regional policy.

The agenda of the EU is set for the next years: after the biggest ever enlargement in its history the Union is now seeking for a consolidation and innovation of its political order, the institutional set up and decision-making in a EU of 25 and soon even more members.

The ratification of the Treaty on a Constitution for Europe is an important step towards more legitimacy and transparency and a better capacity to act. Interestingly also under the rules of the Nice Treaty most member states trust in the functioning of the EU-decision-making system (which is an important consensus-building condition) and expect a continuation of ad hoc and shifting alliances according to the problems dealt with. Pragmatism and a reactive approach remain key features in the process of deepening and widening.

The national reports take a snapshot of the EU and its member states that find themselves in a transitory stage of re-inventing the EU as an ever larger and heterogeneous community that is challenged by the internationalisation of the global economy as well as asymmetric security threats. However, apart from the development of a strategic dimension of European integration, there is a lot of déjà vu as far as the conflicts about the allocation and distribution of funds and the resistance to anything but piecemeal reforms are concerned.

Barbara Lippert

1. What are the reactions in your country on the final outcome of the IGC with regard to the European Constitution? With reference to...

- overall outcome
 - potential of the Constitution to allow for an efficient functioning of the EU-25
 - Convention draft compared to final document agreed by the IGC
- sensitive questions:
 - composition of EU Commission
 - weighting of votes/double majority
 - extension of qualified majority voting and “red lines”
 - allocation of seats in the EP
 - stability and growth pact
 - enhanced cooperation
 - balance between the EU-institutions
 - others
- preparation of and probable obstacles to ratification
 - parliament
 - referendum

Austria

overall outcome

potential of the Constitution to allow for an efficient functioning of the EU-25

Generally speaking there is a positive evaluation by all political actors on the overall outcome of the Constitution, enabling a more efficient functioning of the enlarged EU.

The Federation of Austrian Industry¹ welcomes the outcome of the negotiations and refers to the European Industrial and Employers Federation (UNICE) which actively supports the results.

Convention draft compared to final document agreed by the IGC

The government holds the view that the IGC in its final draft achieved a host of essential improvements to the Convention text with regards to the institutional balance, legal protection, social clause, services of general economic interests.²

Even though the Federal Economic Chamber³ perceived the draft as an improvement considering Austria's position and demands, it regards aspects of further integration and simplification of the legislative process as a step backward compared to the Convention draft.

The most condemning criticism comes from the Chamber of Labour,⁴ which argues that the objectives as stipulated in Part I of the Constitution will be difficult to implement with the provisions set out in Part III. The Chamber of Labour points out that the draft does not tackle the issue of change in the basic macroeconomic alignment stipulated in the treaty, as well as the failure to introduce qualified majority decisions on tax policy in order to reduce the risk of competition for the lowest tax rates associated with enlargement, which would have negative effects on the social state.

¹ Interview with a representative of the Federation of Austrian Industry (Industriellen Vereinigung, IV), September 2004

² Interview with a representative of the Federal Chancellery and the Ministry of Foreign Affairs (Bundeskanzleramt und Bundesministerium für auswärtige Angelegenheiten, BMWA), September 2004

³ Interview with a representative of the Federal Economic Chamber (Wirtschaftskammer, WKÖ), September 2004

⁴ Interview with a representative of the Chamber of Labour (Arbeiterkammer, AK), September 2004

sensitive questions

composition of EU Commission

The Austrian government as well as the Federal Economic Chamber⁵ view the final compromise, namely, the formula "one commissioner per Member State" from 2009 to 2014 with the possibility to review the number of commissioners before 2014 as a substantial success in the negotiations. The Chamber of Labour⁶ also welcomes the principle, however proposes to evaluate the efficiency of the system to determine whether to continue the model or to amend it.

weighting of votes/double majority

Although there was not much public debate on the subject of weighting of votes, due to the size of the country⁷, the government as well as the majority of interest groups view the new model as an advantage, since the gap between the two population thresholds was not raised above 65% and was not widened, as proposed in the Convention proposal. Moreover, the Austrian government views the compromise as a means to increase overall efficiency and Austria's influence in the decision-making process will not be diminished significantly.⁸ This is in contrast to the Federal Economic Chamber,⁹ which criticizes that the population thresholds were set too high.

extension of qualified majority voting and "red lines"

Although the Austrian government would have preferred an extension of QMV to CFSP and tax matters, it considers the reached compromise as well as the emergency brake in the area of criminal justice and home affairs to be acceptable.¹⁰ There has been an overall consensus among the political actors that unanimity has to be maintained particularly for decisions on own resources - i.e. water resources are of high importance in Austrian public opinion - treaty amendments and environmental politics.¹¹

⁵ *ibid.* Federal Economic Chamber

⁶ *ibid.* Chamber of Labour

⁷ Interview with a representative of the Institute for the Danube Region and Central Europe (Institut für den Donaauraum und Mitteleuropa), September 2004

⁸ *ibid.* Federal Chancellery and the Ministry of Foreign Affairs

⁹ *ibid.* Federal Economic Chamber

¹⁰ *ibid.* Federal Chancellery and the Ministry of Foreign Affairs

¹¹ *ibid.* Federal Chancellery and the Ministry of Foreign Affairs

It is noteworthy that Austria faces a difficult task in matters of security policy. There have been ongoing general public debates on keeping its neutrality on the one hand and showing solidarity with the other member states on the other.

allocation of seats in the EP

There was almost no public debate on this issue and there is a general political approval of the continuation of the principle of digressive proportionality and the actual numbers of Austrian members in the EP (due to enlargement the number of Austrian representatives decreased by three to 18).

stability and growth pact

The Austrian government emphasises the aspects of budgetary discipline and price stability.¹² The Austrian Minister of Finance, Karl-Heinz Grassler, criticised particularly Germany and France for not respecting the rules of the Stability and Growth Pact. With regards to current as well as future debates he emphasises that there need to be a stronger link between the Stability and Growth Pact and the economic growth aims laid down in Lisbon.¹³

The Chamber of Labour views the addition to the annex of the EU Convention of the Stability and Growth Pact as a big hindrance to any amendment of the pact.¹⁴ The Green Party suggests adding employment as a criterion of the Stability and Growth Pact.¹⁵

enhanced cooperation

The Austrian government takes a positive stance towards enhanced cooperation as long as it takes place within the framework of the treaties.¹⁶ Besides, examples like Schengen and the EMU show - as long as those co-operations are potentially accessible to all member states - windows of opportunity for closer co-operation between countries which qualify or intend to do so.¹⁷

¹² *ibid.* Federal Chancellery and the Ministry of Foreign Affairs

¹³ 03.09.2004, Ministry of Finance, for more information see www.bmf.gv.at/presse/stabilitaetspakt.htm

¹⁴ *ibid.* Chamber of Labour

¹⁵ Interview with member of the Green Party (Grünen), September 2004

¹⁶ *ibid.* Federal Chancellery and the Ministry of Foreign Affairs

¹⁷ *ibid.* Federal Chancellery and the Ministry of Foreign Affairs

balance between the EU-institutions

There seems to be general approval of the increasing importance of the European Parliament. Indeed, the Austrian Bundesländer lobbied for more involvement of the regions.¹⁸ The Austrian government considers the overall institutional package and the limitation of the EC president's powers as acceptable. However, the Federal Economic Chamber¹⁹ as well as the Chamber of Labour²⁰ criticize the strong position of the EU Council. Generally speaking, there seems to be a strong divide between those who question the role of the permanent council president and those who support the idea.

The Green Party welcomes the early-warning systems as foreseen in the new Constitution. National parliaments will be informed about all new initiatives set by the Commission, facilitating a better information flow as well as strengthening the national parliaments.²¹

others

As already discussed in detail in the previous EU-Watch 2003,²² there is a general high sensitivity on the subject of transit traffic and of safety aspects of nuclear policy in Austria, which plays a key role in Austrian parliamentary and public debates on European Affairs.

In March last year the Eco-point system was extended until 31 December 2006, but exempted certain types of environmentally-friendly lorries, except those originating in Greece and Portugal. The Commissioner for Transport and Vice-President of the Commission, Loyola de Palacio, has opened an infringement procedure against Austria, July this year, arguing that the introduced toll for lorries on special routes²³ are too high and exceed the actual infrastructural costs. According to Vice-Chancellor and Minister for Transport, Hubert Gorbach (Freedom Party),²⁴ there are currently intensive negotiations about

¹⁸ *ibid.*

¹⁹ *ibid.* Federal Economic Chamber

²⁰ *ibid.* Chamber of Labour

²¹ *ibid.* Green Party

²² For more details see *Enlargement/Agenda 2000- Watch*, No. 6/2003, p.13 <http://www.tepsa.be>

²³ On five routes (Pyhm motorway, Tauern motorway, Brenner motorway, Arlberg tunnel and Karawanken tunnel) with a length of about 140 km, ASG (Alpen Straßen AG) and ÖSAG (Österreichische Autobahnen- und Schnellstraßen AG), additionally charge tolls. Since 01.01.2004 toll is collected (via electronic toll-system) for vehicles with an overall weight of more than 3.5 tons. <http://www.asfinag.at>

²⁴ Freiheitliche Partei Österreichs, FPÖ

the calculation model between Austria and the EU.²⁵ However, he also warned that a decrease of the toll would seriously jeopardize the financing of transport projects within Austria as well connecting ones with neighbouring countries. Another consequence of the lowering of the toll in the west of Austria would possibly encourage more transit traffic through the west of Austria, particularly since Switzerland plans to increase its toll by the beginning of 2005.²⁶ Moreover, there has been general mounting pressure from the opposition parties to find a satisfactory solution on the issue.

Hubert Gorbach welcomes the choice of the new Transport Commissioner, the Frenchman Jacques Barrot, arguing that due to France's experience in transport policies due to their topographic situation, he should be familiar with Austria's transit problems.²⁷

There is a general consensus among all the parties to call for a more extensive reform of the EURATOM Treaty, in order to review more democratic decision-making procedures, uniform competition rules for energy markets and clear legal bases for safety and environmental standards.²⁸ Johannes Swoboda, MEP of the Social Democratic Party²⁹, states clearly that an indirect preference for nuclear power facilitated by unsatisfactory controls and solutions for the depositing of nuclear waste must come to an end in Europe.³⁰

preparation of and probable obstacles to ratification

parliament

A two-third majority of the votes cast in both chambers of the national parliament (Nationalrat and Bundesrat) is required for ratification. Since there seems to be a majority in the Austrian parliament in favour, it is

²⁵ "AON Wirtschaft/ APA", 09.09.2004

²⁶ Vice-Chancellor and Minister for Transport, Hubert Gorbach (Freedom Party)
http://194.96.168.106/index.php?id=477&backPID=390&tt_news=1425

²⁷ "Die Presse", 21.08.2004

²⁸ This must be also seen in the light of the outcome of the Copenhagen summit, where it was decided that it would not be possible for Austria to take any issues it had with the running of power stations (i.e. Temelin in the Czech Republic) to the European Court of Justice, *ibid.*, p.13
<http://www.tepsa.be>

²⁹ Sozialdemokratische Partei Österreichs, SPÖ

³⁰ 09.09.2004. Johannes Swoboda is vice-chairman of the parliamentary delegation of Serbia and Montenegro as well as Albania and Bosnia-Herzegovina. For more information see www.spe.at

intended to finalize the ratification procedure in the course of 2005.³¹

referendum

The People's Party³² is not planning to hold a referendum. However, the coalition partner of the People's Party, the Freedom Party, has put forward the idea of holding a referendum at the national level. The Green Party supports the idea of holding an EU-wide referendum rather than a national one.³³

Belgium

overall outcome

potential of the Constitution to allow for an efficient functioning of the EU-25

During the annual diplomatic contact days, prime minister Verhofstadt (VLD – Flemish liberal party) expressed the government's satisfaction with the Constitutional Treaty in the following words:

"The final result meets the purposes of the Laeken Declaration: a more transparent, more democratic and more efficient European Union. Let me start with a more transparent Union. The European integration will from now on be based on a constitutional treaty. The Union will have a single legal personality. The pillars are joined together. The competencies of the Union and of the Member States are better described. The legislative and executive instruments are simplified. Finally there is a hierarchy of norms.

The Union also becomes more democratic. The Charter of Fundamental rights will be incorporated in the Constitution. The Union can accede to the Convention for the Protection of Human Rights and Fundamental Freedoms. The Parliament gets more legislative powers. National parliaments are closer involved in subsidiarity control. The role of the Court of Justice is expanded, namely concerning justice and home affairs. The Union has to respect the constitutional structure of its Member States. This means recognition of regions with legislative powers, a Belgian demand since many years. The Constitution enables a people's initiative and recognises the role of the civil society. And the Constitution

³¹ Interview with the Federal Chancellery and the Ministry of Foreign Affairs, September 2004

³² Österreichische Volkspartei, ÖVP

³³ "Die Presse", 07.08.2004

recognises the right of Member States to withdraw from the Union.

Finally, the Union also becomes more efficient. There will be a system of double majority, based on 55 percent of the Member States and 65 percent of the population. There will also be a limited Commission. It is true that there are temporary provisions for the double majority as well as for the limited Commission. But there are no rendez-vous clauses. No leftovers. With a European Minister for Foreign Affairs the European foreign policy will become more visible and more coherent. The Constitution creates the basis for a real European defence policy and enlarges the autonomy of the Eurozone. The competencies of the European Union are enhanced, namely in the field of Justice and Home Affairs. Decision-making will become easier because of the larger application of the principle of qualified majority voting. This is a significant progress.³⁴

Convention draft compared to final document agreed by the IGC

Protecting the proposals made by the Convention was the point of departure for Belgium. Belgium thinks that the compromise text of the Irish presidency and the work done under the Italian Presidency bear close resemblance to the text of the Convention. The Constitution is not an ideal outcome, but a good compromise.

sensitive questions

composition of EU Commission

In an exchange of views in the Belgian Parliament on 15 June 2004, prime minister Verhofstadt pointed out that the number of Commissioners should be limited to 18. Later on, Belgium agreed with the compromise that there should be one commissioner per Member State until 2014 and that from 2014 on the number of Commission members can not be higher than two thirds of the Member States. Members of the Commission must be appointed in a system of equal rotation.

³⁴ Premier Verhofstadt spreekt de Belgische diplomaten toe tijdens de jaarlijkse diplomatieke contactdagen. 31/08/04. Own translation. <http://www.diplomatie.be/nl/press/speechdetails.asp?TEXTID=23409>

weighting of votes/double majority

Belgium was a supporter of the double majority, provided that the percentages were not too high. It submitted a proposal to the Irish presidency in which two different majorities were mentioned: 60% for most competencies of the EU and 66% for a limited number of other matters such as financial provisions.

For the calculation of the double majority, Belgium did not share the views of the larger Member States. The most important thing in the discussion was not to find a possibility to enable a blocking minority, but to obtain as quickly and efficiently as possible a qualified majority.³⁵

Belgium supported the new definition of QMV as being 55% of Member States and 65% of the population, considering that with this system QMV can be reached the same way as with the Convention's proposal of 50/ 60%. Premier Guy Verhofstadt also referred to a study by the European Commission, which proves that the chance to obtain a QMV with this system is 10 times higher than with the Nice system.³⁶

extension of qualified majority voting and "red lines"

The starting point for Belgium was that the new Constitutional treaty should facilitate decision making compared to the provisions of the Nice treaty. Its goal was to extend the field of application of qualified majority voting, and it is pleased with the results that were obtained.

Though Belgium would have preferred that fiscal and social matters would have been brought under the QMV procedure, it considers that a significant progress has been made by the introduction of the "passerelle clause".

allocation of seats in the EP

No discussion was held about the number of Parliament seats. At present, nothing changes for Belgium, which keeps its 24 seats provided under the Athens Accession Treaty.

³⁵ De Intergouvernementele Conferentie over de toekomst van de Europese Unie, Verslag namens het Federaal Adviescomité voor de Europese aangelegenheden uitgebracht door de heren Galand en Van Rompuy. DOC 51 312/4, 2 April 2004.

³⁶ De Intergouvernementele Conferentie over de toekomst van de Europese Unie, Verslag namens het Federaal Adviescomité voor de Europese aangelegenheden uitgebracht door de heren Galand en Van Rompuy. DOC 51 312/5, 1 July 2004.

stability and growth pact

Belgium agrees with the principles of the Stability and Growth pact, but esteems that its concrete execution can certainly be improved, for instance by foreseeing intermediate steps before the sanctioning of offenders.

Belgium supported the compromise, formulated in a Declaration attached to the Constitution, following which the Pact itself would remain unchanged, but it would be added that in economically favourable times the Member States must do more in order to avoid budget deficits and progressively pursue budget surpluses.

enhanced cooperation

Belgium is pleased that the passerelle clause is also applicable to enhanced co-operation.³⁷

This clause gives Member States engaged in enhanced co-operation the possibility to decide to apply qualified majority voting for certain matters, without the possibility for other Member States to object to this. Namely in the field of fiscal and social matters this clause offers possibilities for far-reaching integration.

balance between the EU-institutions

The balance between the institutions in the European Constitution is acceptable for Belgium.

others

The Belgium government, under the influence of the socialist parties, emphasised the need for a "social" constitution. It is therefore very pleased with the inclusion in the Constitution of a horizontal social clause, and the social dialogue. After the confusion about the nature of the social policy of the Union,³⁸ whether it was a shared or a complementary competency, Belgium obtained that it was stated clearly that social policy was part of the "shared competencies". The government is also pleased about the inclusion of a legal basis for services of general interest and the recognition of the role of the social partners.

In the Belgian media, a lot of attention was paid to the discussion about the inclusion of a reference to the Christian roots of the European Union. Belgium, through Minister of

Foreign Affairs Louis Michel (MR – Walloon liberal party), has always been a fierce opponent of this suggestion. The government is satisfied with the consolidation of the preamble as it was drafted by the Convention.

preparation of and probable obstacles to ratification

In Belgium, the Constitution needs to be submitted to the assent of numerous (7) Parliamentary assemblies. The possibility for a legally binding referendum is not foreseen in the Belgian Constitution. The governing liberal party has always been in favour of a referendum and has introduced a law proposal that should enable this. Discussions about the proposal started on 16 September in the Commission 'Revision of the Constitution' of the Belgian Chamber of Representatives. No quick majority for the proposal seems easy to be found, since the Walloon socialist party is as a matter of principle against the organisation of a referendum. This party fears that the debate about the Constitution will be oversimplified by a referendum. A public debate about the Constitution is necessary but should be held in Parliament. Their Flemish counterparts are not against a referendum, as long as some conditions are met: the referendum should be compulsory (with the obligation to vote) and the citizens should get a good information. Mia De Vits, new Flemish socialist MEP, says she can only be in favour of a referendum when it is organised all throughout Europe. The opposition parties, the Greens, Christian-Democrats and Vlaams Blok are not in principle against a referendum.

Prime minister Verhofstadt wants Belgium to be among the first Member States that ratify the constitutional treaty. However, ratification processes are never easy in Belgium due to the federal state structure. Guy Verhofstadt wants to set a strict ratification calendar in consultation with the regions.

If the Constitutional Treaty should not be ratified by certain Member States, Premier Guy Verhofstadt stated in the Belgian Parliament this should not be problematic. As it is foreseen in the Treaty that the question will be referred to the European Council if the Constitution has been ratified by four fifths of the Member States and some have difficulties, two years after the signature of the Treaty. Belgium wanted to include a mechanism that would enable enforced co-operation to go further with the Constitution, but this did not succeed.

³⁷ Except in the field of ESDP

³⁸ Caused by the German demand to include in a declaration that European Social policy would not damage the competencies of the German Bundesländer.

Cyprus

overall outcome

potential of the Constitution to allow for an efficient functioning of the EU-25

The Cypriot government, as well as the political leadership and interested members of civil society, have generally expressed their satisfaction regarding the final draft of the Constitutional Treaty. The new Treaty would allow for an efficient functioning of the enlarged EU. However, given Cyprus' favouring closer European integration and avoidance of a multi-speed Europe, some reservations have been voiced over the final document.

Convention draft compared to final document agreed by the IGC

It had been assumed that the Convention draft, which was created by the "people of Europe", could have been endorsed as it stood. The final document agreed by the IGC has been generally perceived as an unavoidable compromise aiming at balancing large member states' interests.

sensitive questions

composition of EU Commission

Cyprus, as expressed by President Papadopoulos, called for one Commissioner per Member State. He has also called for the revision of the issue of composition in 2014.

weighting of votes/double majority

The general Cypriot stance favoured the system of simple double majority, arguing that the endorsed system may turn out more complicated than that of the Treaty of Nice.

extension of qualified majority voting and "red lines"

The Cypriot government supported the system of 50/ 50, having also declared its readiness to support alternative proposals, such as 55/ 55.

allocation of seats in the EP

Cyprus expressed satisfaction both for the retaining of the six-seat lower limit and for the likelihood that in the future it could gain an additional EP seat.

stability and growth pact

As an EU "newcomer" that aims at joining the EMU in the near future (i.e.2007), Cyprus is generally supporting the Stability and Growth Pact. Government circles have underlined both that the pact is required to sustain the EMU and that the Republic of Cyprus could indeed cope with the rules governing it.

enhanced cooperation

In general, the Cypriot political elite supports enhanced cooperation as long as it does not undermine the internal cohesion of the Union. It expects that special attention will be given to ascertain the participation of small states in such cooperation

balance between the EU-institutions

As a small member state, Cyprus has been in favour of a more balanced relationship among the EU institutions. It believes that the voice of all member-states should be heard at all levels. Cyprus is clearly in favour of an enhanced role for the European Parliament

others

Cyprus paid special attention to the inclusion of the Charter in the new Constitutional Treaty. Among other things, this reflected the commitment that any fair and viable settlement of its political problem should reflect the Charter's principles and values.

preparation of and probable obstacles to ratification

The Cypriot Parliament will discuss the Treaty and is expected to endorse it without any difficulty.

Czech Republic

overall outcome

potential of the Constitution to allow for an efficient functioning of the EU-25

According to the Ministry of Foreign Affairs (MFA) of the Czech Republic (CR), negotiations about the Constitutional Treaty have confirmed that the EU-25 is able to reach a consensus. This proves that the EU as a whole has the capacity for action when necessary. While the Constitutional Treaty

provides a legal framework for the development of a more flexible and diverse Union, it is also important that it enables the development of integration in such a way that it is forming a cohesive entity. It is the emphasis on cohesion from which the potential of the EU to act effectively stems.³⁹

Convention draft compared to final document agreed by the IGC

According to the opinion of the CR, the Convention draft represented a good basis for negotiations at the Intergovernmental Conference (IGC). This was also stated in the Conclusions of the Thessaloniki European Council on June 19-20, 2003. This referred to the improvement of the text from the Convention where the Convention did not have time to finish its work, or where it had not obtained an original mandate to make some particular changes. The IGC has clearly reached a more balanced result in the case of institutional reform, namely in the composition of the European Commission (EC), the formula of double majority, and the distribution of seats in the European Parliament (EP).

sensitive questions

Generally speaking, it is necessary to stress that the Czech priorities were changing slightly during the IGC negotiations. For instance, the principle “one country – one commissioner”, a mantra of Czech diplomacy at the Convention, diminished in importance and in its place the issue of qualified majority voting came to the fore. Some analysts believe this change to be merely tactical, as the shift came only after the dispute over the Commission’s composition had been already solved.⁴⁰ But even with majority voting, Czech negotiators remained flexible⁴¹ and proposed several possible solutions, most of them based on parity between population percentage and the number of Member States.⁴²

³⁹ Most of the answers in the questionnaire where an official view of the CR or the MFA is expressed are based on unpublished internal materials from the MFA and interviews with MFA specialists, who deal with various fields related to EU affairs. It is therefore impossible to quote the source in most cases.

⁴⁰ Cf. Král, David: The Czech Reaction to the IGC Failure – Disillusion or Indifference? *Europeum* (Institute for European Policy), http://www.epin.org/pdf/BC_Kral.pdf

⁴¹ Cf. comment of Prime Minister’s Špidla: Klaus nechce novou evropskou ústavu (Klaus Does Not Want the New European Constitution). *Právo*, December 8, 2003, <http://www.novinky.cz/02/14/39.html>

⁴² For a detailed discussion of the Czech position see Kratochvíl, Petr: Qualified Majority Voting and the Interests

composition of EU Commission

The CR believes that the model from the IGC – until 2014 a system of one commissioner per country, and then the reduction of the members of the EC to two thirds in relation to the number of member countries based on rotation with equal rights – expresses the will to combine representativeness (until 2014), an emphasis on effectiveness (a reduced size of the EC) and the quality of the position of commissioners much better than the Convention draft (see, for example, commissioners with voting right and commissioners without it).

In this respect, even the conservative opposition agrees with the Government’s position, although it dismisses the importance of the one country - one commissioner rule. Czech conservative Jan Zahradil stated, however, that this issue shows quite clearly how the treaty is being violated, because according to the treaty text, commissioners should be independent of any influence from the country of their origin which is, according to Mr. Zahradil, obviously not true.⁴³

weighting of votes/double majority

The CR as an active member of the group of “like-minded“ countries preferred a double majority in the form of parity, preferably with a ratio of 55% of votes of countries related to 55% of the share of population, because it fulfilled in the most consequent way the requirements expected from a voting system, i.e. effectiveness, a balanced position of big and small countries, and a more pronounced space for the creation of positive coalitions instead of blocking coalitions.

extension of qualified majority voting and “red lines”

The CR is satisfied with the achieved result of the IGC as far as the extent of QMV, namely where the introduction of qualified majority voting to new areas is concerned. Undoubtedly, the QMV is more demanding with respect to the ability to negotiate and with respect to inputs to the final compromise. The QMV has been newly introduced to 44 areas,

of the Czech Republic. *Europeum* (Institute for European Policy), http://www.europeum.org/en/Analyses/qualified_majority_voting.pdf

⁴³ Address of MP Jan Zahradil, 21st session of the Chamber of Deputies. October 7, 2003, <http://www.psp.cz/eknih/2002ps/stenprot/021schuz/s021009.htm>

in particular nomination procedures, the common immigration and asylum policy, and judicial and police cooperation. All this contributes to a greater effectiveness in decision-making.

There are, however, areas where at the IGC, the CR insisted on maintaining unanimity, because in some areas it is necessary to aim at the greatest possible level of consensus. This concerns mainly financial issues, such as long-term financial perspectives, taxes, foreign policy and defence. These "red lines" for maintaining the status quo were also considered vitally important by many other countries.

allocation of seats in the EP

This issue was not part of the priorities of the CR, neither at the Convention nor at the IGC, but the CR gave its support to the requirement of small countries for an increase of the minimal number of deputies in the EP from four (Convention) to five.

stability and growth pact

The Stability and Growth Pact was discussed neither at the Convention nor at the IGC. In the "Draft of the Concept of Direction of the CR within the Framework of the European Union"⁴⁴ from 12th February 2004, the CR saw this Pact as an important instrument contributing to economic convergence. The CR will strive for the set framework of the Stability and Growth Pact to serve as an objective instrument for the evaluation of participants of the EMU. An eventual institutionalisation of the decision-making mechanisms of the EMU, or Eurogroup, should not create new criteria for entry into the Eurozone or dilute existing ones. The CR will push for the idea that the practical implementation of the rules of the Pact should be connected with the needs of real economic and social convergence.

enhanced cooperation

The CR considers as desirable that "enhanced cooperation" is included in the contractual framework of the Constitutional Treaty. However, it is important that any "enhanced cooperation" should be open and inclusive.

balance between the EU-institutions

According to the CR, the result from the IGC is better than that of the Convention, especially in the case of the EC. It will be important to see that the President of the European Council does not compete with the Minister of Foreign Affairs of the EU.

others

In general, the interest of the Czech population in the so-called European Constitution has been very low. This is mainly due to the complexity of the subject. Many issues with which the Constitutional Treaty deals are difficult even for specialists. Some of them explicitly reject the idea of a European Constitution. Ondrej Krutilek, an analyst from the Centre for the Study of Democracy and Culture, for example, is convinced that there is no need for any European Constitution.⁴⁵ During his September 2004 state visit in Spain, Czech President Klaus also sharply criticised the text of the Constitutional Treaty saying that the EU Constitution is a radical text which represents a danger for freedom.⁴⁶

preparation of and probable obstacles to ratification

Both for parliamentary ratification and the referendum it is necessary to pass a constitutional law. The present set-up of political forces makes this task rather difficult for the government. However, political will towards the alternative of passing a constitutional law based only on this single referendum is visible, similar to the case with the referendum on EU accession in June 2003. In the strongest opposition party, i.e. the Civic Democratic Party (ODS), there are strong reservations not only about many parts of the proposed Constitutional Treaty, but also about whether the EU needs a Constitutional Treaty at all. It is very likely that most if not all ODS deputies and senators would vote against the Treaty in both chambers of Parliament, and that the ODS would recommend to vote against it to its supporters if such a referendum takes place. Strong reservations from Czech President and former ODS member Vaclav Klaus with respect to the Treaty are also well known.

⁴⁴ Navrh koncepcie smerovani CR v ramci Evropske unie (Draft Conception of the Future Path of the CR in the European Union), February 12, 2004, p. 10

⁴⁵ Ondrej Krutilek: "Evropska ustava je naprosto zbyteczna" (The European Constitution Is Absolutely Useless), *Hospodarske noviny*, September 21, 2004

⁴⁶ *Lidové noviny*, September 29, 2004

Secondly, legal questions remain obscure as well.⁴⁷ It is still not clear whether any change of the Czech Constitution (art. 10 and 10a) would be necessary for the adoption of the European Constitutional Treaty, or whether the current wording is sufficient. If we take into account the strong opposition to the Treaty from the ODS and the KSČM, it might drag on for months, and a ruling by the Constitutional Court might be required to stop the strife.

The eventual success of the Constitutional Treaty in a referendum is also far from guaranteed. The Czechs, according to all opinion polls, belong to the rather Eurosceptic nations, and their attitude towards the approval of the Constitutional Treaty is quite lukewarm. Less than two thirds of the population support the Treaty, putting the country in the group of the six most negative member states of the Union.⁴⁸

Denmark

overall outcome

The Danish government parties, the Liberals and the Conservatives, expressed satisfaction with the final outcome of the IGC. Overall support has also been given by the Social Liberals (centre left party) and the Social Democrats, leaving parliamentary opposition to the Christian Democrats (small centre party), the Unity List (small far left wing party) and the Danish People's Party (right wing). At the time of writing, the Socialist People's Party – whose support was instrumental in securing a yes-vote in the second Danish Maastricht referendum – remains undecided on the issue. Advocates of the Constitution have in particular been keen to stress its potential in securing an efficient functioning of the enlarged EU. Foreign Minister Per Stig Møller (Conservative Party) sees the Constitution as a "guarantee" for continued efficiency after enlargement,⁴⁹ while Prime Minister Anders Fogh Rasmussen (Liberal Party) has referred to the Constitution as the promoter of a successful enlargement.⁵⁰ Increased efficiency has also been highlighted

⁴⁷ For a similar view see Král, David: The Czech Reaction to the IGC Failure – Disillusion or Indifference? *Europeum* (Institute for European Policy), http://www.epin.org/pdf/BC_Kral.pdf

⁴⁸ The Future European Constitution, Flah Eurobarometer 159/2, TNS Sofres, EOS Gallup Europe, July 2004, http://europa.eu.int/comm/public_opinion/flash/fl159_2en.pdf

⁴⁹ Møller, Per Stig (2004), "Det Genforenede Europas Traktat", feature article, *Jyllands-Posten*, July 10th.

⁵⁰ Kongstad & Collignon (2004), "Fogh: Forfatning sikrer udvidelsen", interview, *Jyllands-Posten*, June 20th.

as a key advantage of the Constitution by the Danish Employers' Confederation (DA) and trade unions like Danish Metal.⁵¹ The increase of democracy and transparency at the EU-level represents another main argument of advocates. These overall reactions to the Constitutional Treaty are not fundamentally different to those aired in connection with the completion of the Convention's draft in June 2003.⁵² A recent opinion poll (late September) shows that just more than a third of the Danish population plan to vote yes in the referendum; 46 per cent have not made up their minds, while about 18 percent would vote no.⁵³

sensitive questions

composition of EU Commission

The number of Commissioners became a highly sensitive issue in the Danish debate. Initially, the official Danish position favoured a slim Commission. It was only towards the end of the European Convention in spring 2003 that Denmark joined a group of small and middle-sized countries in their wish to secure one commissioner per country. Then, however, the issue became a key topic in the Danish debate, closely tied up with the symbolic importance attached to national representation in the Commission. During the final negotiations, Denmark was practically isolated on the issue and accepted a reduction of the number of commissioners provided that rotation took place on the principle of equality among the member states. The government has sought to downplay the importance of this issue,⁵⁴ however, it has been interpreted by the press and the no-side as the biggest Danish defeat in the final negotiations. The issue is thus likely to play a role in the forthcoming referendum campaign as well as in the positioning of the Socialist People's Party towards the Constitution.⁵⁵

⁵¹ See for instance: Dansk Arbejdsgiverforening (2004), "EU-Maskineri Moderniseret og Forenklet", Opinion, June 18th, www.da.dk; and Dansk Metal (2004), "Tillykke, Europa", June 19th, www.danskmetal.dk.

⁵² For elaboration please refer to the description of the Danish positions in: Istituto Affari Internazionali (2003), "Convention Watch, Second Edition", IAI, October.

⁵³ Catinet poll published by Ritzau (www.catinet.dk), September 27th.

⁵⁴ See for instance: Kongstad & Collignon (2004), "Fogh: Forfatning sikrer udvidelsen", interview, *Jyllands-Posten*, June 20th.

⁵⁵ The Socialist People's Party was a key defender of the principle of one commissioner per country. The Party will make up its mind on the Constitutional Treaty in November.

weighting of votes/double majority

While the Danish government was ready to accept the Convention's definition of double majority, it had declared that if negotiations were reopened under the IGC it would aim to achieve a more balanced combination of the criterion related to the population and the one related to the number of countries. The exact mathematics of the system, however, was not a major issue of contention in Denmark.

extension of qualified majority voting and "red lines"

The extension of qualified majority voting is a major thorn in the eye to many opponents of the Constitution, who perceive in it the furthering of a more federal EU – as Peter Skaarup from the Danish People's Party argues: "*It is a bad treaty for Denmark. There will be more Union if qualified majority voting replaces unanimity*".⁵⁶ Advocates of the Constitution, on the other hand, emphasise the importance of some increase in majority voting in ensuring the continued efficiency and capability of the enlarged EU.

allocation of seats in the EP

The allocation of seats in the European Parliament was not a major issue in the Danish debate, and is rarely mentioned by opponents or advocates of the Constitution.

stability and growth pact

The controversy over the stability and growth pact evoked concern in Denmark about the relative influence of big and small member states in the EU. However, as Denmark is not member of the Euro-zone, there was little debate on this issue in connection with the Constitutional Treaty.

enhanced cooperation

The increased possibilities for enhanced cooperation in the Constitution are generally not seen as immediately relevant for Denmark, where opt-outs from economic and monetary union, defence, and justice and home-affairs leave rather few options. Indeed, Danish EU-expert Lykke Friis predicts that enhanced

cooperation will only be relevant for Denmark within the field of environmental cooperation.⁵⁷

balance between the EU-institutions

The existence of a balance between the main EU-institutions has major implications for the relationship between big and small member states in the Union and is therefore an important issue to Denmark. However, because of Denmark's generally intergovernmental view on European integration, it has not been a warm advocate of the strengthening of the European Commission. The balance struck by the IGC is broadly accepted; it seems fair to say that to the extent the proposed president of the European Council evokes concern, it is more because the position is interpreted as a symbol of "more Union" than because of fears over the relative weakening of the Commission.

others

The future of the Danish opt-outs from European integration was a naturally sensitive issue in Denmark. The government thus used a lot of energy on preserving the opt-outs in the attempt to keep domestic discussions about their future separate from the discussion of the Constitution.

Finally, it should be added that the removal of the wording "ever closer union" was welcomed by both yes- and no advocates in Denmark.

preparation of and probable obstacles to ratification

parliament

The government will have no difficulty obtaining a parliamentary majority to secure ratification by the Danish parliament, as the Constitution is supported by the main opposition party, the Social Democrats. The government has nevertheless called for a broad "national compromise" on the Constitution, and is currently in the process of negotiating with all potential yes-parties (the Social Liberals, the Social Democrats and the yet undecided Socialist People's Party. In mid-September, the Christian Democrats narrowly chose to advocate a no in the referendum and subsequently left the negotiations). In light of previous referenda in Denmark, a national compromise is seen as crucial to successful ratification.

⁵⁶ Quoted in: Collignon, Kongstad & Ulrichsen (2004), "Reaktioner: Jubel og ramaskrig", *Jyllands-Posten*, June 20th. Own translation.

⁵⁷ Aagaard (2004), "EU-forfatning – en national sejr i alle lande", *Politiken*, June 22nd.

referendum

The Danish government has, not surprisingly, chosen to hold a referendum on the Constitution, independently of whether or not this is actually legally required by the Danish Constitution.⁵⁸ Public opinion polls show a persistent, but slight, majority in favour of adopting the Constitution (see answer to question 1a). The result of the referendum, however, is likely to remain uncertain up until the (yet unsettled) referendum date, and cannot, as previous Danish referenda have proven - be ruled out as a potential obstacle to ratification.

Estonia

overall outcome

Estonian reactions to the final outcome of the IGC were characterized by relief and acceptance. The government assumed a pragmatic and pacifying approach, emphasizing the value of consensus and compromise. An overview of the Constitutional Treaty produced by the key government ministries regarded the Treaty as “a compromise among different visions” and “a balanced document that takes into account the most important interests of all member states.”⁵⁹

The question about the potential of the Constitution to allow for an efficient functioning of the EU-25 was rarely raised in the debates following the IGC. Assessments of the outcome were based on two, more simple criteria. First, there was the question about Estonia’s „interests“ and the extent to which they were „defended“. The emphasis on bargaining outcomes was perhaps a natural reaction to the intergovernmental nature of the treaty-making process in the IGC phase. There was an implicit assumption in the public

discourse that acceptance by all member states is in itself a sufficient guarantee of the workability of EU-25 under the new framework.⁶⁰ Perhaps reflecting the impression that participants were concerned more with individual gains than the overall feasibility of the new framework, reactions to the IGC focused on tallying up the perceived gains and losses for Estonia. The government’s PR efforts in the wake of the IGC focused on convincing the public that Estonia got „a fair deal“ and was able to secure its most important interests.⁶¹ The final outcome of the IGC was regarded as an improvement over the draft produced by the Convention⁶² which itself had been deemed “95% acceptable.”⁶³ For Estonia, the most important gains included raising the minimum number of EP seats per member state to six, and preserving unanimity in the area of taxation.

Second, the outcome was assessed in light of the tasks laid out in the Laeken declaration. However, the analysis was often limited to a rather formal acknowledgement of the fact that the Treaty addresses all four areas raised at Laeken. Thus, the government’s overview of the Treaty – the most comprehensive document on the subject to date – simply states that the Treaty responds to the Laeken goals: it has clarified the division of competences between the EU and member-states, increased the role of national parliaments, incorporated the Charter of Fundamental Rights, created a legal personality for the EU, and simplified and consolidated the treaty system. There is no attempt to address the question whether the progress should be considered sufficient for the effective functioning of the enlarged Union.⁶⁴

Independent analysts were more critical of the outcome, pointing out that few of the government’s suggestions on the draft produced by the Convention actually made it into the final version of the text. The government’s White Paper from September

⁵⁸ The Danish Constitution requires a referendum to be held *if* sovereignty is transferred *and* the Government fails to obtain a 5/6 majority in Parliament. However, it is customary in Denmark to hold a referendum on all major treaty changes in the EU. Denmark has also committed itself to holding a referendum before ending one or more of the Danish opt-outs. As a result, Denmark has held six referenda on EU-issues since 1972.

⁵⁹ „Ülevaade Euroopa Liidu põhiseaduse lepingu eelnõust,“ (Overview of the Draft Constitutional Treaty), a report prepared by key ministries, released in September 2004. Available at www.eib.ee. The 44-page report remains the key document expressing government’s views on the final outcome of the IGC. One of the aims of the document is to provide information to the Estonian Parliament to enable it to decide whether a referendum on the Constitutional Treaty is needed.

⁶⁰ See statements by Gert Antsu, the Director of European Affairs at the State Chancellery, „Euroopa Liit tõestas oma koostöövõimet,“ *Postimees*, June 21, 2004.

⁶¹ See, for instance, the special issue on the Constitutional Treaty, *Postimees*, June 2004.

⁶² Statement by Prime Minister Juhan Parts in *Külli-Riin Tigasson*. „Juhan Parts: Eesti kompromissideks valmis,“ *Eesti Päevaleht*, June 16, 2004.

⁶³ „Ülevaade Euroopa Liidu põhiseaduse lepingu eelnõust,“ Overview of the Draft Constitutional Treaty, September 2004, www.eib.ee, p.4.

⁶⁴ „Ülevaade Euroopa Liidu põhiseaduse lepingu eelnõust,“ (Overview of the Draft Constitutional Treaty), a report prepared by key ministries, released in September 2004. Available at www.eib.ee

2003 included a list of 17 demands.⁶⁵ According to one assessment, a quarter of these were fully incorporated in the final version, a quarter were completely rejected, while in the remaining areas, the results were mixed.⁶⁶

Civil society groups did not voice strong opinions. Although over 50 organizations had been involved in discussing the draft treaty under an initiative launched by the Open Estonia Foundation, their influence and visibility remained marginal. The discussion was more active in the „Convention phase“ of the draft, as the IGC was perceived to be a strictly intergovernmental affair, with limited opportunities for domestic input.

With regard to sensitive institutional questions, differences of opinion were played down in the wake of the IGC, presumably in an attempt to lend more legitimacy to the final outcome. Government positions can be traced from a document released by the Foreign Ministry,⁶⁷ from the above-mentioned overview of the Treaty, as well as from public statements made by key officials.

sensitive questions

composition of EU Commission

Throughout the work of the Convention, Estonia had insisted on the “one commissioner per member state” principle. Before the final round of the IGC, Prime Minister Parts declared willingness to abandon the principle “if this is the price that must be paid” to adopt the Constitutional Treaty. However, Parts declared that rotation of commissioners is acceptable only if based on the fundamental equality of all member states, big or small.⁶⁸

The compromise was made easier by the perception that the new arrangement was better than that agreed to in Nice. Under the Nice system, the reduction of the size of the Commission could occur as early as 2009, following the anticipated accession of Bulgaria and Romania in 2007. According to the Constitutional Treaty, however, the first Commission nominated after the treaty takes

effect would include one commissioner from each member state. This, according to Estonia’s calculations, ensures it a commissioner at least until the year 2014 while subsequently, Estonia would have a commissioner in two Commission compositions out of three.

Government officials are also satisfied with the fact that the new rotation arrangement treats small and large member states equally: large states can also remain without a commissioner.⁶⁹ In addition, Estonia actively supported the declaration about article I-26 attached to the Final Act of the IGC which states that the Commission must retain a close connection with all member states regardless of what nationals are represented in any given composition.⁷⁰ Finally, the fact that Estonia’s commissioner, Siim Kallas, was nominated to the post of a Vice President of the Commission, has also helped to alleviate concerns about the domination of the Commission by the “old” and the “large.”

weighting of votes/double majority

Although there was not much public debate on the subject of weighting of votes, due to the size of the country⁷¹, the government as well as the majority of interest groups view the new model as an advantage, since the gap between the two population thresholds was not raised above 65% and was not widened, as proposed in the Convention proposal. Moreover, the Austrian government views the compromise as a means to increase overall efficiency and Austria’s influence in the decision-making process will not be diminished significantly.⁷² This is in contrast to the Federal Economic Chamber,⁷³ which criticizes that the population thresholds were set too high.

extension of qualified majority voting and “red lines”

Estonia’s positions regarding the extension of QMV are similar to those of the British

⁶⁵ Estonian government’s White Paper on the Draft Constitutional Treaty submitted to the Parliament on September 4, 2003, <http://www.eib.ee>

⁶⁶ Statement by Viljar Veebel in Priit Simson, „Taganemine Euroopas hindele neli,“ *Eesti Päevaleht*, July, 12, 2004.

⁶⁷ Ministry of Foreign Affairs, „Euroopa Liidu põhiseaduse lepingu eelnõu - valitsustevahelise konverentsi juuni 2004 tippkohtumise tulemused,“ July 14, 2004, http://www.vm.ee/est/euro/kat_455/4657.html

⁶⁸ Külli-Riin Tigasson, „Juhan Parts: Eesti kompromissideks valmis,“ *Eesti Päevaleht*, June 16, 2004.

⁶⁹ Statement by Gert Ansu, the director of European Affairs at the State Chancellery, in Priit Simson, „Taganemine Euroopas hindele neli,“ *Eesti Päevaleht*, July, 12, 2004.

⁷⁰ Ülevaade Euroopa Liidu põhiseaduse lepingu eelnõust,“ (Overview of the Draft Constitutional Treaty), September 2004, www.eib.ee, p. 14.

⁷¹ Interview with a representative of the Institute for the Danube Region and Central Europe (Institut für den Donaauraum und Mitteleuropa), September 2004

⁷² *ibid.* Federal Chancellery and the Ministry of Foreign Affairs

⁷³ *ibid.* Federal Economic Chamber

government.⁷⁴ Estonia recognizes the value of QMV in an enlarged Union which could be paralyzed by the requirement of unanimity. At the same time it insists that unanimity be preserved in areas of vital national interest such as taxation, social security, defense and most areas under CFSP.⁷⁵ Most importantly, Estonia was concerned about the proposition to extend QMV to taxation if deemed, by unanimous vote by the Council, necessary to effectively fight tax fraud and evasion. According to Prime Minister Parts, this issue constituted a „red line“ that Estonia was not willing to cross. The government expressed satisfaction with the fact that an article on direct taxation (III-63) was dropped from the Treaty text at the IGC and in the area of indirect taxation (art. III-62) unanimity was preserved. The summary of the Treaty produced by key ministries expresses similar views, arguing that “retaining unanimity voting in the area of taxation was one of the most important issues for Estonia at the IGC and therefore it can be concluded that the Treaty’s provisions regarding the extent of QMV fully correspond to Estonia’s interests.”⁷⁶

allocation of seats in the EP

Estonia is “completely satisfied” with the fact that the Treaty raised the minimum number of seats per member state to six.⁷⁷ Throughout the work of the Convention, Estonia had insisted on the preservation of the Nice system, fearing that the minimum number might be reduced to four. Hence, gaining six seats was regarded as a major achievement. The government also looks favorably at the fact that the precise allocation of seats will be decided before the 2009 elections and hopes that it may be possible to increase the number of Estonia’s seats to seven.

stability and growth pact

Estonia supports strict adherence to the Stability and Growth Pact and welcomes

⁷⁴ See joint article by Tony Blair and Estonian Prime Minister Juhan Parts in the *Financial Times*, February 16, 2004.

⁷⁵ See Estonian government’s White Paper on the Draft Constitutional Treaty submitted to the Parliament on September 4, 2003, www.eib.ee, and „Ülevaade Euroopa Liidu põhiseaduse lepingu eelnõust,“ September 2004, www.eib.ee.

⁷⁶ „Ülevaade Euroopa Liidu põhiseaduse lepingu eelnõust,“ (Overview of the Draft Constitutional Treaty), September 2004, www.eib.ee, p.13. See also Statement by Gert Antsu, the director of European Affairs at the State Chancellery, in Priit Simson, „Taganemine Euroopas hindele neli,“ *Eesti Päevaleht*, July, 12, 2004.

⁷⁷ *Ibid*, p.12.

attempts to strengthen its implementation mechanisms. The government finds that the Constitutional Treaty succeeded in increasing the efficiency of decision-making within the eurosystem and making the rules for accession to the eurozone more clear and transparent. In light of Estonia’s wish to join the Economic and Monetary Union as quickly as possible, these are regarded as positive developments.

enhanced cooperation

Overall, Estonia is satisfied with Treaty provisions on enhanced cooperation, noting that Treaty clauses essentially follow the logic laid down by the treaties of Amsterdam and Nice. However, Estonia was opposed to the clause that enables the participants in enhanced cooperation to replace unanimity voting by QMV in certain areas. According to the government report, Estonia only agreed to this clause in return for the decision to retain unanimity in areas where Estonia considered it essential, such as taxation.⁷⁸

balance between the EU-institutions

The government report on the Treaty notes that the overall balance among the institutions does not change and the elimination of the pillar system does not abolish multiple decision-making modes. Estonian positions on the balance between intergovernmentalist and supranationalist elements are somewhat contradictory, as the government declares commitment to intergovernmentalist principles in many policy areas while simultaneously voicing support to strong supranational institutions – perhaps as a check on the influence of large states. Thus, the report welcomes the increased role of the European Parliament in the legislative process.⁷⁹ The government is also satisfied with the fact that the European Council was not given legislative competence, as such a step might upset the balance among institutions and interfere with the functioning of the “Community method.”⁸⁰

preparation of and probable obstacles to ratification

referendum

Under Article 121 of the Estonian Constitution, international treaties are ratified by the Parliament and there are no provisions for

⁷⁸ *Ibid*, p.40.

⁷⁹ *Ibid*, p.11.

⁸⁰ *Ibid*, p. 12.

ratification by popular votes on a referendum. In the absence of a legal requirement, a consultative referendum could be held for political reasons. There is a consensus among virtually all significant political players that a referendum on the Constitutional Treaty is not needed.⁸¹ Although the final decision by the Estonian Parliament has not been made, it is virtually certain that the Treaty will be ratified without a verdict from the Estonian electorate. The government position that ratification by the parliament is sufficient was formally adopted at a cabinet meeting on September 2, 2004.⁸² The decision was entirely predictable and key officials had made statements to this effect for several months. Parliamentary ratification without a popular vote is certainly more convenient and would spare the trouble of explaining a complicated legal text to an electorate distinguished by its skeptical attitudes towards integration.⁸³ The official rationale behind the position emphasized the fact that by the time the Estonian accession referendum was held (September 14, 2003), the end result of the Convention and the prospect of an IGC were already known and voters could take this into account when casting votes on accession.⁸⁴ According to the government, the key criterion in determining the need for a referendum should be the nature of the Treaty and the magnitude of the changes it introduces. If the EU based on the Constitutional Treaty remains, in essence, the same EU that the Estonian people decided to join on September 14, 2003, then a second referendum would be superfluous. Needless to say, the government finds that the Constitutional Treaty does not alter the fundamental nature of the EU.⁸⁵ The rationale has been accepted and repeated by many non-governmental groups as well as

independent analysts and observers.⁸⁶ Some groups, such as the Estonian European Movement, even claimed that the money saved by not holding the referendum should be spent on increasing public awareness about European issues.⁸⁷

Parliamentary ratification of the Constitutional Treaty is likely to proceed smoothly. None of the parliamentary parties has expressed any significant concerns about the Treaty. While Estonia „shall not conclude international treaties which are in conflict with the Constitution“ (article 123 of the Constitutional), major debates on the constitutionality of the Treaty are not likely. A law supplementing the Estonian Constitution, approved on the accession referendum, states that Estonia can, according to the principles of its constitution, be a member of the EU. This law has effectively put an end to the debate on whether EU membership conflicts with Article 1 of the Estonian Constitution which proclaims that „the independence and sovereignty of Estonia are timeless and inalienable.“

Finland⁸⁸

overall outcome

potential of the Constitution to allow for an efficient functioning of the EU-25

The Finnish Government judged the final Draft Constitution as satisfactory overall, although Finland had to give in on most of its key positions.⁸⁹ For the sake of efficient performance of the EU-25, Finland had to admit defeat on the formation of the Commission, and also on voting methods in the European Council and the Council of Ministers. Finland had proposed a

⁸¹ Exceptions include Rahvaliid (People's Union), a small coalition partner associated with rural interests and retired voters. The party calls for a referendum on both the Treaty and the adoption of the euro.

⁸² Riigikantselei Euroopa Liidu sekretariaat, „Valitsus toetab põhiseaduse lepingu ratifitseerimist Riigikogus“, <http://www.eib.ee/pages.php/010906>

⁸³ According to the Eurobarometer surveys, Estonia and Latvia have had the highest levels of popular euro-skepticism among the new member states.

⁸⁴ Ministry of Foreign Affairs „Eesti Euroopa Liidus,“ September 22, 2004. http://www.vm.ee/est/euro/kat_252/4404.html. The same argument was also expressed by Estonian and Latvian presidents during their meeting in Cesis, Latvia on June 20, 2004. See „Euroopa Põhiseaduse leping“, supplement to *Postimees*, July 17, 2004, www.elis.ee

⁸⁵ „Ülevaade Euroopa Liidu põhiseaduse lepingu eelnõust“, (Overview of the Draft Constitutional Treaty), September 2004, www.eib.ee, p.5-6.

⁸⁶ See, for instance, Kaarel Tarand, „Kui palju rahvahääletusi on parasjagu?“ *Eesti Päevaleht*, September 8, 2004; and Marianne Mikko, member of the European Parliament, „Euroopa põhiseadus ei vaja Eestis rahvahääletust“, *Postimees*, September 4, 2004.

⁸⁷ Estonian European Movement, Press release „Euroopa põhiseaduse leppe rahvahääletuse korraldamisele kuluvad 4-5 miljonit peab kasutama rahvale selgitustöö tegemiseks“, September 7, 2004.

⁸⁸ The main sources for this report include the following: Prime Minister's Office (www.vnk.fi), Helsingin Sanomat newspaper (www.helsinginsanomat.fi) The European Parliament (www.europarl.eu.int) Eurobarometer surveys (www.europa.eu.int/comm/public_opinion/index_en.htm)

⁸⁹ See Statement by Prime Minister Matti Vanhanen to Parliament on 22 June 2004 concerning the outcome of the Intergovernmental Conference of the EU, available in Finnish at <http://www.valtioneuvosto.fi/vn/liston/base.lsp?r=86458&k=f&rapo=1604&old=376>

commissioner for every Member State even after the expansion of the collegium of Commissioners but eventually accepted the reduction in the number of commissioners after 2014. As to the double majority voting procedure, the Finnish aim was to achieve parity in both the percentage of member states and population needed for a successful resolution. The end result of 55%-65% was seen as a setback by the Government.

Finland was opposed to the creation of a position of European Council President. In the Government's view, a permanent President would jeopardise equality between the Member States. The country would have wanted to retain the present rotating presidency at least in the European Council, the General Affairs Council, and Coreper (the Permanent Representatives Committee). The abolition of the system of rotating presidency in the European Council did not thus coincide with Finnish goals. However, the solution that the presidency of the Council of Ministers will be held by one country for six months, under the umbrella of a new "team presidency", gave some consolation to the Finnish negotiators.

Finland supported the development of the function of the Union's High Representative into that of EU Foreign Minister. Nevertheless, according to the Finnish position the Foreign Minister of the Union should not have been made the Chairman of the External Relations Council. The Finnish conviction was not to build hierarchies within the Commission. Yet the Government was willing to improve decision-making and to reform structures so as to strengthen the Union's Common Foreign and Security Policy.

Public discussion was to some degree disillusioned by the way the Constitutional Treaty was forged. Some commentators considered the outcome as yet another compromise in a series of compromise treaties. In this view, hopes for greater efficiency and clarity in EU decision-making were again proved wrong. Representatives from the Christian Democrats and the Constitutionals, both relatively small parties in the opposition, heavily criticised Prime Minister Vanhanen's performance because they felt the largest member states had just been playing their own game of power politics with no regard for the smaller members. This attitude gained momentum especially during the selection of the new Commission President. Some public commentators felt bitterly that Finland's candidate was sidestepped in the selection process.

The Intergovernmental Conference that led to the Constitutional Treaty also received praise in the media. The fact that 25 member states could agree on a wide range of issues was seen as all but a miracle. Contrary to the worst scenarios, a Constitutional Treaty did come about without anything fundamentally inhospitable to Finnish interests. Many public declarations contained credit for the greater legal synthesis and thoroughness of the final treaty.

Convention draft compared to final document agreed by the IGC

The Finnish Government was satisfied with the final draft Constitution as it was seen as an improvement on the work of the preparatory Convention.⁹⁰ The Finnish delegation observed that the substantial issues most relevant to Finland were more acceptable in the draft Constitution than in the Convention document. Among the most sensitive issues was the question of a special role of the scarcely populated areas of Northern and Eastern Finland. As the government wished, their unique status was recognised in the draft Constitution.

As presented above, Finland voiced its concerns about the proposed organisation of the collegium of the Commission and the double majority voting mechanism, but failed to achieve its aims. The Finnish negotiators, however, accepted the reduction in the number of commissioners to two-thirds of the number of member states after 2014 after it was agreed that the remaining posts would be rotated on an equal basis between the members. The Finnish Government deemed the final result also much better than the suggestion of the Convention whereby the Commission would have been divided into members with a right of vote and those without it.

The decision reached on double majority voting was similarly seen as an enhancement on the Convention draft even though the longed-for parity between the share of member states and that of population was not adopted. The eventual 55%-65% agreement threshold, combined with a minimum blocking coalition of four countries, was considered to benefit

⁹⁰ See Statement by Prime Minister Anneli Jäätteenmäki to Parliament on 14 May 2003 concerning the position of the Finnish Government regarding the proposals before the Convention on the Future of Europe on the EU's institutions and foreign and security policy, available in English at <http://www.valtioneuvosto.fi/vn/liston/base.lsp?r=36992&k=en&rapo=1604&old=473>

Finland when compared to the initial 50%-60% proposal of the Convention.

Some critics from opposition parties questioned the strategy of the Finnish Government in terms of Finnish representation in the Convention. Finland was represented by Teija Tiilikainen, a political scientist, and the current Prime Minister Matti Vanhanen, then a Member of the Finnish Parliament. The critics would have preferred to see a more senior level Finnish participation because in their view most of the critical groundwork for the Constitution was done during the Convention. The official Finnish position was to leave the crucial negotiations to the Intergovernmental Conference because the Convention was seen as a preparatory discussion forum.

sensitive questions

composition of EU Commission

Finland had proposed a commissioner for every member state even after the expansion of the Commission but eventually accepted the reduction in the number of commissioners after 2014.

weighting of votes/double majority

As to the double majority voting procedure, the Finnish aim was to achieve parity in both the percentage of member states and population needed for a successful resolution. The end result of 55%-65% was seen as a setback by the Government.

extension of qualified majority voting and "red lines"

Finland favoured measures to make the decision-making mechanism more efficient. Therefore the Government was in principle behind the extension of qualified majority voting with the exception of some policy areas, such as defence and taxation, which are still to be decided unanimously. Finland was more concerned about the actual weighting of votes than about qualified majority voting as such.

allocation of seats in the EP

Virtually no debate has taken place in the media or in other avenues about the size of the Finnish representation in the European Parliament. The Finnish Government accepted the drop in its MEP representation from 16 to 14, which occurred after the Eastern Enlargement.

stability and growth pact

Finland has remained committed to the agreed macroeconomic targets of the Stability and Growth Pact since its founding and continues to support its requirements. In year 2003 Finland had the largest surplus (down to 2,3% from 4,3% in 2002) in the public sector among the member states.⁹¹ Some criticism has been aired in the media about the continuing disregard for commonly agreed rules by Germany and France, whose public sector deficit increased in 2003 in defiance of the Pact regulations.

enhanced cooperation

The Finnish Government is satisfied with the provisions concerning enhanced cooperation. The Government has opposed the creation of separate groups of core countries especially in the field of European Security and Defence Policy (ESDP). The required unanimity for enhanced cooperation in ESDP, which was included in the Constitutional Treaty, therefore serves Finnish goals.

balance between the EU-institutions

In the Government's view, the balance between EU institutions must be respected. Finland believes the community method should be the guiding principle in the formulation of Union policies in order to preserve equality among the member states.

others

Finland accepted that all member states are in principle committed to defend each other as long as no mention was included on formal mutual defence obligations. This was one of the most important demands of Finland in the discussions over the new Constitutional Treaty. In the final phase of negotiations in early December 2003, Finland rejected the formulation of mutual security guarantees as suggested by the Italian presidency, and took the initiative in proposing a "softer" wording. The Finnish proposal was supported by the other non-allied Member States,⁹² and led to redrafting of the respective article of the treaty. Mutual defence with a reservation that it "shall not prejudice the specific character of the

⁹¹ See *Helsingin Sanomat* newspaper, 17 March 2004

⁹² Letter from the Foreign Ministers of Finland, Ireland, Austria and Sweden to Franco Frattini, the President of the Council of the European Union, CIG 62/03, Brussels, 4 December 2003.

security and defence policy of certain Member States”, as stated in the final version of the draft adopted in June 2004 (Art. I-40.2), is acceptable to Finland and the other non-allied countries. However, the obstructive position on European security guarantees that was pursued by the Finnish Government in the end of 2003 was criticised in the domestic discussion for harming Finland’s overall leverage in the Union.

preparation of and probable obstacles to ratification

parliament

It is likely that the Finnish Parliament will follow the majority Government’s advice and endorse the Constitutional Treaty. Pressure against ratification may however arise if the improbable, yet possible, advisory referendum goes against the adoption of the Constitution.

referendum

It seems highly unlikely that an advisory referendum will be organised. No official decision has been yet made on whether a referendum is needed but the Prime Minister has come out in public to denounce the need for one. Single voices within the Government and some strong statements from the opposition parties still continue to call for a national referendum.

The three Government parties: the Centre Party, the Social Democratic Party and the Swedish People’s Party are united behind Prime Minister Vanhanen’s opinion of not organising a referendum. The largest opposition party, the National Coalition Party, also supports the Government’s position while the Green Party and the Left Alliance of the opposition have frequently called for a referendum.

Germany

overall outcome

potential of the Constitution to allow for an efficient functioning of the EU-25

After the adoption of the Constitutional Treaty through the IGC in June 2004, the political actors in Germany confined themselves to generalities about the potential of the new treaty to allow an efficient functioning of the EU-25. There was a broad consensus that the Constitutional Treaty should establish a stable

and efficient political structure for the European Union in the long run and make an end to the European “reform staccato”⁹³. But it was also generally agreed that the transformation of the Constitution into political practice will depend on the evolution of institutions and on political individuals.⁹⁴

The major elements of reform are a greater efficiency through reforms in the institutional system (President of the European Council, Foreign Minister, smaller Commission, new presidency system in the Council) and the decision-making procedures (double majority, extension of qualified majority voting); more democracy through the strengthening of the European Parliament, the new role of national parliaments in the decision-making process (“early warning mechanism”) and the inclusion of the Charter of Fundamental Rights into the Constitutional Treaty; more transparency through a single legal personality for the European Union, the abolition of the pillar system, the clear delimitation of competences between the Union and the member states, the simplification of legislative procedures and the reduction and new naming of legal instruments.

Convention draft compared to final document agreed by the IGC

Both government and opposition appreciated the work of the European Convention and agreed that it should be the model for further fundamental treaty revisions. The Intergovernmental Conference as the only instrument for treaty reform has reached its limits.⁹⁵ Already the old EU-15 had difficulties to reach an agreement in Nice 2000. The failure of the negotiations in December 2003 showed that it will not be easier with 25 or more member states.

The principal objective of the German administration was to keep the draft treaty as it was adopted by the Convention and to avoid

⁹³ Prof. Dr. Klaus Hänsch, MEP, former President of the European Parliament; former Member of the Presidium of the European Convention in a speech during the Conference: The European Constitutional Treaty – A solid basis for a democratic and efficient Europe? 23-24. September 2004 in the Institut für Europäische Politik, Berlin.

⁹⁴ Cf. Dr. Eckart Cuntz, Head of European Department; Federal Foreign Office, Berlin in a lecture during the Conference: The European Constitutional Treaty, I.c.

⁹⁵ Cf. Angela Merkel (leader of the CDU) in the speech to the German Bundestag 2.7.2004 and Michael Roth (deputy of the SPD parliamentary party) in a speech to the German Bundestag 2.7.2004. The whole plenary debate is available at: <http://dip.bundestag.de/btp/15/15119.pdf>.

substantial modifications during the negotiations of the IGC.⁹⁶ The fear was that if the draft treaty would be unravelled once, the whole package would have to be negotiated again from the beginning.⁹⁷ Even though from the German perspective there have been some steps backwards, for instance in tax issues, the parliamentary groups in the German Bundestag confirmed that the essential of the Convention draft was saved. At the same time, the German government has also achieved some “improvements”, for example to return to the right of initiative of the Commission concerning the deficit procedure or the anchorage of price stability as an objective of the European Union. In general, the plenary debate proved that the parliamentary parties were satisfied with the result of the IGC. The final document was judged as a good compromise and as a milestone for the European Union. However, there has also been an overall consensus among the political actors that Germany would be ready to take further steps towards a deeper European integration.⁹⁸

sensitive questions

Although the German government repeated more than once before the start of the IGC that the aim should be to have the Convention draft adopted unchanged in order not to endanger the whole project, unofficially there were several sensitive questions where Germany had a strong and clear position.

The question of how to define the qualified majority in the Council was of particular importance to the German government and parliament. The whole political class considered the introduction of the double majority as a great success that would make the work of the Council more effective and would reevaluate the German position inside the European Union. The reduction of the number of commissioners was one of the major aims of the German government that could finally be achieved in the IGC, even though an earlier introduction than 2014 would have been

preferred. Furthermore, the gain in flexibility is regarded as a big success, e.g. the extension of enhanced cooperation to the field of ESDP, the introduction of structured cooperation for ESDP, the founding of a European Defence Agency and the possibility of initiating common missions.⁹⁹ In the area of freedom, security and justice the German government appreciated the progressive integration steps. The extension of qualified majority voting in the area of judicial cooperation in criminal matters introduced by the Convention was in the end kept in the Constitutional treaty due to the introduction of an “emergency break-mechanism” that eventually might lead to the establishment of an enhanced cooperation (Art. III-270, 271 TCE). Concerning immigration policy Germany was successful in keeping for the member states the competence for immigration of nationals from third countries to the labour market. In the area of economics and finances several provisions have been specified or changed and meet now German demands: It was made clear that the coordination of economic and employment policy within the Union remains in the competence of the member states. The Euro group has been stipulated in a Protocol and is able to decide now about issues concerning the Euro zone only without the member states that didn't introduce the Euro. In general, the role of the Commission concerning the economic policy and the deficit procedure has been strengthened, however the Commission has been limited by the IGC to the competences it already had according to the stability pact, i.e. no right of proposing (instead of just recommending) concrete measures to the member states in order to reduce the budgetary deficit. The Council stays the institution that is taking the decisions.

Besides, all political parties in the German Bundestag and especially the German Länder appreciated the clear delimitation of competences in the Constitutional Treaty, although the Länder originally would have gone further in drafting a catalogue of competences.

Despite the general approval of the Constitutional Treaty not everything has been solved according to German interests and demands and some criticism still remains. It is disappointing that from the German point of

⁹⁶ Cf. Dr. Klaus Scharioth, Secretary of State in the Federal Foreign Office in a speech during the Conference: The European Constitutional Treaty, l.c.

⁹⁷ Cf. Joschka Fischer, foreign minister, in a speech to the German Bundestag 6.11.2003, http://www.auswaertiges-amt.de/www/de/infoservice/presse/presse_archiv?archiv_id=5056

⁹⁸ Cf. Plenary debate in the German Bundestag 2.7.2004, l.c. and Michael Sommer (leader of the Federation of German Trade Unions) Neue Verfassung bringt Europa vorwärts, 21.6.2004, http://www.dgb.de/presse/presse-meldungen/pmdb/presse-meldung_single?pmid=2398.

⁹⁹ Cf. Gerhard Schröder, Government declaration about the adoption of the EU Constitution, German Bundestag 2.7.2004; “EU-Verfassung ein Schritt historischer Tragweite”, in: Süddeutsche Zeitung, 2 July 2004, <http://www.sueddeutsche.de/deutschland/artikel/557/34523/>.

view the extension of qualified majority voting does not go far enough. Furthermore, the German political actors regretted the loss of three seats in the European Parliament by 2009 as a consequence of Germany's new position in the Council. They perceived this loss, however, as a necessity in the context of the whole compromise.¹⁰⁰

The CDU/CSU opposition in the German Bundestag emphasised the greater involvement of the national parliaments at the European level, but at the same time criticised that the reforms concerning the European Parliament were not sufficient for strengthening democracy in the European Union.¹⁰¹ The FDP parliamentary party focused its criticism on the relationship between the European Union and its citizens. They hope that the Constitution will advance the dialogue and help to manifest a European consciousness.¹⁰²

preparation of and probable obstacles to ratification

The overwhelming majority of the German Bundestag is ready to ratify the final outcome of the IGC. Only the two deputies of the PDS¹⁰³ were not satisfied with the result of the IGC due to the too undemocratic, unsocial and too military notion of the Constitutional Treaty.¹⁰⁴ Some members of the CDU/CSU opposition intended to combine the ratification with a discussion about questions concerning for example the early warning system for national parliaments or legal actions against the infringement of the principle of subsidiarity.¹⁰⁵ But every parliamentary group argued for a rapid ratification, if possible until spring 2005.

Concerning the question if the Constitution should be voted by a referendum, the plenary

debate and the discussion during the summer proved that the political class is divided. First there is no legal foundation in the German *Grundgesetz* which allows referenda on the national level. Therefore the FDP faction already introduced a bill in April 2004 in the German Bundestag to make a referendum possible.¹⁰⁶ The FDP and the two delegates allied to the PDS party repeated the demand for a referendum during the general discussion about the European Constitution in the German Bundestag in July 2004. But the German government and the appertaining parliamentary groups at first excluded this possibility.

The debate was relaunched by the announcement of France and the United Kingdom to hold a referendum. The prime minister of Bavaria, Edmund Stoiber (CSU), called for such a referendum in Germany either. He argued that in the case of referenda in these two big member states of the EU Germany could not be the odd one out. Moreover, the German government should have more confidence in the German population.¹⁰⁷ Surveys show that more than 80% of the German population are in favour of a referendum about the European Constitution.¹⁰⁸ The statement of Stoiber brought the CDU into trouble because the majority of the parliamentary party is not willing to modify the German *Grundgesetz* which would be the condition to introduce the possibility of referenda.¹⁰⁹

At the end of August, Franz Müntefering (leader of the SPD) cornered the CDU even more when he announced a turn of the SPD policy concerning the question of a referendum. He stated that the German people should have the right to vote for the European Constitution. The party executive of the SPD decided to introduce a bill in autumn 2004 in order to revise the *Grundgesetz* and, thus, make referenda basically feasible. In case the law should pass the Bundestag this year, the

¹⁰⁰ Cf. Gerhard Schröder, Government declaration; and Angela Merkel in the speech to the German Bundestag 2.7.2004. I.c.

¹⁰¹ Cf. Dr. Gerd Müller (deputy of the CDU/CSU parliamentary party) in a speech to the German Bundestag 2.7.2004. I.c.

¹⁰² Cf. Dr. Wolfgang Gerhardt (leader of the FDP parliamentary party) in a speech to the German Bundestag 2.7.2004 and Sabine Leutheusser-Schnarrenberger (deputy of the FDP parliamentary party) in a speech to the German Bundestag 2.7.2004. I.c.

¹⁰³ The PDS has actually no parliamentary group in the German Bundestag because it missed the 5% threshold in the election for the Bundestag in 2002. But it gained two constituencies in Berlin and could send two deputies in the German Bundestag.

¹⁰⁴ Cf. Dr. Gesine Lötsch in a speech to the German Bundestag 2.7.2004. I.c.

¹⁰⁵ Cf. Peter Hintze (deputy of the CDU/CSU parliamentary party) and Dr. Gerd Müller in their speeches to the German Bundestag 2.7.2004. I.c.

¹⁰⁶ Cf. Bill for a supplement of the Grundgesetz Article 23 introduced by the parliamentary group FDP, Drucksache 15/2998., 28.04.2004.

¹⁰⁷ Cf. Gespaltene Union: "Stoiber fordert Referendum über EU-Verfassung", in: Spiegel Online, 18 July 2004, www.spiegel.de/politik/deutschland/01518,309244,00.html.

¹⁰⁸ Cf. Stern-Umfrage: "Deutsche wollen über die EU-Verfassung abstimmen", 21 July 2004, <http://www.presseportal.de/story.htm?nr=578159&firmid=6329>.

¹⁰⁹ Cf. Wolfgang Schäuble (Vice-President of the parliamentary group CDU) argued against a referendum, in: Volkes Wille: "SPD-Politiker erwägen Referendum über EU Verfassung", 19 July 2004, <http://www.spiegel.de/politik/deutschland/0,1518,309328,0.html>.

German population could vote for the European Constitution in spring 2005.¹¹⁰ The law which would strengthen the direct democratic elements on the national level is supported by Bündnis 90/Die Grünen and by the FDP, yet it is still uncertain if it will pass *Bundestag* and *Bundesrat*. A two third majority in both institutions is necessary to change the German *Grundgesetz*. Thus, everything depends on the CDU.¹¹¹ The general secretary of the CDU, Laurenz Meyer, emphasised once again that the CDU is basically against plebiscite elements on the national level. However, the CDU might want to make an exception for the European Constitution.¹¹² There still remain some opponents, like for example the *Bundesverband der Deutschen Industrie (BDI)*¹¹³ whose President, Michael Rogowski, argued that the deputies should be reserved the right to vote for such an important decision that influences the vital interests of Germany,¹¹⁴ or the Member of European Parliament, Klaus Hänsch, who is of the opinion that a referendum would not strengthen a European consciousness like those in Ireland, Denmark and Sweden have shown.¹¹⁵

Greece

overall outcome

Reactions to the successful conclusion of the IGC were largely positive, with elements of relief that there have been no end-run hitches. This positive assessment covers most political parties (with the continuing exception of the Communist Party/ KKE), the Unions and business leaders, as well as the major part of the Press and electronic media. The extent to which positive feelings prevailed was such, that it took some time for the realization to sink in that the Draft Constitution would have to be ratified by 25 countries, either in Parliament or by referendum, in order to take effect. In fact, only in mid-2004, when the matter of French and possibly German referenda "under a cloud" came to the fore – further to the

English problem, the Dutch and Polish negative feelings etc. – did the real balance of the Constitution and its place in European public opinion started to be addressed in Greece.

There had been quite a lot of pride in Greece over the fact that (it was though that) the essential job of the Convention had been tied up in time for Giscard d'Estaing to present it to the Thessaloniki Summit in mid-2003. Items like the Foreign Secretary or the President of the Union were thought of as embodying a notion of Europe (federal, with an effective foreign policy and defense, with a "core" including Greece) espoused by the Socialists who were in Government until March, but also essentially followed by the Conservatives who succeeded them in power. Thus, the fact that much consensus-building had to be put in place for the IGC to agree on the Draft Constitution, caused some concern. It was viewed as watering-down of the Convention's ambitions.

sensitive questions

composition of EU Commission

Much attention was given to keeping "a national Commissioner", with relatively less attention given to the prospect of a stratified Commission, with full and lesser-rank members.

weighting of votes/double majority

The double majority and QMV weighting in Council has been mainly discussed as a "Spanish and Polish problem".

extension of qualified majority voting and "red lines"

The exclusion of areas such as taxation and social security from majority voting was used in internal political debate (e.g. in Greece there is a general consensus among political parties and the Unions not to even touch upon the Social Security impasse).

allocation of seats in the EP

The continuing use of unanimity in CFSP mainly was approached as proof of foot-dragging in the evolution of the EU in a federal direction.

¹¹⁰ Cf. Bannas; Günter: "EU-Referendum – Ganz oder gar nicht", in: Frankfurter Allgemeine Zeitung, 30 August 2004.

¹¹¹ The German government has tried a similar project two years ago but the CDU voted against.

¹¹² Cf. "Union liebäugelt nur mit EU-Referendum", in: Financial Times Deutschland, 30 August 2004.

¹¹³ German Industry Association

¹¹⁴ Cf. Interview with President of the German Federal Association of Industry Michael Rogowski cited in: Der Tagesspiegel, 31 August 2004.

¹¹⁵ Cf. Prof. Dr. Klaus Hänsch, MEP, in a speech during the Conference: The European Constitutional Treaty, I. c.

stability and growth pact

The fact that the IGC (and the Convention, earlier on) did not deal with the Stability and Growth Pact has been criticized as a classical case of Eurohesitant position, whereby essential matters are avoided while an institutional approach is privileged. This was already the fact when the Stability and Growth Pact came under fire due to the French and German deficit, but it came more strongly to the fore when “the Greek case” of the dormant deficits-and-debt grabbed the headlines.

enhanced cooperation

Enhanced cooperation is considered of special interest to Greece in connection with the development of a common security and defense policy, which would amount to a guarantee of local conflict avoidance and territorial integrity for Greece.

balance between the EU-institutions

At some point, there was some public debate concerning the inclusion of the Christian roots of Europe to the Constitution’s preamble, due to the importance that the Orthodox Church afforded the matter. The Conservative Government sided with this position, but not in an overly enthusiastic way.

preparation of and probable obstacles to ratification

Ratification of the Constitution in Greece should meet no obstacle as was the case with all previous treaty amendments. Ratification should come through Parliament. No referendum was expected until the Socialists – on the very eve of the festivities of the Constitution signing in Rome – called for a referendum in order to have a general debate “over Europe”. They were joined by the Coalition of Left and Progress, pro-EU but attacking the Draft Constitution for being “of neo-liberal inspiration”. The Conservative Government reacted violently, refusing the referendum.

Hungary¹¹⁶

overall outcome

In general the reaction regarding the conclusion of the IGC adopting the European Constitution was very positive in Hungary. Hungary was among the countries, that sought to reach an agreement already at the summit of 13 December 2003. In the course of its failure, Hungary was anxious to witness rigidity by some other Member States, considering their speculations about an EU of several speeds. Due to the Irish Presidency, consultations were successfully re-launched and at the March European Council the Member States finally committed themselves to revive the IGC and to conclude it by the 18th of June. The strengthening of the political will that was necessary for the adoption of the Constitution was surely influenced by two negative events: the tragedy of the Madrid terrorist attack and the poor turnout of the European Parliament (EP) elections. Both events pointed to the urgent need to have a viable European Constitution providing solid foundations for a much more efficient EU, which serves the interests of all its citizens.

potential of the Constitution to allow for an efficient functioning of the EU-25

According to the official Hungarian assessment, which is also shared by the opposition, the Constitution’s potential for an efficient functioning of the EU-25 is high, for that reason the document is welcomed by Hungary. Achievements like one single Constitutional Treaty instead of the previous EC/EU Treaties and their amendments, the abolishment of the pillars, the establishment of a legal personality of the EU, or the classification of competences seem to be basic prerequisites for a well functioning of an integrated organisation like the EU.

¹¹⁶ Information sources:
 Website of the Hungarian Ministry of Foreign Affairs: <http://www.kum.hu>,
 Website of regular EU-news: <http://www.bruxinfo.hu>,
 Interviews with:
 officials from the Hungarian Ministry of Foreign Affairs,
 officials from the European Affairs Office of the Hungarian Parliament,
 Report about the EP elections by the director of the Szonda Ipsos Market Research and Polling Institute at a conference in Budapest
 Analytical articles of *Europai Tukor* (a Hungarian journal specialised in European issues)
 Szemler, Tamas (ed.) (2004): *EU-koltsegvetes 2007-2013: Erdekek es Allaspontok*. MTA Vilaggazdasagi Kutatointezet, Budapest (“EU-budget 2007-2013: Interests and Positions”)

Furthermore, regarding the substance, the Constitution reinforces the major common policies, thereby enabling the smooth continuation of deepening – which is also crucial for a steadily widening EU.

Convention draft compared to final document agreed by the IGC

From the Hungarian perspective the final Constitutional Treaty that was adopted by the IGC contains all major priorities, which Hungary put forward – therefore it is perceived as a document, that is even more complying with Hungary's national interests than the version adopted by the Convention. Beyond the institutional aspects and enhanced cooperation discussed below, two more achievements are worth highlighting: among the Union's values now figures the protection of minority rights (i.e. the rights of "persons belonging to a minority" instead of the Hungarian proposal of inserting the principle of collective rights), and regarding defence policy, the modified provisions succeeded in avoiding overlaps with NATO structures and competences.

sensitive questions

composition of EU Commission

Hungary actually did not support the Convention-formula of having 15 "senior" and further "junior" Commissioners from 2009 onwards, and kept on promoting the principle of one Commissioner per Member State. The final result of having one Commissioner per Member State until 2014 and the shrinking of the college's size via a rotation system afterwards is an acceptable solution for Hungary given the application of the strictly equal rotation principle and the transparency requirement.

weighting of votes/double majority

Even if the Nice system was perceived as satisfactory, Hungary has been supporting the idea of a double majority voting as a transparent method reflecting both the principle of equality of states and the principle of representative democracy. Initially, Hungary was in favour of equal percentages (preferably 60%-60%), however, the adopted thresholds of 55%-65% (that is a minimum of 15 or a minimum 4 Member States for a qualified majority or a blocking minority respectively) are acceptable for Hungary without any problem.

The higher rates of 72%-65% in case the proposal is not submitted by the Commission are equally acceptable. These solutions impede simplicity and transparency, especially if we further take into account the new Ioannina-compromise.

extension of qualified majority voting and "red lines"

Hungary is among those countries that support the extension of qualified majority voting (QMV). There are no special "red lines" and Hungary does not unconditionally stick to unanimity in any special Union policy.

allocation of seats in the EP

In contrast to some other Member States Hungary did not have any special interest regarding the allocation of seats in the EP. Hungary and the Czech Republic had a serious problem in this respect earlier – when according to the Nice arrangements to both countries two seats less would have been allocated, than to three old Member States with exactly the same population size (10 million). The figures were: 20 and 22 respectively. But since these figures have been corrected and rounded up to 24 for all the five Member States concerned, Hungary did not articulate any further interest and accepted the maximum size of the EP (750) as well as the minimum (6) and maximum (96) seats a country can be entitled to.

stability and growth pact

Hungary generally shares the view that the present economic policy framework based on the Stability and Growth Pact is too inflexible. However, the application of a more complex framework of rules would be even more difficult and there is a serious risk that with such a framework every country would find its way to maintain a budget deficit that is disadvantageous for the monetary stability of the EU. In order to diminish these threats Hungary recently proposed a framework taking into account certain factors (e.g. budgetary implication of pension reforms, a temporarily higher investment ratio, a increasing savings ratio). This framework would be applicable to all Member States ensuring the consequent application of the principle of equal treatment. (Hungary saw a relative success at the 10 September ECOFIN Council where the mentioned proposal of taking into account the

pension reform element was adopted by the Council.)

enhanced cooperation

In the field of enhanced cooperation Hungary successfully fought for the insertion of a new principle into the Constitutional Treaty, according to which the joining of later-comers is not only possible (principle of openness) but shall also be promoted and assisted by the insiders.

balance between the EU-institutions

From the outset of the work of the European Convention, the Hungarian members put an emphasis on the preservation of the institutional balance and the Community-method, that is the exclusive right of initiative of the Commission, majority voting in the Council coupled with co-decision with the EP. Hungary appreciated the strengthening of the Commission's powers, the extension of QMV as well as rendering co-decision the "ordinary legislative procedure". At the same time (as a potential threat to the institutional balance) Hungary has been against the abolishment of the rotating presidency system at European Council level and against the creation of the post of the EU President. As a result of heated debates in the Convention the role of the President shall rather be that of a chairman of the European Council and he/she will also play a representative role. This solution was finally accepted by Hungary at both the Convention and the IGC. Furthermore, the fact that a (new) rotation system at the Council of Ministers level will be maintained was also welcomed by Hungary.

preparation of and probable obstacles to ratification

Out of the four Hungarian parliamentary parties only one (Alliance of Free Democrats, the smaller governing party) is in favour of ratifying the Constitutional Treaty via referendum, the remaining support a ratification through the parliament – therefore it is more than likely that Hungary will chose the latter method for the adoption of the Treaty. Moreover, as a proof of commitment to all the constitutional achievements, Hungary set itself the goal to ratify the document as soon as possible (preferably until the end of 2004), in order to be among the first countries that have it ratified. Given the high level of commitment and the ratification procedure, there should not be any

obstacles to the ratification of the Constitutional Treaty by Hungary.

Ireland¹¹⁷

overall outcome

In Ireland, there was particular satisfaction that the IGC was successfully completed during the Irish Presidency. In regard to the content of the Constitutional Treaty, the Government parties in particular, but also the opposition parties which had been involved in the Convention, expressed satisfaction; the result was seen as a balanced compromise in which no side got its preferred solution but in which important national interests were not over-ridden. Some minority areas of public opinion and traditional opponents of European integration expressed dissatisfaction with aspects such as the absence of a reference to God or, for example, what they consider a further step towards a European State or more militaristic policies – views, which were rapidly countered. The Sinn Fein party, which has significantly increased its popular vote, is entirely opposed to the treaty, declaring the document an unacceptable erosion of Irish sovereignty and the greatest step so far towards the creation of a European super-state.

potential of the Constitution to allow for more efficient functioning of the EU-25

In general, the majority opinion, as expressed, is that the Constitutional Treaty provides for more efficient functioning of the enlarged Union and that it goes a considerable way towards meeting the concerns for greater clarity etc. Specifically, the new QMV voting system of 55% of member states representing at least 65% of the population of the EU is perceived to be a much simpler basis for efficient decision-making and a reasonable basis on which to extend QMV to other areas. Attitudes to the retention of unanimity for foreign policy matters remain ambiguous and it remains to be seen whether or not the consensus culture, which this denotes will be perceived as good or bad. Consensus on important foreign policy questions may afford the legitimacy necessary for effective decision-making; on the other hand, the constraints of unanimity may result in decision making which is too slow to be effective.

¹¹⁷ All answers refer to the position/assessment of Ireland's government, opposition parties, civil society organisations, and the public opinion.

Convention draft compared to final document agreed by the IGC

It was also argued by Government parties, and not effectively denied by others, that the final document was an improvement on the Convention text, in respect, for example, of some aspects of the institutional provisions, and, not least, confirming that harmonisation of taxation (an important issue) would remain subject to unanimity.

The main parties accepted the need to re-organise the EU treaty system to provide for a more efficient functioning of the EU of 25 member states. The overall outcome is seen as a more cogent, balanced institutional package.

There is widespread acknowledgement of the fact that the greater part of the Convention document, was drafted in a much more transparent forum than an IGC and there is a perception of continuity between the two.

sensitive questions

The most sensitive questions have been referred to above, viz harmonisation of taxes and the proposed reference to God. The latter was officially a stated preference. Another concern was the maintenance of the integrity of the Common Law system. The issue of neutrality issue will be central and divisive. A major debate is underway on the issue of crisis management and on EU/UN relations. There was some concern in regard to the role of the Union Minister for Foreign Affairs. On particular issues such as:

composition of EU Commission

In keeping with the perception of the Constitution as a whole, the bargain struck over Commission representation, with the retention of a national commissioner until 2014 (check this), appears balanced.

weighting of votes/double majority

The arrangements for double majority voting in cases where QMV applies will continue to facilitate alliance building, which is considered a national strength and an imperative for small member states in the new EU of 25. The new system also provides a much-needed clarification on the complex arrangements laid out in Nice.

extension of qualified majority voting and red lines

It remains to be seen how this will be received since the extension of QMV prompts two reactions: the desirability of speeding up decisions in the EU framework and concerns over loss of control. Extension of QMV is controversial in areas such as the Common Commercial Policy.

allocation of seats in EP

Ireland is not affected by the new dispensation under the Constitution and therefore there is little reaction on this point.

stability and Growth Pact

It is difficult to gauge reaction to the SGP as the debate is still in progress in the business sector and in other interested sectors of civil society which are in general supportive of the Constitution. The readiness to accommodate France and Germany this year led to a perception of a small state/large state divide in terms of its application. Proposals for the retention but reform of the Pact find resonance in the Irish policy community.

enhanced cooperation

Enhanced cooperation is a controversial issue, as Ireland is opposed to any prospect of a "two tier" Europe. The Irish government and public opinion accept the desirability of flexibility provided for under enhanced cooperation in the framework of strict conditions laid out in Nice and carried over into this Constitutional text. The distinction between enhanced cooperation and structured cooperation is likely to prove a source of confusion.

balance between EU institutions

For a small state, a perception of balance between the EU institutions is key to acceptance of the IGC outcome. The current text outlines a more elegant arrangement than was provided for by the last treaty. However, as mentioned above, the nuances of the future relationship between the newly created post of President of the European Council and the EU Foreign Minister and the President of the Commission will serve as a benchmark for the maintenance of this balance. Ireland has been a traditional supporter of a strong Commission and would be reluctant to see its effectiveness diminished by inter-institutional rivalry.

others

development cooperation policy and the European Public Prosecutor

While the European Convention on the Future of Europe, the Irish Presidency and the National Forum on Europe have increased public awareness of the EU generally, as regards the outcome of the IGC, there is, as yet, little sense of increased public ownership. However MRBI polls indicate a majority in favour of a constitution for Europe.

preparation for ratification

With regard to the preparation for ratification, it should be said that wider public opinion was not continuously engaged at more than a fairly superficial level during the negotiations although activists, NGOs, opinion formers and others were provided with greatly enhanced opportunities to keep themselves informed particularly through the Government-funded but independently – chaired National Forum on Europe. The procedures leading to the referendum are as follows. The Irish government will produce a White Paper on the Constitutional Treaty in early 2005 (An Explanatory Paper has already been published). The Treaty will be debated in both Houses of the Oireachtas (Parliament) and a Constitutional Amendment Bill, when approved by the Oireachtas will be put to the people in a referendum for a decision by simple majority.

It is unlikely that a Parliamentary obstacle to ratification will arise but the referendum campaign which will be a lively one. There has already been an upsurge of debate by way of letter-writing and feature articles in the national press. Activists on both sides are alert and ready to respond very quickly to what they see as misleading, inaccurate or plainly false statements by the other side.

The sobering experience of the rejection, and later ratification of the Nice Treaty in a second referendum suggest that ‘communication’ will, once again, be the watchword in the next referendum campaign.

Italy

The Italian government’s position on the new Constitution was expressed by Foreign Minister Franco Frattini,¹¹⁸ who gave credit to

the new text for its capacity to respond to institutional demands but affirmed that it falls short of ambitions. According to Frattini, in the last stages of negotiation the draft treaty presented by the European Convention was watered down by the intergovernmental conference – something to which the Italian Presidency was opposed. Nevertheless, in a speech to the Italian Parliament¹¹⁹ following the end of negotiations, Frattini admitted that a compromise was necessary to achieve consensus and was in any case preferable to a second defeat, after that of the Brussels summit of December 2003.

The final agreement contained positive and negative innovations. Frattini deemed disappointing the limited extension of qualified majority voting, in particular in the field of foreign policy, and criticised the modified definition of majority voting in the Council (compared to the Convention proposal). Throughout negotiations, the Italian government opposed the final agreement since it facilitates the emerging of minority blocs; nevertheless, before Parliament Frattini acknowledged that its introduction was partly compensated by the provisions introducing the so-called “*passerelle* clauses” and easier mechanisms for starting enhanced co-operation. To these shortcomings, Frattini added the Italian government’s disappointment for lack of a reference to the EU’s Christian roots, which was among its priorities but never represented a red line.

On the other hand, Frattini welcomed the institutional balance achieved in the Treaty and the reduction of the size of the Commission, which will prevent the body from becoming a sort of intergovernmental arena. The government also supported the IGC’s decision to reduce the Commission’s powers on deficit procedure as compared with those envisaged by the Convention. The Commission will not be able to present proposals to the Council on this matter, but only to make recommendations as in the current system; this will allow the Council to modify the recommendation by qualified majority voting, while unanimity is required to modify a Commission proposal.

Similar positions were echoed by the main Italian political parties, giving the new Constitution a favourable but not enthusiastic welcome. While the new treaty was widely seen as containing necessary and positive innovations compared to the Nice Treaty, it was nevertheless judged less satisfactory than

¹¹⁸ For details see his interview in *Il Corriere della Sera*, 20/6/2004, “A *comme ci, comme ça* Constitution”

¹¹⁹ Speech by Franco Frattini to the Italian Parliament on 1/7/2004

the Convention's draft. In fact, many politicians who had given the draft a positive assessment, criticised the intergovernmental conference for having taken a step back as regards the Constitution's ambitions. Political parties shared the government's disappointment for the limited extension of qualified majority voting and some also criticised the lack of reference to Christian values, which represented a core issue in the Italian debate. In an article in the *Sole 24 Ore*,¹²⁰ the former Vice President of the Convention, Giuliano Amato, also deplored the changes made by the IGC on institutional matters and qualified majority voting, but approved the introduction of the *passerelle* and other clauses facilitating the functioning of EU institutions.

A significant exception to this general attitude was represented by the governing coalition party *Lega Nord*, which strongly criticised the treaty for reducing the national sovereignty of member states. The radical left wing party *Rifondazione Comunista* (PRC -refounded communists) considers the Treaty to be inspired by a "liberal philosophy".

Public opinion trends on EU constitutional reform generally confirm people's positive perception of the integration process and trust in EU institutions. According to the Flash Eurobarometer of June-July 2004, Italians believe European integration should proceed faster and report one of the highest percentages of acceptance of the new Constitution in Europe (more than 90%).

As for ratification, the Italian Constitution currently excludes referenda on international treaties, therefore holding a referendum on the European Constitution would require a constitutional reform or approval of a specific law allowing for a referendum on this particular matter (a procedure already used in 1989). In both cases, this would imply a long delay in the ratification process, contradicting the desire for prompt ratification expressed by many political leaders as well as the President of the Italian Republic, Carlo Azeglio Ciampi, as he made clear in his declaration to that effect following a meeting with his German counterpart in July.

Despite these major juridical problems, the idea of a referendum has been gaining support among politicians from both government and opposition parties. At first, a referendum was supported by the governing party *Lega Nord* and opposition party PRC, both of which oppose the treaty. For different reasons, the idea was promoted by the Speaker of the Chamber of Deputies and member of the

governing coalition, Pier Ferdinando Casini.¹²¹ Casini argued that a referendum would confer greater legitimacy on the Constitution and help bridge the gap between citizens and institutions. His view was shared by many members of both governing and opposition coalitions. In an interview with the same newspaper,¹²² even Foreign Minister Franco Frattini did not exclude it.

Other politicians, on the contrary, fear that a vote could be influenced by specific questions (such as the lack of reference to the EU's Christian roots) or even concerns about strictly domestic issues; some are also worried about the risk of a low turnout. From this point of view, a vote in the Parliament resulting in a large "yes" majority would certainly give Italy's European partners a stronger signal of its commitment.

After the summer, the debate has been slowing down and the proponents of a referendum seem to have lost power. It is worth noting that a popular vote would probably highlight the internal divisions over the Constitutional Treaty of both the government and the opposition coalition. The government is likely to play on this element up to the final decision which, according to Frattini, is to come in November.

Latvia

The imminent signing of the Treaty and the Final Act establishing a Constitution for Europe has neither been attended by publicity nor anticipated by the population of Latvia in general. Although many aspects of Latvia's membership of the European Union have elicited great public interest and generated heated discussions,¹²³ the EU Constitutional Treaty has not been one of them. Since the completion of the draft EU Constitutional Treaty in summer 2003 and the end of the European Convention where Latvia participated actively in the preparation of this document, public interest has waned.

¹²¹ For details see *Il Corriere della Sera*, 21/6/2004

¹²² *Il Corriere della Sera*, 20/6/2004

¹²³ Of great public interest has been the choice by Prime Minister Indulis Emsis (Green and Farmers' Union) of his party ally and speaker of the Latvian parliament, Ingrida Udre, as Latvia's candidate for EU Commissioner and the outcome of her candidacy, especially as a consequence of the questions raised about her qualifications and political party's finances in the EU hearings. The other topic of great interest is the spelling of the Euro in EU documents in Latvian. Since „Euro“ looks and sounds strange in their language, Latvians prefer to talk and write about the „eiro“; they would like to have that spelling appear in the EU documents in Latvian.

¹²⁰ *Il Sole 24 Ore*, 20/6/2004

Four Latvian National Conventions on the Future of Europe were held between 5 May 2003 and 4 June 2003.¹²⁴ These gatherings, aimed to inform the public about the proceedings of the European Convention and contribute to public debate about the European Union and the future of Europe after the EU enlargement, prepared non-binding guidelines for Latvia's delegates to the European Convention. Although the national conventions attempted to foster more democracy in the work of the European Convention, the tepid interest that had been created among the population dissipated by the first followup Intergovernmental Conference in October 2003.

Public focus on this issue diminished also as a consequence of the restructuring of the European Integration Bureau into the European Information Bureau on 1 December 2003¹²⁵ and the fact that between October 2003 and October 2004 Latvia has had three ministers of foreign affairs.¹²⁶ The non-partisan Sandra Kalniete served as Minister of Foreign Affairs from November 2002 until 9 March 2004 when she was succeeded by Rihards Pīks, whose term of service lasted until 19 July 2004; the new foreign minister is Artis Pabriks. Kalniete lost the position after the government of Einars Repše (New Era) resigned and a new government, under the leadership of Indulis Emsis (Green and Farmers Union) began its work. In the coalition government of Emsis, the position of foreign minister has been filled by members of the People's Party. These changes in the European Information Bureau and the Ministry of Foreign Affairs have resulted in diminished attention to informing the public about this topic. In this context, what is also remarkable is that though Pīks, before becoming foreign minister, was no newcomer to Brussels and the EU and had served as a member of the Latvian delegation at the European Convention, the Constitutional Treaty is not mentioned in any way in the section on foreign affairs of the Declaration on the Intended Activities of the Cabinet of Ministers that was issued on 8 March 2004 by the new government of Emsis.¹²⁷ These informational gaps, however, should not be construed as a conscious attempt to keep the

public in the dark, but rather as an oversight. All signs point to Latvia's signing of all the documents related to Constitutional Treaty at the ceremony in Rome on 29 October 2004.

The general impression of the Convention, where the Constitutional Treaty was drafted, and the subsequent Intergovernmental conferences, where it was amended, has been positive since the main points that Latvia advocated were eventually taken into account; conversely, there were no points that Latvia supported or objected to adamantly that were rejected outright or ignored by the other countries. Latvia offered a dozen amendments – some editorial, some substantive – and participated in the drafting of concepts and a package of 16 amendments offered by nine smaller states on *Reforming the Institutions: Principles and Premises*.¹²⁸ All these proposals – the scope of this paper does not permit an analysis of the outcome of each specific point – reflect Latvia's general position¹²⁹ as summarized below:

1. The European Union is and remains an entity of nation states, rather than a federation or a single state; hence, the idea of a European president is inappropriate.
2. EU epitomises attachment to democratic values and human rights; effort should be made to involve more the national parliaments and citizens of each member country.
3. Time and effort will be needed to overcome the economic disparities within the enlarged European Union, so as to avoid regional polarization.
4. The basis of the enlarged EU is equality to be underpinned by rights and processes, including the following:
 - every member state enjoys the right to assume the presidency of the EU;
 - use of the Community method;
 - strong and independent European Commission which takes into account the opinion of everyone before tabling proposals;

¹²⁴ More information about the four national conventions is available at the Internet: <http://www.eib.gov.lv/lv/konvents/lv/>

¹²⁵ The process is explained on Internet; see <http://www.eib.gov.lv/en/13>

¹²⁶ More detailed information is available at the Ministry of Foreign Affairs, <http://www.mfa.gov.lv/en/ministry/>

¹²⁷ For the full text, see <http://www.mfa.gov.lv/en/policy/4673/?print=on>

¹²⁸ The changes proposed or supported by Latvia at the European Convention are available in the Internet file on the results of the convention; see <http://www.am.gov.lv/lv/eu/4027/>

¹²⁹ The points listed here come from the speech of Latvia's Minister of Foreign Affairs Sandra Kalniete, delivered at the European Policy Centre on 27 February 2003; for further details see <http://www.am.gov.lv/en/news/speeches/2003/feb/3549/?print=on>

- every member state has one commissioner with the right to vote and a specific portfolio and who functions as one among equals in the Commission;
- to enhance legitimacy and transparency, the president of the European Commission is elected by the European Parliament;
- preserve the current institutional balance in the EU;
- decision-making process in the European Union needs to be made as effective as possible, with qualified majority voting prevailing;
- Latvia believes that the EU should strive for "one voice" in foreign, defence and economic policy;

After the submission of the Draft Constitutional Treaty to the IGC, on 29 September 2003 Latvia's Ministry of Foreign Affairs issued a position paper¹³⁰ which reiterated and stressed the following points:

1. each member country must be represented by one full-fledged commissioner;
2. same conditions apply to all member states in making decisions regarding EU's common defence policy, both its the formulation and implementation via structured cooperation; the focus of the policy should be de-escalation of crises;
3. each member states should have a minimum of five representatives in the European Parliament;
4. a special council on legislation is not desirable.

In addition, clarification was recommended concerning the following points:

1. specific function of the president of the European Council;
2. rotating presidency of the Council of Ministers (i.e. Council);
3. specific mandate and status of the Union Minister for Foreign Affairs;
4. agreeing in principle with the conditions regarding double-majority voting, Latvia believes in setting a parity either at 50% of the member states representing 50% of the population or at 60% of the member states representing 60% of the population.

¹³⁰ For more details see: <http://www.mfa.gov.lv/lv/eu/konstitucionalais-ligums/LatvijasPozicija/>

ratification

In Latvia, the decision to sign the Constitutional Treaty and the accompanying documents will be based on the opinion of experts, especially the lawmakers and government officials who took part in the European Convention. Opinion originating at the grass roots of the population will probably have little effect because of two factors: the public has not been urged to take a special interest in the subject and the draft Treaty is not easily accessible to the majority of the population. The documents can be read on the Internet, but they are not readily available in printed form. Despite fast growing computer literacy among the population of Latvia and widespread use of IT at work, most households do not have a computer and or inexpensive access to Internet. Furthermore, the Latvian translation of the provisional Constitutional Treaty (CIG 87/4), dated 6 August 2004, is 325 pages long, not including all the other relevant appended texts that have been disseminated subsequently; the sheer volume of materials would seem to suggest that only a few, very interested persons will have read the Constitutional Treaty before it is formally signed by a Latvian representative. In light of these factors, it seems unlikely that a referendum will take place in Latvia, despite the recently formed Euroskeptics Party's desire to hold a referendum. In all probability, the Constitutional Treaty will be ratified by the parliament where the pro-EU parties are in the majority.

Lithuania

overall outcome

potential of the Constitution to allow for an efficient functioning of the EU-25

Lithuania's governmental officials as well as most opposition parties almost unanimously congratulated the agreement on the Constitutional Treaty of the European Union. Minister of Foreign Affairs, Antanas Valionis, said that "this Treaty not only makes the activities of the European Union more effective, but also marks a new stage in the EU development"¹³¹. President of the Republic of Lithuania, Valdas Adamkus, stated that the Constitution gives everyone the acceptable

¹³¹ „ES konstitucinė sutartis - bendrų vertybių išraiška" [EU Constitutional Treaty – expression of common interests], ELTA, May 17, 2004, <http://www.delfi.lt/archive/index.php?id=4373753>

and clear vision of the European future. Prime Minister Algirdas Brazauskas again agreed that the EU Constitution would introduce the reforms that allow more transparent and effective functioning of the enlarged Europe.¹³²

So, the general mood and reactions were very optimistic. The Constitution was assessed as a consolidating project.

However, neither in the mass media nor among population the end and the results of the IGC did not receive a lot attention. The main reason for that were the Presidential elections (they were held on June 13) and the preparations for the second round of the elections. This event got all the attention of media and most of the population. Besides, the interest what was happening during the discussions on the Constitution was very small. All the talks about the EU were concentrated in April and May when the preparations to becoming a member of the EU on May 1, 2004 were organised.

Convention draft compared to final document agreed by the IGC

With the positive assessment of the results of the IGC the final document was also assessed positively. Although not all proposals and positions that Lithuania has defended were put into the final paper (e.g. number of Commissioners or the question of Christianity) it was tried to present it as the successful result for Lithuania. Prime Minister A. Brazauskas contended that “at the end we have to judge all the proposals in the context”.

¹³³ And the context is the effective and democratic functioning of the EU, the respect of the equality of all states and the EU institutional balance. It is still respected, and it is useful for Lithuania.

The Minister of Foreign Affairs was also the same opinion: “Provisions of the Constitution guarantee the proper representation of Lithuania in the EU institutions and will give the possibility to represent its national interests in the future. The voting power of Lithuania comparing to the current situation does not change much. We can state that the negotiations ended with the useful for Lithuania and constructive for Europe agreement.” He emphasised that in the EU not only the

procedures and number of population matter, but also the ability to coordinate interests, form coalitions, and define the state priorities.¹³⁴

Overall, even the loss was presented as the positive result and the government tried to keep the Euro-optimistic mood as much as possible.

sensitive questions

composition of EU Commission

Lithuania was strongly opposed to the plan to reduce the number of Commissioners. Lithuanian position was – every member state has to have one member of the Commission. However, before the end of the IGC Minister of Foreign Affairs acknowledged that the compromise would be possible. So, the final result was seen as a compromise and not a loss.

The explanation for this was that the government of Lithuania would be able to delegate its own Commissioner to two Commissions from three. Of course, there would be periods when Lithuania would have no a representative, but other, also bigger, EU members would be in the same situation. Besides, this happens only in 2014. Therefore, in the beginning of Lithuania’s membership the Commission would have the person who perfectly knows our country and its problems.¹³⁵

weighting of votes/double majority

The principles of voting was the question where the position of Lithuanian government was swinging. Initially, the Nice agreement were favoured (in Convention), later during the IGC the idea of double majority was preferred. The biggest worry was about the proportions of the states and the number of population. The opinion of the Ministry of Foreign Affairs was that the decision on double majority was the victory of small states.¹³⁶

It is always stressed, especially by public officials, that in reality the influence of the states in the EU would depend not on the number of population, but on the ability to form coalitions and coordinate interests.

¹³² “ES Konstituciją V.Adamkus lygina su Lietuvos statutu” [V. Adamkus compares the EU Constitution with Lithuanian Statute], ELTA, November 12, 2004, <http://www.delfi.lt/archive/index.php?id=4016386>

¹³³ “Derybos dėl ES Konstitucijos gali būti baigtos” [Negotiations on the EU Constitution can be finished], ELTA, June 17, 2004, <http://www.delfi.lt/archive/index.php?id=4569480>

¹³⁴ “ES vadovai susitarė dėl Konstitucijos” [EU leaders agreed on Constitution], June 19, 2004, <http://www.delfi.lt/archive/index.php?id=4583186>

¹³⁵ Speech by Minister of Foreign Affairs A. Valionis in Seimas on the ratification of the European Constitution, November 5, 2004, www.urm.lt

¹³⁶ Ibid.

extension of qualified majority voting and “red lines”

The idea was that the extension of the qualified majority would allow participating more in the decision making of the EU and learning to build coalitions, and not just to block the decisions. The tax policy was the area where veto right should be kept for the member states. The question of security and foreign policy was the second area where the consensus voting should be kept.

allocation of seats in the EP

It was emphasised that citizens of Lithuania would be better represented in the EU institutions than the people of big states. For example, one member of European Parliament would be elected by 270 thousands Lithuanians, and 730 thousand Frenchmen or 720 thousand Polish people.¹³⁷

stability and growth pact

There were no discussions about Stability and Growth Pact in Lithuania and the position of the Government is also not defined. At the moment the biggest discussions are on the euro introduction date and the possible positive and the negative impacts of it on Lithuanian economy and people's life.¹³⁸

balance between the EU-institutions

One of the most successful results of the IGC was considered the EU institutional balance that was kept in the Constitutional Treaty. The governmental officials were happy to announce that the Constitutional Treaty has a clear provision on the fair geographical and demographical representation of the member states in all EU institutions. Especially positive decision was not to have the position of the EU President with the special competences. The limitations of the power of President was the goal that was reached. “Not without the merit of Lithuania”,

¹³⁷ Ibid.

¹³⁸ See, e.g. Linas Kmieliauskas, “Euro įsivedimo nauda didesnė už nuostolius” [Benefit of euro introduction would be bigger than loss], *Verslo Zinios*, Nr. 106, June 6, 2004; Rimantas Pilibaitis, “Ankstyvas euro įvedimas - ūkiui ir nauda, ir apribojimai” [Early introduction of euro –benefit and constrains to economy], *Verslo Zinios*, Nr. 103, May 28, 2004.

the Minister of Foreign Affairs was eager to mention.¹³⁹

others

Among the biggest disappointments in the final document was the decision to make no reference to the Christianity in the Preamble of the Constitutional Treaty. There was the constant support not only in the governmental position but also a strong lobby from the Catholic Church of Lithuania to make such a reference.¹⁴⁰

After the negative decision on Christianity, as a consolation, it was said that it was very natural to mention Christianity keeping in mind the history of Europe. Besides, the norms of parliamentarism and constitutionalism are rooted in the Christianity and its morale. So, there is no tragedy if it was not mentioned.¹⁴¹

preparation of and probable obstacles to ratification

Lithuania is the first EU member state having ratified the European Constitution on November 11, 2004 in the parliament of the Republic of Lithuania - Seimas.¹⁴² The decision was made very quickly and to many was very surprising. So, it is natural that almost all discussions about the necessity to organise a referendum or voting in the parliament have arisen after the ratification.

However, it should be mentioned that from early on, even before there was any agreement reached on the Constitution in the IGC, the Minister of Foreign Affairs has declared that there is no need to organise the referendum on the European Constitution. He also urged to do this as soon as possible after the adoption of the Constitutional Treaty. Keeping in mind that neither during the Convention nor during the IGC there were almost no public discussions about the European Constitution there was very little understanding what the ratification question is

¹³⁹ Speech by Minister of Foreign Affairs A. Valionis in Seimas on the ratification of the European Constitution, November 5, 2004, www.urm.lt.

¹⁴⁰ “Lietuva palaikys popiežiaus prašymą dėl ES konstitucijos” [Lithuania will support the request by pope], ELTA, May 20, 2004, <http://www.delfi.lt/archive/index.php?id=4437333>

¹⁴¹ Vladimiras Laučius, “V.Adamkus: referendumas dėl Konstitucijos Europai nereikalingas” [V.Adamkus: Referendum on the Constitution is not necessary for Europe], ELTA, October 24, 2004, <http://www.delfi.lt/archive/index.php?id=5360811>

¹⁴² Lithuania first member state to approve Constitution, November 12, 2004, EurActiv, <http://www.euractiv.com/Article?tcaturi=tcm:29-132239-16&type=News> [Accessed November 15, 2004].

about, even among the members of parliament themselves.

During the short time before the ratification procedure some discussions started.

There was some small criticism from Eurosceptics who contended that “the State of Lithuania will cease to exist from that moment”.¹⁴³ Some criticised the parliamentary ratification and said that it is the duty of any government is to persuade the people and let them decide. Most criticism was connected with such a short time given to present the Constitution to population and the fear to evoke any public discussion.

Nevertheless, the majority of political elite, both ruling and opposition parties, saw no sense in organising the discussions among population. People will have the possibility to get acquainted with the Constitution till it comes into the force – the argument was.¹⁴⁴ The President of Lithuania gave another argument. He said that during the referendum on the membership in the EU the majority voted for the membership.¹⁴⁵ So, to ask people the same question again is unjustified. The parliament has the mandate of the Lithuanian people, so also the right to show its will on the question of European Constitution.¹⁴⁶

The officials from the Ministry of Foreign asserted that the sooner we ratify the Constitutional Treaty, the sooner we will get to the practical side of the EU membership and will feel the usefulness of it. Besides, we had three elections and referendum during the last year – people just will not come.¹⁴⁷

Just before the ratification procedure in the parliament NGO “Centre for Legal Projects and Research” has issued the paper in which it was stated that the EU Constitution would be superior to the Constitution of Lithuania, so it has to be ratified in the referendum.¹⁴⁸

¹⁴³ Minutes of Seimas Sitting Nr 15 (586) where the law on the ratification of the EU Constitutional Treaty was discussed, November 5, 2004. <http://www3.lrs.lt/cgi-bin/preps2?Condition1=244653&Condition2=>

¹⁴⁴ “Lietuva pirmoji ratifikavo ES Konstitucija” [Lithuania is the first to ratify the EU Constitution], ELTA November 11 2004, <http://www.delfi.lt/archive/index.php?id=5459740>

¹⁴⁵ On May 11, 2003 in the referendum for membership on accession of Lithuania in European Union 91,07% voted for the membership, the turnout was 63,37%, <http://www.vrk.lt/2003/referendumas/index.eng.html>

¹⁴⁶ Vladimiras Laučius, “V.Adamkus: referendumas dėl Konstitucijos Europai nereikalingas” [V.Adamkus: Referendum on the Constitution is not necessary for Europe], ELTA, October 24, 2004, <http://www.delfi.lt/archive/index.php?id=5360811>

¹⁴⁷ R.Martikonis: būtina sparčiau ratifikuoti ES konstitucinę sutartį, [It is necessary to ratify the EU Constitutional Treaty sooner], ELTA, July 12, 2004, <http://www.delfi.lt/archive/index.php?id=4731727>

¹⁴⁸ Centre for Legal Projects and Research, Research Nr. 59T “On the Draft Law on the Ratification of the European

Constitution”, <http://www.exjure.com/lithuania/lt/tyrimai/59.htm>

Luxembourg

overall outcome

potential of the Constitution to allow for an efficient functioning of the EU-25

The government, most of the opposition parties, most civil society organizations, and the public opinion in general agree to allow an efficient functioning of the EU-25. Nevertheless there is a general agreement in the Luxembourg society that the position of Luxembourg, one of the six founding members of the ECSC (1952) and the EEC (1957), should not be altered or even diminished. Luxembourg’s government is ready to accept reasonable compromises to allow an efficient functioning of EU institutions.

Convention draft compared to final document agreed by the IGC

The public in general is not very well informed about the differences between the final document and the document approved by the IGC. As the major political parties and even some smaller opposition parties were involved in the Convention process, the opposition to this document, if it existed at all, was hardly worth mentioning

sensitive questions

composition of EU Commission

The right-wing populist party ADR is the only to claim the maintaining of the principle of one commissioner for every country, and thus opposes even in the long run a turning participation in the commission. This used to be the position of Luxembourg before the negotiations but the compromise found is generally accepted by the bigger parties. Nevertheless these parties: the Christian-Democrats (CSV), the Liberals (DP) and the Socialists (LSAP) want a system founded on equal bases for any member state.

extension of qualified majority voting and “red lines”

Luxembourg has very specific interests to preserve (e.g. independent tax regulations etc.). In the past it could rely on other member states as allies to stick to these points. Generally Luxembourg shows no concern at all for extending qualified majority to such domains as common foreign and security policy, or even common monetary policy. Luxembourg's old (2003) and new (2004) head of government Jean-Claude Juncker is very uneasy with “red lines” at least in the interview given to the European Voice in 2003: “And then what small states perceive as a big victory would be a huge blow for the efficiency of the [EU] system.” Speaking exclusively to European Voice, he criticized “this new fashion in Europe of everybody explaining ‘the red lines’ even before negotiations start. “It will trigger failure,” he warned. The red lines, an expression used by EU leaders in their talks on the constitution, designate taboo areas, such as defence or taxation that some governments want to keep out of the Union's reach. But Juncker warns that this attitude “risks engulfing the IGC in a scenario that allows no progress”. “I believe many government leaders like saying some things in the negotiation room just to be able to repeat them outside, in the press room. But we run the risk of becoming rigid. By repeating all over again our national positions we become incapable of compromising. Our method is no good.”¹⁴⁹

allocation of seats in the EP

Concerning the allocation of seats in the EP, there is a strong general agreement among all political parties and the government that Luxembourg should in any case keep the 6 deputies it has had in European assemblies for 40 years. Plans to reduce the representation from 6 to 4 should be avoided. Reducing the number of members would create a situation where at least one important political family would be excluded from representation in the European parliament. Of course the representation of Luxembourg is over evaluated comparing to the German one but in any federal state smaller entities are always over represented.

¹⁴⁹ See European Voice, 30-10-2003

stability and growth pact

Luxembourg was, and is a very strong supporter of the stability and growth pact. Until very recently it has had no problems at all complying to the criteria fixed in the stability and growth pact. The crisis in the financial sector affected the economical situation of the grand duchy as the fat years seem to be over. Germany, Belgium and France - Luxembourg's neighbours, and most import economic partners - having bigger problems in this matter, the grand duchy's government could comprehend that a new understanding of the stability and growth pact is necessary to give its main economic partners a chance to relaunch their economy which in consequence could only be profitable for Luxembourg.

enhanced cooperation

With the exception of the very tiny Communist party all Luxembourg political parties generally agree on an enhanced European cooperation. This policy must have precise advantages for the European citizens and strengthen Europe's position in the world. The enhanced cooperation foreign and security policy like it is foreseen in the draft constitution is impossible to realize without the nomination of a responsible commissioner in this matter. The creation of a European Foreign minister's post is welcome. In Luxembourg there has been a very strong support for European cooperation in the public opinion as Euro-barometer figures have shown for years. Nevertheless the public opinion has become more critical in recent years. There is no strong eurosceptic mood in the grand duchy as it exists in Scandinavian countries.

balance between the EU-institutions

Christian Democrats and their changing allies, the Liberals and the Socialists, generally agree to implement the decisions concerning balance between the different European institutions. This was in no way a matter of discussion. Generally spoken Luxembourg has always been in favour of strong Council of Ministers since it could play its role as an honest broker but also defend its very own interests. Publicly Luxembourg candidates for the European Parliament, like those of other member states were in favour of a strong European Parliament. Decision making process must be clear and understandable in concentration between the Council and the Parliament.

preparation of and probable obstacles to ratification

parliament

Luxembourg as a founding member of European communities has never ratified any European treaty by referendum so far. The votes taken in the Luxembourg parliament were generally unanimous in favour of the ratification of the European treaties (Paris 1952, Rome 1957 etc.) with the exception of the Communist party during Cold war times. The European constitution is the first European treaty not to be ratified in the Parliament. If this happened nevertheless, no obstacle can be foreseen now that could prevent an overall majority of deputies voting in favour of the constitution

referendum

Already the last government has promised to submit the European constitution to national referendum in Luxembourg. This would be a real innovation. The last national referendum held in Luxembourg goes back as far as 1936, when the conservative-liberal government of that time proposed an "order law" declaring unconstitutional the Communist party. The political left denounced this as a "muzzle law" in a strong public opinion campaign. The rightwing government parties, sure to win public support for their anti-communist law, nevertheless lost that referendum by a very slight margin. But it was enough to prevent any further Luxembourg government to use this most democratic way of decision making. As far as the referendum on the European constitution is concerned a large majority of voters seem to approve the draft constitution. Nevertheless an organized group is in formation to gather all opponents including leftwing pacifists, altermondialists, animal protection activists and a few more very different lobbies opposed to the new European constitution.

Malta

overall outcome

potential of the Constitution to allow for an efficient functioning of the EU-25

The majority of the Maltese public believes that the European Constitution does go a long way towards reforming the EU in such a way that it

will enable the EU of twenty-five to function in an effective manner.

Both the Government of Malta and a number of non-governmental organisations were somewhat disappointed with the outcome of the initial Convention draft as they believed that Malta was not awarded enough seats in the European Parliament. During the debate on the Future Convention of Europe the proportion of seats given to Malta shifted from four to five while the Government argued that Malta should be granted six seats similar to Luxembourg.

sensitive questions

composition of EU Commission

Malta was satisfied with the composition of the EU Commission. Although the Maltese were rather afraid that the lengthy procedure to select a new EU Commission President could result in a weak Commission, the eventual selection of former Portuguese prime minister Barroso eliminated such fears.

The fact that Malta's nomination to the EU Commission, Joe Borg, was first selected to work together with outgoing Danish Commissioner for Development Policy, Paul Nielsen, and subsequently chosen to be Commissioner for Fisheries and Maritime Policy was very warmly welcomed. The Maltese population believe that both appointments demonstrated the high professional credentials that the Maltese appointee brings to Brussels.

weighting of votes/double majority

Changes in voting procedures when it comes to weighting of votes/double majority and the extension of qualified majority voting have not caused any major debate in Malta. The main cause of concern was the firm belief that Malta's initial allocation of seats to the European Parliament was below the threshold of other small states. As already mentioned throughout the Convention on the Future of Europe Malta argued it should be given six seats in the European Parliament. A consensus on this issue between Malta and the EU Commission emerged in the final hours of negotiations of the EU Constitution when the decision was taken to allocate six seats to Malta in future EP elections.

Malta is also committed to adopting the Euro currency at the earliest possible date and is thus seeking to implement economic and financial measures that will ensure that the

economy functions within the parameters stipulated in the EU's stability and growth pact. The main challenge in this sector is that of reducing the public deficit to acceptable levels in the next few years.

enhanced cooperation

Despite a comprehensive debate on the issue of enhanced cooperation in Malta's parliament between the Government and the Opposition, no major political fallout has emerged as a result of such a debate. While Malta continues to adopt a foreign policy based upon its specific policy of neutrality (no military bases are permitted on Malta), Malta has also expressed its willingness to contribute to the EU's evolving common foreign and security policy and defence policy. This fact was further emphasised when Malta joined the EU's Defence Agency in summer 2004.

balance between the EU-institutions

Malta is also in favour of the more balanced relationship that has emerged between the different EU institutions. The European Council, European Commission, and European Parliament all have a specific policy making role to play. It is only through such a system that promotes a more interaction between EU institutions that the democratic deficit that exists between EU institutions and its citizens can begin to be bridged in future.

preparation of and probable obstacles to ratification

Former prime minister of Malta, Edward Fenech Adami, has already stipulated that there will not be a referendum in order to ratify the EU Constitution. As a result the Constitution will face no major political obstacles in Malta. Given the fact that Malta held a referendum on whether to join the EU in February 2003 and a general election shortly afterwards in April 2003, when the main opposition Party, the Malta Labour Party, was against Malta joining the EU, the Government of Malta does not believe that it is necessary to hold a referendum on the issue. With a clear majority in Parliament the Nationalist Government of prime minister Lawrence Gonzi, is certain to pass the vote on this issue smoothly.

Netherlands

overall outcome

After the European Council of 17-18 June 2004 the prime minister Mr. Balkenende stated that agreement on a new European Constitution is to be considered as an important and historic event and that more than ever Europe is in need of a basic set of principles and rules. Considering the fact that the existing principles and rules were once designed for a union of six member states. The Dutch cabinet is satisfied with the final outcome of the IGC on the European Constitution. On its main priorities concerning financial affairs the Netherlands achieved satisfactory results with the maintaining of veto power in decision making on the financial perspectives and the adoption of a statement with regard to the Stability and Growth Pact.¹⁵⁰ In its annual report to the parliament on the state of play regarding the European Union the government stresses the achievements of the new European Constitution bearing in mind that it is a compromise between 25 Member States. In their opinion the EU is now better prepared to deal with the consequences of enlargement by introducing a new institutional structure.

Among the achievements mentioned are: the president of the European Council, the European Minister of Foreign Affairs and the team presidencies of specialized councils; the strengthening of the competencies of the Commission, the Parliament and the Court and the new key for the weighting of votes and the extension of QMV. Also seen as positive development are the greater transparency of the Councils activities and the citizens right of initiative. The clarification of competencies between the Union and its Member States and the strengthened role of national parliaments are welcomed in as well. Finally the deepening of European co-operation in the field of Justice and Home Affairs and the Common Foreign and Security Policy are listed as progress.¹⁵¹

sensitive questions

On the sensitive questions on the table the main priorities for the Dutch government in the final negotiations on the European Constitution focussed on financial matters as mentioned above. The positions concerned stricter

¹⁵⁰ "Premier Balkenende: "Europese Grondwet is belangrijk en historisch" (18 June 2004) (www.regering.nl)

¹⁵¹ De staat van de Europese Unie (*The state of the European Union*), Tweede Kamer, vergaderjaar 2004-2005, 29 803, nr.1, p. 11-12.

regulations on the national budgets of member states within the context of the Stability and Growth Pact and the maintenance of veto power in the decision making procedures on the financial perspectives. On the first position the Netherlands has given in and accepted the compromise of adding a statement of conduct to the Stability and Growth Pact, amongst others stating that in times of economic growth member states will aim at creating a budget surplus. The second position regarding the veto power on the financial perspectives was realised. Not in the last place to ease the Dutch dissatisfaction that the Netherlands is the biggest net contributor to the European budget. It was agreed that the veto power will not be lifted in this area, before an agreement has been reached on the maximum of contributions to the European budget. Qualified Majority Voting without a limit to their national contribution simply is unacceptable to the Dutch. Specially when considering that the Netherlands is contributing twice as much as Sweden and five times as much as France and Denmark to the European budget. One of the reasons being that our country benefits to a relative small amount of the European subsidies on agriculture and regional development.¹⁵²

Concerning the maintaining of one commissioner for each member state the cabinet did not share the opinion of the parliament and was satisfied with the achieved results.¹⁵³ Especially the Liberal Party in parliament attaches great value to an own commissioner and expressed its disappointment that after 2014 a smaller commission will be installed. However the fact that by unanimity it still can be decided to carry on with a large commission was welcomed by the liberals.¹⁵⁴ On the weighting of votes the Dutch government initially was in favour of maintaining the Convention results, which it considered to be a transparent, sustainable and democratic definition of qualified majority.¹⁵⁵ The final outcome of the double majority: 55% of the Member States and 65% of the population was just acceptable to the government. Any changes of these percentages were nonnegotiable to the Dutch

since a possible blocking minority should be avoided at all costs. The minister of foreign affairs stated that the advantage of this compromise is that it would be fit for another enlargement and clarify procedure to the European citizens.¹⁵⁶

preparation of and probable obstacles to ratification

The parliament has approved the initiative of three opposition parties: the Green Left Party (Groen Links), the Democratic Party (D66) and the Labour Party (PvdA) to hold an consultative referendum on the European Constitution. It will be the first national referendum in the Netherlands. Although the outcome will not be binding for the parliament several political parties have indicated to respect its results. One of these parties is the Socialist Party with an outspoken position against the new constitution. In parliament roughly 20% of the parliamentarians are against consisting of members of the Socialist Party, the List Pim Fortuyn (LPF) and the small Christian parties. Although the other parties will vote in favour, it does not automatically imply that their electorate is in favour of the constitution. The tough position of the liberal party concerning financial matters in the debate on the constitution and bearing in mind that not all their demands were realised might result in a negative vote of their electorate although the Liberal Party itself will vote in favour.¹⁵⁷ Even if 80% of the parliament is in favour of ratifying the European Constitution it remains to be seen if the outcome of the referendum will allow ratification. Bearing in mind that euro-scepticism is gaining ground in Dutch society over the recent years it will be hard to predict a positive out-come. Much will depend on the campaign of the political parties in favour of the constitutions, especially the Liberal Party. Most likely the government will try to rally support using the Netherlands presidency of the European Union for this purpose.

¹⁵² 'Intergouvernementele Conferentie. Standpunten van de Nederlandse Regering' (www.grondweteuropa.nl)

¹⁵³ 'Intergouvernementele Conferentie. De Nederlandse standpunten tijdens de IGC: achtergronden en perspectieven' (www.grondwet.nl).

¹⁵⁴ Hans van Baalen, 'VVD kiest voor EU-grondwet' *Volkskrant* (4 August 2004).

¹⁵⁵ 'Intergouvernementele Conferentie (IGC), Tweede Kamer, vergaderjaar 2003-2004, 29213, nr. 12 (1 June 2004), p.2.

¹⁵⁶ 'Verslag algemeen overleg', Tweede Kamer, vergaderjaar 2003-2004, 21 501-20 enz., nr. 57 (29 July 2004), p.8.

¹⁵⁷ Rijk Timmer 'Uitslag referendum over EU-grondwet zeer ongewis' *Het Financieel Dagblad* (26 June 2004).

Poland

overall outcome

potential of the Constitution to allow for an efficient functioning of the EU-25

The Polish government was always of the opinion that the EU could function efficiently on the basis of the Nice Treaty (as actual voting in the Council is rare anyhow). It is not surprising therefore that not too many Polish politicians praised the new system of weighted votes introduced by the Constitutional Treaty. There are more countries in the EU after enlargement which in itself makes decision-making more difficult. However, the Polish government throughout its Nice-defending campaign was trying to prove that the arguments about the hampered efficiency of the whole decision-making system are indeed exaggerated. There will be more countries but not that many radically new priorities and divergences of opinion. The EU will still be divided between the net payers and the net beneficiaries, the liberals and the protectionists etc.; there will simply be more members in each of the coalitions.

When it comes to the Commission, it was recognized in Poland that the system agreed by the IGC will be more effective than the one contained in the Convention draft. It was also noticed that the introduction of new institutions (such as the permanent chair of the European Council) paradoxically may have an adverse effect on the efficiency of the decision-making system (because of competence turf wars). The Presidency system as finally agreed by the IGC, which basically amounts to the conservation of the status quo, will neither have a beneficial impact on the functioning of the enlarged EU.

Convention draft compared to final document agreed by the IGC

The reaction of the social-democratic government to the final document agreed by the IGC, as compared to the reactions to the Convention draft was different. Whereas, the Convention draft was criticised (especially the new system of weighted votes) the government chose to endorse and praise the final compromise which was reached at the IGC. When it comes to the opposition parties, all of them (pro-European Civic Platform, EU lukewarm Law and Justice and overtly Eurosceptic League of Polish Families and Self-Defence) were almost as critical of the

Convention draft as of the final outcome of the IGC.

sensitive questions

composition of EU Commission

The consecutive Polish governments always supported the formula - one commissioner per member state. It was especially important for the legitimacy of the Commission in the new member states. However, the issue was never the most important Poland's priority – Warsaw treated it somewhat instrumentally throughout the negotiations. Poland supported the small countries on the question, in hope to receive backing, or at least secure neutrality as regards the system of weighted votes in the Council. The compromise reached at the final stages of the Convention, according to which the first Commission appointed under the provisions of the Constitutional Treaty¹⁵⁸ should include one national from each member state was met in Warsaw with satisfaction. As asserted in the last edition of CEEC debate - no one in Poland, however, was particularly happy with the system proposed in the draft constitutional treaty for the composition of future Commissions (with two categories of commissioners), as its introduction would certainly neither strengthen the Commission nor bring more coherence to the system. It should be stressed, however, that the system itself was not a subject of a heated political debate in Poland. It seems that the final deal done at the IGC – with an idea to reduce the number of commissioners after 2014 was seen as more logical. The view that it is better to have an important portfolio in every second Commission than every five years propose a commissioner whose responsibility will be largely inconsequential has been progressively gaining ground.

weighting of votes/double majority

On the 18 of September 2003, during the debate in the Polish parliament, the leader of the biggest opposition party – Civic Platform, Jan Rokita for the first time pronounced his famous dictum – 'Nice or death'.¹⁵⁹ On the 2 of October the Parliament issued a declaration, in which it instructed the government to defend the position in the Council of Ministers that

¹⁵⁸ Which, in fact, means that: both the Commission 2004-2009 and 2009-2014 will include a national from each member state.

¹⁵⁹ For details see: <http://ks.sejm.gov.pl:8009/kad4/057/40573005.htm>

Poland obtained as a result of the compromise reached by the Fifteen at the Nice Summit.¹⁶⁰

For Poland the issue of weighted votes constituted by far the most important issue on the agenda of the IGC. After the failure of the December 2003 Brussels Summit,¹⁶¹ there has been a great change in behaviour of all the member states which were taking active part in the dispute – all of them signalled a will to compromise. In March 2004, the Germans and the French declared that they could contemplate changing the double majority system in order to accommodate their opponents. Whereas Poland and Spain (after the new Socialist government was elected also in March 2004) declared that a final solution may be based on the double majority system. All of the member states seemed to be much closer to compromise, which finally got confirmed by the June Brussels Council.

The compromise formula – 55% of the states representing 65% of the EU population with a new safeguard clause (designed along the lines of a Joannina compromise)¹⁶² was received with mixed reactions in Poland. The government (and the social-democratic party supporting it) declared that the compromise was a great success for Poland and that the new system will allow Poland to guarantee its interests better than the Nice system. The opposition was much more negative. Both the Civic Platform and Law and Justice (let alone the League of Polish Families and Self-Defence) declared that the compromise solution was just a hoax which will not in fact be effective. The opposition politicians are afraid that the safeguard declaration is going to be very difficult to use in practice and that after some make-believe discussion demanded by the declaration the final decision will be in fact taken using the 55/65 formula, with which, needless to say, the opposition parties were clearly not satisfied. Moreover, the declaration foresaw that the safeguard mechanism may be revoked in 2014 by QMV, which, according to

the opposition parties and indeed many integration experts, is very likely to happen. Summing up, the opposition parties assessed the compromise very negatively. Most importantly their negative view on the issue forms a base of their negative stance in the case of the referendum on the whole Constitutional Treaty.

extension of qualified majority voting and “red lines”

Officially, during the last IGC, Poland did not draw any red-lines when it came to QMV extension. However, it was absolutely clear that Warsaw was against extending or introducing QMV in areas such as taxation and social policy, where further harmonisation could hamper its competitiveness. For the sake of effectiveness, the Polish government was ready to support the extension of QMV in the area of Justice and Home Affairs, which is one of Poland’s priorities. The extension of QMV in the area of CFSP constitutes a much more delicate matter, as it touches on the issue of sovereignty. The Convention’s text as such did not propose anything revolutionary in that respect. However, the issue was brought back to the agenda by the Italian Presidency in November 2003. The Presidency proposed to allow the Minister to initiate the use of QMV on his own (without the prior authorisation of the European Council). The reaction of the Polish government to that initiative was not at all clear-cut. On the one hand, throughout the IGC the government claimed that it supported the extension of QMV, however, when it came to actual negotiations, Poland chose to side with Great Britain on the issue. Partly it was due to conviction – many politicians in Poland are convinced that the most important decisions concerning foreign policy should be taken unanimously. Secondly and more importantly, however, the Polish decision to oppose QMV extension in CFSP resulted from tactical calculation. Warsaw decided to support London on the issue of QMV in exchange for the neutral British stance on the issue of weighted votes, which was much more important for the government especially in the view of the heated domestic debate. Summing up, the Polish government and the most important opposition party – Civic Platform were satisfied with the Constitutional Treaty provisions concerning the extension of QMV.

¹⁶⁰ For further details see: http://libr.sejm.gov.pl/oide/dokumenty/uchwala_sejm_2003_6.pdf

¹⁶¹ The Polish officials stressed that fact that there were no negotiations in Brussels and that in reality no one wanted to discuss the compromise solutions put forward by Poland (especially France). According to the Polish minister of foreign affairs Włodzimierz Cimoszewicz, Poland has not adopted an exclusively national view on key issues relating to the future European constitution. The Polish ministry of foreign affairs came up with a few interesting compromise proposals but they were never seriously negotiated.

¹⁶² If the coalition of member states dissatisfied with the decision represents at least 75% of either the number of states or population thresholds the decision cannot be taken and the member states are obliged to discuss it further for a reasonable amount time.

allocation of seats in the EP

The issue was not discussed in Poland with an exception of one compromise proposal, which foresaw securing Poland's support for the new system of votes weighing in exchange for additional seats in the EP. Such proposals were rejected by the Polish authorities.

stability and growth pact

The question of stability pact entered the debate in Poland only due to the behaviour of Germany and France. Breaking of the stability pact by the two most important members provided Poland with important arguments in the negotiations – “one preaches the virtue of deepened integration and at the same time one breaks the basic treaty rules”. It also gave the ground to accuse Paris and Berlin of double standards – both countries were seen as subscribing to the Orwellian standards of “equals and more equals”.

enhanced cooperation

The Polish attitude towards the concept of flexible integration as such has been characterised by certain ambivalence or even fear of marginalisation. However, in the course of the recent IGC it was not a principal Polish worry as it was not discussed with such intensity as in the case of 1996-97 and 2000 IGC's. Poland's fears were largely put to rest by the Amsterdam and Nice safeguards and generally inclusive language of enhanced cooperation clauses.

Throughout the works of the Convention, Poland, however, had serious problem with the idea of structural cooperation within ESDP. Warsaw was afraid of two things – first of all, that structural cooperation may be designed in way, which would challenge the dominant role that NATO plays in securing European security, and second of all, that the whole concept may become a tool for marginalisation, excluding *a priori* all of those who do not fulfil difficult ‘convergence criteria’. Moreover, it was not easy to understand in Warsaw why all the safeguards which normally apply in the case of enhanced cooperation should not apply in such a delicate area as defense.

The shift of Polish position on the issue was only possible after a compromise has been reached by France, Germany and Great Britain before the IGC session which took place in Naples, in November 2003. Poland embraced a more inclusive and NATO-friendly language

of the newly drafted Treaty articles. Most importantly, from Warsaw's perspective, the “convergence criteria” (in the form of a draft protocol) were neither set too high nor put in a too detailed language, which in the end makes the participation of less technologically developed countries much more likely.

balance between the EU-institutions

Poland was not the greatest supporter of a strong President of the European Council. The Polish government opposed all the moves aimed at creating a bureau because it was never a partisan of new intergovernmental institutions. The Polish authorities, however, supported the idea of setting up the post of the EU Foreign Minister. The system proposed by the Constitutional Treaty has been sometimes criticised on the grounds that with so many new institutions and posts there is a danger of constant conflict of interests and turf wars. The strengthening of the Council without the simultaneous strengthening of the Commission was also seen as a move aimed at rebalancing of the relations within the EU institutional triangle in favour of the intergovernmental method. Such evolution was not welcomed by the Polish pro-European parties.

others

The fact that the Christian heritage was not mentioned in the preamble of the Treaty as one of the factors responsible for forging of European identity (both its positive and negative sense) was assessed very negatively in Poland by all political forces. It was seen as injustice done to indisputable historical reality.

preparation of and probable obstacles to ratification

At the outset, both options of the ratification of the Constitutional Treaty were taken into account in Poland (e.g. national referendum, voting in the Parliament). The anti-European opposition and the EU-lukewarm Law and Justice were the first to campaign for having a referendum. At first the other parties (especially the social democrats) tended to prefer voting in the Parliament, however, they were put in such a difficult position that they had to accept the perspective of a referendum. The level of support for the integration is dropping, the constitution, however still is supported by the majority of population (72%). That support may wane very quickly if a

negative campaign were to be launched. Such campaign will certainly focus on two issues – the system of weighed voting in the Council and the lack of the evocation of Christianity (as European tradition) in the preamble. The Eurosceptics will also undoubtedly focus on other issues, such as primacy of EU law (for the first time explicitly mentioned by the Constitutional Treaty), QMV extension, favourable treatment of eastern German Länder or more general criticism aimed at alleged centralisation of power in the hands of the EU institutions. The whole campaign will probably turn into a second accession referendum campaign where all EU related issues will be discussed – agriculture, rising prices, VAT etc. Consequently the result of the voting may depend on the actual mood prevailing at the precise moment of the referendum. There is thus a quite considerable risk that the Constitution could be rejected in Poland. The referendum will probably be scheduled for the year 2006, as Poland would not want to be the first country rejecting the Constitutional Treaty.

Portugal

During the period under analysis, Portugal has witnessed an important shift in leadership, due to the decision of then Prime Minister José Manuel Durão Barroso to accept his nomination for President of the European Commission. Even if Barroso's party, the Social Democratic Party (PSD), remained in power (in a coalition with the Popular Party CDS-PP), this turnaround resulted in a profound change in the composition of the government.

Durão Barroso's resignation had also a serious impact in the main opposition party, the Socialist Party (PS) whose former leader Ferro Rodrigues stepped down when he learnt of President Jorge Sampaio's decision not to call for early general elections. The new socialist leader José Socrates does not belong to Rodrigues' faction inside the party and should therefore leave a different imprint on various policy areas.

The change of political actors has not yet resulted in important policy shifts in what European Affairs are concerned, but the different style of the new Prime Minister Pedro Santana Lopes and the fact that the new President of the European Commission is Portuguese may imply a change in national attitudes towards the EU at this crucial stage of European integration.

Most references in the report to governmental positions are those taken before the change of Prime Minister. Therefore, references to Barroso are all prior to his nomination as President of the European Commission.

overall outcome

potential of the Constitution to allow for an efficient functioning of the EU-25

The two main political parties (PSD and PS) are quite optimistic about the potential of the European Constitution to function as a source of efficiency in an enlarged EU. The right-wing CDS-PP, which abandoned its anti-EU rethoric after entering the government coalition in 2002, has also been positive about the final agreement, albeit not enthusiastically. For President Sampaio, a fervent Europhile, the Constitution represents an opportunity to clarify the political purposes of European integration and enables the deepening of trust among member states in a Union with added diversity. Former Prime Minister Barroso argued that a functioning enlarged EU required three main conditions: a flexible decision making process; a strong European Commission to counter the potential fragmentation of interests in a Union with 25 members; and the financial means to match the Union's ambitions and guarantee cohesion. On the first aspect, the general opinion is that the Constitution represents an important progress, whereas on the second one some doubts remain on how the Commission will fit in the new institutional scheme.

The two extreme left-wing parties – the Communist Party (PCP) and the Left Bloc (BE) – oppose the Constitution and therefore do not recognise in it any added efficiency for the functioning of the Union. For the two parties, the Constitution represents a loss of sovereignty and influence and is essentially an instrument of the large Member States to impose their will on all the others. Only a truly democratic and open debate could lead to an agreement acceptable to all and in Europe's genuine interest.

Convention draft compared to final document agreed by the IGC

The Portuguese government was not particularly upbeat about the outcome of the Convention (or even about the Convention process itself), even if there was an effort by then Prime Minister Durão Barroso to present the Draft Constitution as a good basis for the

works of the IGC. During the works of the Convention, the government based its strategy on two main points: the maintenance of the current balance between the different institutions (safeguarding the Commission's right of initiative), while insuring the equality between all Member States. This basically meant opposing the creation of a President of the European Council and the change of the current system of rotating presidencies, as well as into the staunch defence of the system of one Commissioner per Member State. On most other relevant aspects (including the determination and extension of majority voting), the government was clearly in favour of the Convention's draft.

Despite the concessions, the government considered that the final document retains the basic principles which are crucial to Portugal: equality between Member States (which is now enshrined in the text of the Constitution), solidarity and cohesion, institutional balance and the reinforcement of the Community method. The Socialists also agreed that the document was a balanced one and even if some of the last minute changes meant a loss in terms of clarity and readability, the final text did not represent a defeat for Portuguese interests.

For other observers and commentators who were openly in favour of the Convention method, the most important achievement was precisely the shifting of the EU reform debate from the purely intergovernmental framework to involve other actors. The fact that the Convention was able to come up with a complete draft Constitutional Treaty and not just a list of alternatives was a crucial signal of its capacity to set the agenda. The changes introduced by the IGC did not alter substantially what had been achieved by the Convention.

Some eurosceptic opinion-makers saw the approval of a "Constitution for Europe" as a downgrading of national Constitution and the precedence of European law, as expressed in the Constitutional Treaty, over national law became a major topic in the national debate, thus showing that it may become a contending issue in the upcoming referendum.

sensitive questions

composition of EU Commission

The principle of one Commissioner per Member State was, from the beginning of the reform process, one of the "red lines" of the Portuguese government, supported by the

opposition political parties and most commentators. It was seen as an essential element to ensure citizens' trust in the European project, especially as integration deepens and the Commission's right of initiative expands. The final decision of delaying till 2014 the reduction in the number of Commissioners allowed the government to save its face on this sensitive matter.

weighting of votes/double majority

Portugal was rather neutral in the fight for the weighting of votes that marked the final sessions of the IGC. Ideally, the double majority should be the same for both population and number of states (either 50/50 or 60/60), but the 50/60 proposal of the draft Constitution was also acceptable. The final solution was seen as a compromise necessary to overcome the negotiations' deadlock.

extension of qualified majority voting and "red lines"

The Portuguese government successfully sidelined with the UK on the maintenance of unanimity on CFSP matters, as well as fiscal policy. Apart from that, Portugal supported all the other changes to extend majority voting.

allocation of seats in the EP

There was no major opposition to the IGC outcome on this matter. The reduction of MEPs was, from the beginning, seen as an inevitable consequence of EU enlargement.

stability and growth pact

The Stability and Growth Pact (SGP) is these days one of the most divisive issues in the Portuguese political spectrum. While the government coalition parties stand firm by the Pact and the need to respect the 3% ceiling for the budget deficit, there is increasing pressure from all left wing parties to adopt a flexible reading of the rules, catering for the needs of the economy at times of recession, or, in the case of the extreme left, for the immediate scrapping of the SGP.

enhanced cooperation

Portuguese political parties and diplomatic elite have never been strong enthusiasts of enhanced co-operation and have in the past seen it as an attempt by larger Member States to decide not only on the direction of policies

but also on which states are allowed to participate in more advanced stages of integration. Successive Treaty reforms have ensured that enhanced co-operation (within the treaties framework) must obey to certain rules, but it is still a matter seen with a considerable degree of caution.

During the IGC, the only contentious issue on the matter of enhanced cooperation had to do with the defence field, but after the Franco-German-British agreement on European defence reached in December 2003 and the safeguard of NATO's role there was no further opposition from the Portuguese side.

balance between the EU-institutions

Despite the initial opposition to the creation of the President of the European Council, the final result is seen as satisfactory, with the maintenance of the Commission's right of initiative and the extension of the powers of the European Parliament.

others

The plan to abolish the six-month Presidency system and create the figure of President of the European Council never had many supporters in Portugal. The position of the government during the Convention was clearly against it, only changing its mind when the solution appeared as inevitable. Anti-EU parties and Eurosceptic commentators see it as the best example of an on-going process leading to the creation of a permanent *directoire* of the large Member States.

preparation of and probable obstacles to ratification

Ratification by parliament should not constitute a problem, since there is an overwhelming majority in favour of the Constitution. Only the two extreme-left wing parties (PCP and BE) have announced that they would vote against the new legal text.

Meanwhile, it is now certain that Portugal will hold a referendum on the Constitution, the first time on a European integration-related matter. The final decision to organise a referendum on the European Constitution was taken by former Prime Minister Durão Barroso only a few days before his candidacy to the Presidency of the European Commission became public. The decision was not a controversial one and received the support of the Socialist Party, as well as of the remaining opposition parties. It has been described by several political actors

as a clarifying step for Portugal's participation in the integration process, as well as an opportunity for all positions to be discussed in an open and frank manner. The sole obstacle (which remains unresolved) is the fact that the Portuguese Constitution does not allow for referenda on international treaties. Therefore, and without a revision of the Constitution, it will only be possible to put to the public generic questions on the direction of European integration. The two coalition partners (PSD and PP) favour the revision, but they need the support of the Socialists to approve any constitutional amendments and the party is very reluctant to allow a revision only for this matter.

Whatever the decision, Prime Minister Santana Lopes has announced that the referendum should take place in the first half of 2005, possibly in April. Opinion polls show a clear support for the Constitution, the latest Eurobarometer puts Portuguese support for the legal text at 57%. The main concern of analysts and politicians alike is abstention. The two previous national referenda (on abortion and regionalisation) were marked by high levels of abstention and, therefore, it is expected that without an active and wide debate the referendum on the Constitution will have a very low turnout.

Slovakia

overall outcome

Following the political agreement on the constitutional treaty in June 2004 Slovakia's government perceived the final text as a compromise that could not have been reached without the willingness of each EU member state to give up some of its initially stated priorities.¹⁶³ Hence, similarly to Poland's willingness to move away from its staunch defense of the voting mechanism from Nice, Slovakia retreated on its originally strong stance in favor of the principle 'one country – one Commissioner' or its support for the

¹⁶³ For the official evaluation by Slovakia's government see "Správa o výsledkoch medzivládnej konferencie k Zmluve zakladajúcej ústavu pre Európu" adopted on 25 August 2004 (*Uznesenie vlády SR 828/2004*) at <http://www.rokovania.sk/appl/material.nsf/0/9A50BEBF5E2B7E86C1256EF500467C10?OpenDocument> For Slovakia's priorities in the IGC see Vladimír Bilčík, "Slovakia", in Christian Franck and Dorota Pyszna-Nigge (ed.) *IGC 2003: Positions of ten Central and Eastern European countries on EU institutional reforms. Analytical Survey in the framework of the CEEC-DEBATE project*, Brussels: UCL and TEPSA, 2004, pp. 81 - 89.

inclusion of an explicit mention of Christian values in the Constitution's preamble.

Overall, the Slovak government sees that the new treaty creates "the possibility to maintain effective and flexible decision-making"¹⁶⁴ in the Union. The treaty also opens new opportunities for a more cohesive common action by member states on the international scene. The Constitution strengthens the "democratic elements in the architecture of the EU." Especially, it reinforces parliamentarism at the European level "both through a greater engagement of national parliaments and through an enhanced standing of the European parliament in the area of legislation." Yet, despite the contraction and elaboration of the EU treaties into a single document, according to Slovakia's government it is necessary to "admit that the goals of simplifying the decision-making mechanisms and of bringing the text of primary law closer to a citizen have not been fulfilled to the expected extent."

sensitive questions

composition of EU Commission

The composition of the European Commission was Slovakia's main priority in the institutional structure of the Union. There was a very broad Slovak consensus in favor of the principle 'one country – one Commissioner'. The Slovak government perceives satisfactorily the resultant compromise that keeps this principle until at least 2014 and then reduces the number of Commissioners to two-thirds of all member states. The compromise solution "draws on the Nice Treaty that presumes the lowering of the number of Commissioners once the EU enlarges to 27 member states."

weighting of votes/double majority

Slovakia was in favour of maintaining the voting arrangements from Nice. However, in the interest of an overall agreement the country was more prepared to compromise than Poland. According to the view of the government, the definition of the double majority 55 percent of member states and 65 percent of the EU population is a better result than the formula 50/60 that was originally proposed by the Convention.

¹⁶⁴ This and subsequent quotes unless otherwise stated are the authors' translation from the government's document cited in footnote 1.

extension of qualified majority voting and "red lines"

Slovakia's 'red lines' covered the area of taxation, social policy and defence. The Constitution does introduce some moves to QMV in the area of social policy but Slovakia is satisfied with the possibility of using the emergency break, should a decision taken by QMV change the basic aspects of the country's social system. Also, Slovakia disagreed with the move to QMV in economic and social cohesion after January 1, 2007 and the Council will continue to decide on the principle of unanimity. Finally, the country was against the weakening of the principle of unanimity in the areas of criminal law, justice and police cooperation, asylum, migration and culture. Despite Slovakia's position, the Constitution opens up a greater room the use of QMV and for some harmonization in justice and home affairs.

enhanced cooperation

The biggest concerns about enhanced cooperation were connected to the creation of permanent differences in the level of integration among varying groups of member states. Slovakia welcomed the ultimate inclusion of the principle of openness in enhanced cooperation and the reformulation of the structured cooperation as originally suggested by the Convention.

preparation of and probable obstacles to ratification

The process of domestic approval of the Constitution in Slovakia can take place in two ways: either in Slovak parliament or via a national referendum. Successful ratification of the Constitutional Treaty will then require the signature of the Slovak President.

National referendum is mandatory if the country enters a union of states. While several constitutional lawyers and one governing party (Christian Democratic Movement) view the EU Constitution as the basis for a union of states and hence demand a referendum, the prevailing political opinion does not call for a referendum. In Slovakia a national referendum on an important issue of public interest¹⁶⁵ can be initiated in two ways: either through a request tabled and approved by

¹⁶⁵ Budgetary questions, taxes and basic human rights and freedoms are excluded.

members of parliament or through a public petition supported by signatures of at least 350 thousand Slovak citizens. The President of Slovakia calls a referendum based on either a successful parliamentary request or a successful public petition. The result of a referendum is only valid if more than 50 percent of Slovakia's eligible voters take part. Since its establishment in 1993 Slovakia has only had one valid referendum - on EU accession held on 16 – 17 May 2003.¹⁶⁶ All other referenda have been unsuccessful due to a low turnout.

Thus far the majority of parliamentary political parties have indicated that they would prefer the ratification procedure in parliament. Only one coalition party with Euro-sceptic leanings – Christian Democratic Movement (KDH)¹⁶⁷ – and a small opposition party Ludova unia (People's Union)¹⁶⁸ support a national referendum. Outside the Slovak parliament, a small Euro-sceptic Civic Conservative Party (OKS) has been vocal both in its opposition to the Draft Constitutional Treaty and in its request for a national referendum about the new treaty.

In sum, only parties that might resist the adoption of the Constitutional Treaty clearly fancy a referendum. Since most political forces are in favor of adopting the Constitutional Treaty, they do not wish for further complications brought about by a possible referendum and foresee a relatively smooth vote of approval in Slovak parliament.

Yet, there is a chance that the public gathers at least 350 thousand signatures and initiates a national vote on the Constitutional Treaty. If this happens, one can expect that many politicians rejecting a referendum on various grounds today may be forced to change their tactics.¹⁶⁹ After all, perhaps the biggest single

¹⁶⁶ 52.15 percent of voters participated and 92.46 percent of those supported Slovakia's entry into the Union.

¹⁶⁷ In the course of domestic negotiations on government's position for the IGC the KDH ministers demanded that Slovakia rejects the inclusion of the Charter of Fundamental Rights in the Constitutional Treaty. KDH's opposition to the Charter stems principally from a conservative definition of family and its outright rejection of abortion. According to some KDH politicians the Charter could in the future pave the way toward EU-wide legalization of homosexual marriages or abortions.

¹⁶⁸ Interview with Rudolf Žiak, MP for People's Union, *Národná obroda*, 7 October 2003.

¹⁶⁹ Many politicians opposed to a national referendum articulate concerns about Slovakia's bad experience with past unsuccessful referenda. Some also argue that since the contents of the Draft Constitutional Treaty do not represent a fundamental qualitative change from the existing treaties, a referendum is not necessary. Others point to the questionable ability of voters to decide and say that Slovak public would not understand the intricacies of the Constitutional Treaty.

obstacle for adoption of the Constitutional Treaty offers a scenario whereby a referendum is successful (more than 50 percent of eligible voters participate) and the majority of voters rejects the treaty.¹⁷⁰ In such a case, according to current constitutional provisions the Slovak parliament has to accept the referendum's outcome and at least three years must elapse before the country holds a new referendum with the same question. While the likelihood of the aforementioned outcome is very low, the matter of whether or not Slovakia organizes a referendum on the Constitutional Treaty remains still somewhat open.

Slovenia¹⁷¹

overall outcome

The position of the Government on the potential of the Constitution to allow for an efficient functioning of the EU-25 was very clear throughout the negotiation in the framework of the Convention for the Future of Europe; the Constitution would bring many gains.¹⁷²

Generally, the Government think that for the EU-25 to function efficiently in the long run, it is not enough to amend the founding treaties alone. Such treaty amendments would adjust the EU to new realities only formally. The existing treaties are hard to follow, complicated and do not allow for an effective decision-making. According to the Slovenian Government, the most important gains of the Constitutional Treaty are:

- a unified and more transparent legal basis for the enlarged EU,
- a legal personality of the EU, enabling the EU to become the bearer of all rights and obligations stemming from international law,
- a simpler and more efficient institutional arrangement of the EU, providing for

¹⁷⁰ If the referendum is successful and the majority says 'yes', voters approve the treaty. If the turnout is below 50 percent and referendum is thus invalid, the parliament can proceed to vote on the treaty as if a referendum had not been held at all.

¹⁷¹ The authors wish to thank Zlatko Šabič and Sabina Kajnič for their helpful comments.

¹⁷² The information regarding the position of the Slovenian Government on the positive effects of the Constitution of the EU is based on the lecture by the former Minister for Foreign Affairs, Dimitrij Rupel, at the seminar for the media, organised by the Government Public and Media Office, in Ljubljana, on 6 June 2004. Rupel's lecture is available at: <http://www.gov.si/mzz/govori/04060301.html> (26 September 2004).

- greater transparency, and for faster and more efficient decision-making procedures,
- the strengthening of the role of national parliaments in the field of political control and respect of the principles of subsidiarity and proportionality. The Constitutional Treaty has also been welcome due to its provisions that will strengthen the role of the European Parliament, with the co-decision procedure being foreseen as the standard legislative procedure. This has been perceived as an important step towards the reduction of the democratic deficit,
- a direct application of the Charter of Fundamental Rights of the EU before the European Court of Justice,
- the function of the Foreign Minister of the EU will contribute to a more unified performance of the EU in relations with third parties and improve the Union's ability to face global challenges,
- the Constitution is also believed to have a symbolic connotation, reflecting the unity of the European Continent, as a community, based on common values and interests,
- the Constitutional Treaty provides a formal legal basis for facilitating further enlargement of the EU. This is particularly important for Slovenia, due to its foreign policy interests in the Western Balkans and in the light of the region's European perspective.

In sum, the Slovenian government believe that the Constitution of the EU will make the EU more transparent, efficient and democratic, closer to its citizens. It will also enable the EU to become a more notable global actor. Overall, the Slovenian Government have been favourable to the compromise as proposed by the Convention for the Future of Europe.

Therefore, the Slovenian representatives were very pleased with the acceptance of the European Constitution and with the solutions in the document that apply to Slovenia. The Prime Minister has been reported as saying that Slovenian demands have been realised up to 105 or even 110 percent.¹⁷³ After the Convention, Slovenian representatives have been particularly satisfied with the outcome on the double weighted majority vote, and they optimistically look forward to further negotiations regarding the composition of the European Commission.

¹⁷³ Slovenian Press Agency STA: "Slovenski predstavniki zadovoljni ob sprejetju evropske ustave" ["Slovenian representatives pleased with the adoption of the European Constitution"], 19 June 2004.

sensitive questions

The positions of the Slovenian Government regarding the Draft Treaty establishing a Constitution for Europe touched various aspects of the Treaty,¹⁷⁴ but the most sensitive issues referred to the composition of the EU Commission, voting, to the allocation of seats in the European Parliament, to the Stability and Growth Pact, to the issue of enhanced co-operation, to the question of balance between EU institutions and a few other issues.

composition of EU Commission

The Slovenian Government were in favour of the preservation of the principle of collegiality, and supported the equal status of all members of the EU Commission. The EU Commission should be composed of a Commissioner from each member state, and every Commissioner should have full voting rights. All the members of the EU Commission should be subjected to the same procedure of appointment and vote of approval, with equal political responsibility. Slovenia thus aimed to keep the existing procedure for the nomination of candidates for the members of the EU Commission.¹⁷⁵

Towards the end of the negotiations within the Convention for the Future of Europe, the Government began to express the view that the composition of the EU Commission should not be determined at the time, but negotiated after the year 2014 instead. In the view of the National Assembly's Committee on Foreign Policy, this is important because the Constitutional Treaty should be ratified by all national parliaments – a process of great political sensitivity.¹⁷⁶

After the adoption of the Draft Treaty establishing a Constitution for Europe, the Slovenian Prime Minister, Anton Rop, has expressed his satisfaction with the composition of the EU Commission, although he is aware

¹⁷⁴ All the information regarding the Slovenian Government's standpoints on the Draft Treaty establishing a Constitution for Europe have been acquired from the Ministry for Foreign Affairs of the Republic of Slovenia, in the document "Stališča vlade Republike Slovenije do osnutka Ustavne pogodbe" ["Views of the Government of the Republic of Slovenia on the Draft Treaty"], 19 November 2003, available at: http://www.gov.si/mzz/slovenija_in_eu/stalisca.html (26 September 2004).

¹⁷⁵ "Stališča vlade Republike Slovenije do osnutka Ustavne pogodbe" ["Views of the Government of the Republic of Slovenia on the Draft Treaty"].

¹⁷⁶ Slovenian Press Agency STA: "Kacin: Soglasje o najmanjšem številu poslancev v Evropskem parlamentu doseženo" ["Kacin: Consensus on the lowest number of MEPs achieved"], 17 June 2004.

that the number of Commissioners will likely be reduced after 2014. This was what two thirds of member states wanted, but the Prime Minister is convinced that, based on the experience from the next two Commission's mandates, an agreement could still be reached by consensus. According to the Prime Minister, it will be obvious in 2014 that in the enlarged EU, 18 to 20 Commissioners are not enough, and there will be an agreement on a higher number of Commissioners.¹⁷⁷

The former President of the National Assembly's Committee on Foreign Policy, since June 2004 a Member of the European Parliament, Jelko Kacin, has also expressed his satisfaction with the final document of the Constitutional Treaty in general, and with the agreement to postpone the final decision on the size of the EU Commission to the period after 2014.¹⁷⁸

The President of the National Assembly's Committee on European Affairs, Ljubo Gerič, has argued that the modifications of some of the decisions in the final document are good for Slovenia and that the composition of the EU Commission will remain unchanged for the next two mandates, but afterwards there will be time for debate on this subject.¹⁷⁹

weighting of votes/double majority

The Slovenian Government aimed to improve the decision-making procedure by modifying the principle of a double qualified majority. Slovenia supported a definition of a double majority, whereby both criteria – the majority of the population and the majority of the EU member states – should be equally important (both amounting to either 50%, or to 60%).¹⁸⁰ During the course of negotiations when the proposals for the double weighted majority ratio shifted to 50% of the member states and 60% of the population, Slovenia joined the group of like-minded states¹⁸¹ and extended its

¹⁷⁷ Slovenian Press Agency STA: "Slovenski predstavniki zadovoljni ob sprejetju evropske ustave" ["Slovenian representatives pleased after the acceptance of the European Constitution"], 19 June 2004.

¹⁷⁸ *Ibid.*

¹⁷⁹ *Ibid.*

¹⁸⁰ "Stališča vlade Republike Slovenije do osnutka Ustavne pogodbe" ["Views of the Government of the Republic of Slovenia on the Draft Treaty"].

¹⁸¹ A group of 15 small and medium sized EU member states which wanted to change the Draft Treaty establishing a Constitution for Europe in order to achieve a more democratic, transparent and efficient EU. The group was composed of Austria, the Czech Republic, Denmark, Estonia, Finland, Greece, Hungary, Ireland, Latvia, Lithuania, Poland, Portugal, Slovakia, Sweden and Slovenia.

support to the formula 55% of the member states (but no less than 15 states) and 65% of the population of the European Union – as presented in the last compromise proposal of the Irish Presidency. This proposal was more favourable for Slovenia.¹⁸²

After the adoption of the Constitutional Treaty, the Slovenian Prime Minister was pleased with the success achieved by the group of like-minded states, which supported the first proposal of the Irish Presidency (55% – 65%), and managed to supplement that formula with the limit of at least 15 member states. Obviously, the new formula is very favourable to small member states, including Slovenia.¹⁸³

A Slovenian member of the Presidency of the Convention for the Future of Europe, now an MEP, Alojz Peterle, has been satisfied that the Constitution for Europe has finally been adopted by the EU leaders, but he has not been content with the reduced extent of decision-making by qualified majority. Still, for Peterle, the approval of the Constitutional Treaty bears enormous importance.¹⁸⁴

The former President of the National Assembly's Committee on Foreign Policy (an MEP since the European elections in June 2004), Jelko Kacin, has described the double-majority-solution as more favourable to what Slovenia could have expected. Such a view has been shared by the President of the National Assembly's Committee on European Affairs.¹⁸⁵

allocation of seats in the EP

In November 2003, the Slovenian Government wanted that the lowest number of seats in the European Parliament per country (i.e. 5 seats, as decided in the Accession Treaty) remain unchanged. If, however, the current composition were to be changed, the Government aimed to adopt a precise formula that would enable the number of MEPs per country to be calculated automatically, and according to the country's population.¹⁸⁶

After the decision had been made to increase the lowest number of seats in the European

¹⁸² Slovenian Press Agency STA: "Kacin: Soglasje o najmanjšem številu poslancev v Evropskem parlamentu doseženo" ["Kacin: Consensus on the lowest number of MEPs achieved"], 17 June 2004 .

¹⁸³ Slovenian Press Agency STA: "Slovenski predstavniki zadovoljni ob sprejetju evropske ustave" ["Slovenian representatives pleased with the adoption of the European Constitution"], 19 June 2004.

¹⁸⁴ *Ibid.*

¹⁸⁵ *Ibid.*

¹⁸⁶ "Stališča vlade Republike Slovenije do osnutka Ustavne pogodbe" ["Views of the Government of the Republic of Slovenia on the Draft Treaty"].

Parliament per member state to 6 MEPs, the then President of the National Assembly's Committee on Foreign Policy, Jelko Kacin, expressed his satisfaction with such an unexpected decision. In his opinion, this was a great compromise that promises a great potential for further deepening of the European integration.¹⁸⁷

stability and growth pact

The Slovenian delegation to the Convention had no special position on the Stability and Growth Pact. With respect to the Economic and Monetary Union, any new legislation in the field of taxes shall continue to be approved by unanimity.¹⁸⁸

According to the Slovenian Minister for European Affairs, Milan M. Cvikl, the approval of the Constitutional Treaty is of great importance for Slovenia with respect to the Euro area and the implementation of the Stability and Growth Pact. Cvikl has emphasised the importance of further measures in the field of co-ordination of economic policies, with a view to improving competitiveness of the European economy, which is of critical importance for an open economy like Slovenia's.¹⁸⁹

enhanced cooperation

The Government supported the idea that enhanced co-operation should be realised only under the condition that at least a half of member states be in favour of such co-operation.

balance between the EU-institutions

Slovenia advocated a more elaborated definition of authorities of the President of the European Council. Competences of the latter, and of the EU Foreign Minister, should be clearly defined. Slovenia also stressed that the competences of the President of the European Council in the field of Foreign Policy should be limited by an appropriate mandate of the European Council. The President is not an

independent body, but (s)he only presides the European Council. Nor can (s)he obtain any competences in policy making.

The Slovenian Government have welcomed the Convention's Conclusions on the establishment of a post of the EU Foreign Minister. The Minister's post, as a combination of roles played by the Commissioner for Foreign Affairs and by the High Representative for the Common Foreign and Security Policy, is believed to be suitable as it corresponds to his/her double role vis-à-vis the Council of the EU and the European Commission.¹⁹⁰

others

Charter of Fundamental Rights of the European Union

The Slovenian Government have never been concerned that the implementation of the Charter could threaten the foundations of the national legal system. The Slovenian Government thought it was unnecessary to mention the interpretation of the Charter's status in the normative part of the Constitutional Treaty. Accordingly, Slovenia supported the first proposal of the Presidency of the Convention (i.e. the inclusion of the Charter's interpretation into Article 5 of its Preamble and in the final document of the Inter Governmental Conference).¹⁹¹

'structure' of the Council of Ministers

Regarding the 'structure' of the Council of Ministers, Slovenia firmly believed that equality of member states and their equal access to the Presidency of any Council should be assured. Ministers of all member states should be entitled to preside individual Councils, except the Council for Foreign Affairs, which is presided by the Foreign Minister (*ex officio*). In case of any new arrangement of the Presidency, the Slovenian Government advocated that the presiding group should be as small as possible. The mandate of a common presidency should be as short as possible and the criteria for the composition of the group should be precisely defined in order to assure adequate participation of different

¹⁸⁷ Slovenian Press Agency STA: "Kacin: Soglasje o najmanjšem številu poslancev v Evropskem parlamentu doseženo" ["Kacin: Consensus on the lowest number of MEPs achieved"], 17 June 2004.

¹⁸⁸ "Stališča vlade Republike Slovenije do osnutka Ustavne pogodbe" ["Views of the Government of the Republic of Slovenia on the Draft Treaty"].

¹⁸⁹ Slovenian Press Agency STA: "Slovenski predstavniki zadovoljni ob sprejetju evropske ustave" ["Slovenian representatives pleased with the adoption of the European Constitution"], 19 June 2004.

¹⁹⁰ *Ibid.*

¹⁹¹ Udeležba ministra dr. Rupla na ministrskem sestanku Medvladne konference [Participation of the Slovenian Minister for Foreign Affairs at the ministerial meeting of the Intergovernmental Conference], 14 June 2004, available at: http://www.gov.si/mzz/novinarsko_sred/szj/04061401.html (26 September 2004).

member states (big-small, old-new, rich-poor, northern-southern).

The Slovenian Government also supported a proposal for a 6-month rotation of the Presidency between member states, in cases of the General Affairs Council, the Committee of Permanent Representatives (COREPER) and the Political and Security Committee. The role of harmonisation of the General Affairs Council should be strengthened.¹⁹²

structural co-operation

In the articles on structural co-operation, Slovenia required that the principles of inclusion, revision and openness be better reflected.¹⁹³

preparation of and probable obstacles to ratification

Regarding the choice between the ratification of the Constitutional Treaty by the Slovenian parliament, the National Assembly, or a referendum, governmental officials and even the President of the Republic have persistently upheld the belief that Slovenians have already expressed their views on the EU at the referendum, in March 2003, on the accession of Slovenia to the EU. As of October 2004, there have been no public appeals to hold a referendum, although this is possible under Slovenian legislation.

In June 2004, the Committee on European Affairs of the National Assembly expressed the willingness of the Assembly to ratify the Treaty as soon as possible.¹⁹⁴

Spain

On 23 June 2004, following the satisfactory conclusion of the Brussels Council, Prime Minister José Luis Rodríguez Zapatero presented his government's views on the final outcome of the IGC to the Spanish Congress¹⁹⁵. The government's assessment of

the Draft Treaty establishing a Constitution for Europe is that it represents a good balance of both national and European interests. Prime Minister Zapatero emphasized that the new Treaty should be a positive addition to the European Union in at least three different dimensions: effectiveness, democracy and solidarity.

Concerning effectiveness, Prime Minister Zapatero stressed: (a) the extension of qualified majority voting in the Council to a large number of new areas; (b) the double majority system, which enhances the Council's capacity to act; and (c) the creation of the new appointments of a President of the European Council and of a Foreign Affairs Minister for the Union, which should substantially improve the EU's presence and coherence in the world.

As regards democracy, Prime Minister Zapatero expressed his satisfaction with the principle of dual legitimacy of the European Union (Member States, but also citizens) as well as with the inclusion in the Constitution of the Charter of Fundamental Rights negotiated earlier on by the Member States.

Regarding solidarity, Prime Minister Zapatero made reference to the Constitution's commitment to the continuing promotion of social, economic, and territorial cohesion between the members States, to sustainable development both within the EU and worldwide, and to EU citizens' social and political rights.

With reference to the issues that are most sensitive for Spain, such as the weighting of votes in the Council, Prime Minister Zapatero underlined the improvement in Spain's position resulting from the final agreement (a dual majority of 55% of States and 65% of the Union's population) compared with the proposals put forward by the Convention in 2003 (the so-called '50-60' formula). Following criticism by Mariano Rajoy (the successor to former Prime Minister José María Aznar at the head of the conservative Partido Popular) for not having been able to defend the quite favourable weighting of votes for Spain provided by Treaty of Nice, Prime Minister Zapatero argued, first, that it was unrealistic to expect the Treaty of Nice to constitute the departure point for the IGC 2004 negotiations and, secondly, that the criteria introduced in the new voting system by which blocking minorities should at least comprise four member States did in practice grant Spain equal voting power to the other large member States. Prime Minister Zapatero also referred to the agreement on the new distribution of seats in the European Parliament, which he

¹⁹² "Stališča vlade Republike Slovenije do osnutka Ustavne pogodbe" ["Views of the Government of the Republic of Slovenia on the Draft Treaty"].

¹⁹³ *Ibid.*

¹⁹⁴ "Številne evropske države bodo o evropski ustavi razpisale referendum" ["Numerous European states will call a referendum on the Constitutional Treaty"], Slovenian electronic daily paper "Ljubljanske novice", 22 August 2004, available at: <http://www.mtaj.si/default.asp?podrocje=26&menu=5&novica=14048> (26 September 2004).

¹⁹⁵ Diario de Sesiones del Congreso de los Diputados (DSCP), 2004. Plenary meeting Nr. 19, 23 June 2004, pp. 791-856, <http://www.congreso.es>.

considered could help Spain to offset with at least four more members of parliament the substantial loss of seats in the European Parliament implied by the Treaty of Nice.

On the quite sensitive topic of Catalan, Basque and Galician demands that the European Constitution should provide a greater scope for the recognition of national identities and cultural and linguistic diversity at the regional level –including the acceptance by the European Union of languages considered co-official at the member state level, such as Catalan, Basque and Galician–, Prime Minister Zapatero emphasised the importance of the declaration on cultural and linguistic diversity within the European Union and the decision to translate the European Constitution into all these languages.

Following the Brussels Council and the conclusion of the IGC, political debate in Spain has focused on the announcement made by Prime Minister Zapatero with respect to the holding of a referendum on the ratification of the European Constitution by Spain. The referendum, to be held on 20 February, has forced political parties and other relevant social and political actors to define their positions.

The Socialist party, in government since the 14 March elections, has obviously backed the European Constitution. The regional party from the Canary Islands, satisfied by the inclusion in the Constitution of a special mention regarding the status of the so-called ultra-peripheral regions, has followed the Socialist Party.

The Popular Party, by contrast, has been somewhat hesitant. On the one hand, it was Aznar's government which negotiated all the articles of the Constitution but one (dealing with the double majority system), so despite its claim that Spain loses influence with the new Treaty as compared with Nice, it would be difficult to base a 'No' to the Constitution solely on the grounds of the weighting of votes. On the other hand, Prime Minister Zapatero's U-turn in foreign policy has been highly visible in relation with the European Union, and especially in the rapprochement with France and Germany at the expense of the US, which is difficult to accept for Rajoy's Partido Popular (as it could be interpreted as putting into question Aznar's policies). Besides, in terms of the domestic political struggle between both parties, it is undeniable that a massive 'Yes' to the Constitution would be interpreted as a strong backing for Zapatero's government. Hence, Rajoy and the Partido Popular might be tempted to bet on a low participation in the referendum as the ideal situation: it would legitimise their critical stance on the weight

given to Spain by the Constitution while not implying a refusal to ratify it.

In the 'No' camp, the left-wing Izquierda Unida (IU), which includes the Spanish Communist Party, has already announced its opposition to the European Constitution on the grounds of a lack of a truly progressive social and democratic model in the Constitution. Nevertheless, important trade union organizations such as Comisiones Obreras (CCOO), which are ideologically close to IU, have declared their support for the European Constitution in the February referendum.

Similarly, the centre-right Basque Nationalist Party (PNV), the Catalan parties CDC (centre-right), IC (left) and ERC (left-secessionist) have announced that they will call for a 'No' vote to the Constitution because of what they consider to be insufficient recognition for national identities at the regional level. These parties are also said to be very disappointed by the elimination of the notion of 'peoples' from the preamble to the Constitution, which they consider to be a third source of legitimacy (together with citizens and states). They consider this exclusion a serious step backwards in European values and principles. Leaders of these parties have, however, emphasised that refusal to endorse the European Constitution should not be considered as a 'No' to the European Union but rather as a 'No' to the way the Spanish State arranges its participation and their participation in Europe. Obviously, a united stand by regionalist or nationalist parties against the European Constitution might have a profound internal impact in Spain, since it would mean the break up of the traditional consensus on European policy which Spain has so far enjoyed. The extent to which the Partido Popular also adopts this attitude and lets itself lean towards a more eurosceptic stance could imply the end of the bipartisan consensus at the national level on European issues.

Despite differences between parties, polls show that support for European integration is still solid in Spain. Spain's citizens are therefore likely to give an ample backing to the Constitution in the referendum. The Elcano Royal Institute's Barometer (BRIE),¹⁹⁶ a periodic survey, has reported the following voting intentions in a hypothetical referendum on the European Constitution: 68% of Spanish citizens would vote 'Yes' while only 3% would vote against. In contrast to these results, the July 2004 barometer of the Centre of

¹⁹⁶ http://www.realinstitutoelcano.org/barometro_eng.asp. Latest edition May 2004.

Sociological Studies (CIS), pointed to a lack of knowledge in Spanish society about the new Treaty. Almost 90% of Spanish citizens believe that their information concerning the European Constitution is low, very low or nil.

A final but important issue in relation to Spain is the debate on whether the European Constitution (especially the clause of supremacy mentioned in article I-5-bis) requires an amendment to the Spanish Constitution, which in its article 9 explicitly states that both Spanish citizens and their public authorities are (only) bound by the Spanish Constitution. The issue is not merely technical: according to the Spanish Constitution, an amendment of 'core' constitutional articles, such as Article 9, would require a super-qualified majority of two-thirds in both Chambers, another referendum, general elections and a new super-qualified majority of two-thirds in both chambers, i.e. a political nightmare for any government.

Sweden¹⁹⁷

Regarding the outcome of the IGC as far as the constitution goes, the Social Democratic government and the centre-right opposition parties (Moderates, Liberals, Center/Agrarians, Christian Democrats) all seem to consider it a reasonably balanced outcome given the diverging interests represented in the EU. The Green party and the Left Party stand out as parties in favour of reducing Sweden's involvement, ultimately arguing for Sweden leaving the EU altogether¹⁹⁸. This links to the observation that the Left Party and the Green Party argue that Sweden too easily sells out sovereignty assets and advance even further down the road of supranational cooperation. In the Riksdag parliamentary preparation for the government positions at the June 2004 council meeting, some parties were eager that the government should push harder the issue of majority voting levels, but as the process

unfolded seem to be satisfied with the outcome. It is generally argued in the parties positive to the constitution that it is of interest to small states as it reduces the scope for great power politics/ influence.

Given the sceptical stance for the Greens and the Leftists, they argue that the institutional balance is leaning too much in favour of the Commission. The issue of granting the EP greater decision-making powers is controversial, since it on the one hand would increase the democratic parameters in the union, while it simultaneously also means increased supranational character of the EU.

Regarding the ratification of the constitution, the government and the centre-right parties remain firm in their position that the parliament should take the decision in due time, and hence that there will be no referendum. The Left Party, the Green Party, and the June List (*Junilistan*, in the EP only, see below, answer to question 2) all argue for a referendum (the fall of 2005 has been mentioned); as an example, in a recent debate in parliament (September 23), a member of the Green Party made such a proposal, but the Prime Minister remained very clear in his stance that the parliament is the right body to settle the issue, especially since the constitution does not (according to the Prime Minister) change Sweden's relationship to the EU, and the referendum instrument should not be used to compromise the legacy of the parliament.¹⁹⁹

Public opinion also seems to be leaning in that direction, with 50 % in favour of the issue being settled in a referendum, whereas 42% against it, according to a poll in June 2004.²⁰⁰

According to the survey, it is especially the Social Democratic Party and Agrarian Party voters, along with the expected Left Party and Green Party voters, which support a referendum. In recent weeks (September 2004), between 50.000 and 75.000 people have signed petition lists for a referendum. The referendum issue is certainly not a minor one, given that it can be expected that some 80% of the parliamentary members would support the adoption of the constitution, whereas there is no clear majority in either direction in public opinion – many remain undecided, and the deep-rooted general scepticism regarding EU in Sweden is feared by the "pro-constitution" parties in parliament. According to the poll cited above, 71 % of those negative to Swedish EU membership want a referendum on the constitution issue.

¹⁹⁷ Sources: www.riksdagen.se (parliament), www.regeringen.se (government), www.centern.se (Centre Party [agrarian], opposition), www.folkpartiet.se (Liberal Party, opposition), www.junilistan.se (June List, only in EP), www.kd.se (Christian Democrats, opposition), www.moderaterna.se (Moderate party, opposition), www.mp.se (Green Party, opposition), www.sap.se (Social Democratic Party, government), www.vansterpartiet.se (Left party, opposition), www.europa.eu.int/comm/public_opinion (Eurobarometer surveys), www.temo.se (opinion polls), www.dn.se (Dagens Nyheter, daily newspaper), www.svd.se (Svenska Dagbladet, daily newspaper)

¹⁹⁸ Please consult the web-sites of all relevant parties, listed above.

¹⁹⁹ www.riksdagen.se, 2004-09-23

²⁰⁰ www.dn.se, 2004-07-07

UK

overall outcome

The Constitution's potential to allow for a more *efficient* enlarged European Union has seldom been a focus of debate in the UK, despite the Prime Minister's assertion that reforms to avoid gridlock were the Constitution's purpose "above all".

The debate in Parliament and the media has instead been dictated by concerns about maintaining British sovereignty. The perceived threat to the nation's autonomy is the central issue in the UK's wider debate on Europe, and fertile ground for eurosceptics. The Foreign Secretary seems to take a similar view, stating that "the systematic exaggeration of the threat to our nationhood has over the years set the framework for national debate on Europe".

Reaction to the Constitution from an Opposition explicitly committed to its rejection was predictably critical, the Conservative Party Leader, Michael Howard labelling it as "bad for our democracy, bad for jobs and bad for Britain". Sections of the media, more influenced by nationalist sentiment, proclaimed, for example, outrage that the signing of the Treaty should have co-incided with the 189th anniversary of the Battle of Waterloo, and despair at the surreptitious creation of the European superstate.

Criticism emanated too from within the governing Labour Party. Frank Field, MP described the Constitution as "the culmination of the move to establish a central state ... [involving] Britain surrendering sovereignty in more than 40 areas", and he co-founded 'Labour Against A Superstate', a group – reportedly comprising tens of Labour MPs – which failed to last its first week and generated nothing but a burst of press coverage.

The use of deliberately loose and foreboding terms such as 'federal superstate' might at least be said to promote an appetite for national debate and some sense of the Constitution's relevance; a sense which would otherwise be almost absent from the British electorate.

An axiom of the 'pro-Constitution' camp, at all levels of society, is that many of the basic tenets of the argument 'against' are fragile or based upon ignorance, and that all that is required is the effort to dismantle them. Indeed, a YouGov poll commissioned following the IGC, found that merely exposing the respondents' wrongly held beliefs – such as that the Constitution would remove the UK's veto in the UN Security Council – might be

sufficient to transform overall opposition to the Constitution to overall approval.

Accordingly, opposition is considered broad but shallow. It is a source of frustration among the many awaiting a more meaningful debate, and particularly to those who support the Constitution, that the Prime Minister seems so unhurried in commencing his "battle between reality and myth".

The Foreign Secretary's assertion that the EU's "process of decision-making [has been made] more effective and efficient" by the Constitution has been scrutinised only sparingly. Neither side seems to consider the issue of efficiency having much resonance in the public debate. It is conceivable that, once the "myths" of the tabloid press and its allies have been demolished as the Government expects, it might become an issue of genuine contention – those in favour of the Constitution proclaiming an effective streamlining of the enlarged Union, beneficial to all, and those against suggesting that any improvement in efficiency through greater use of qualified majority voting (QMV) must be at the expense of Britain's national sovereignty within the EU.

There is general acceptance that at the Intergovernmental Conference (IGC) the British Government achieved all that it had explicitly committed itself to in its White Paper of September 2003. The Prime Minister, shortly before leaving to attend the Council meeting, re-iterated to Parliament that he would not compromise on "areas of vital national interest", for example the retention of the veto on tax, foreign policy, and defence issues.

Following the IGC, the Foreign Secretary hailed the outcome as an "excellent result." He said "We have fulfilled our commitment to maintaining the veto for Treaty change, for the system of own resources including the UK's rebate, and for the areas of vital national interest which we set out in the White Paper." He was also keen to stress that of the 80 separate sets of amendments agreed at the IGC, Britain advocated 39. One Downing Street aide reportedly went as far as to claim "the political climate has changed" in reference to the UK's supposed diplomatic victory over the continental big players. Upon returning from the IGC, the Prime Minister drew The Commons' attention to a Spanish newspaper headline reading "Blair, the big winner of the summit, achieved almost everything he wanted."

The White Paper's "areas of vital national interest" soon came to be known as the Government's 'red lines'. To some, this

terminology set entirely the wrong tone. As one commentator put it, the sales-pitch seemed to say "Isn't [the Constitution] wonderful; it could have been so much worse." For all the Government's belittling of its opponents' arguments, its defensive language seemed to reflect a high degree of deference to the influence, if not the substance of the europhobe myth-makers.

For example, in his 'victory speech' of June 21st, Blair, perhaps oddly, made clear that the Constitution formalised procedures for withdrawal from the EU. Such negative rhetoric was music to the ears of the Constitution's detractors. EU withdrawal has since been alleged by the Prime Minister to be the Tories' covert objective. He believes that the Conservative Party is concealing its true ambitions for fear of electoral damage. An opinion poll published in *The Economist* in early September however, did not bear this out: it found more people would vote for the Conservatives if they expressly committed themselves to EU withdrawal.

To the Opposition, whether the red lines had or had not been breached was of little concern. They were nothing more than "red herrings", distractions from the key issues of national autonomy, and disingenuous in the first place: "Even if the Prime Minister gets all his red lines" spoke Michael Howard before the IGC, "it will involve giving up more than 20 of our vetoes".

To those in Britain favouring the Constitution or considering the IGC in isolation, the final document agreed by the member states was generally considered a thoroughly satisfactory refinement of the Convention's Draft Constitution. For many however, the victory was merely relative, and no bargaining short of achieving a fundamental reassessment of Britain's relationship with Europe could have been satisfactory.

sensitive questions

It is improbable that the electorate will read the Constitutional Treaty in full, therefore their awareness of specific issues is reliant entirely on the path of national debate decided by certain minorities; particularly Parliament and the media. The dominance of the issue of sovereignty and indeed the generality of the debate so far has left many of the details of the Constitution hidden from the electorate and denied critique.

composition of EU Commission

One such detail is the composition of the Commission. Any limited attention the public may have given the reforms of the Nice Treaty – halving the number of Commissioners of the EU's 'big five' in preparation for Eastern enlargement – has since faded, and the Constitution's commitment to a time-weighted two thirds of a Commissioner per country to come into force in 2014 has failed to set pulses racing. In the British debate, the make-up of what is seen as one of the least democratic and most alien of the Union's bodies is generally given scant regard. The extra value attached to the Commission by smaller states that perceive it as the body in which they find their loudest voice (despite the explicit impartiality of Commissioners) is not a consideration for the UK. There may, at the top level, have been frustration because the reform apparently "[forgot] that the Commission is not meant to be representative of Member States but of the common interests of EU citizens", according to former Secretary-General of the Convention, Lord Kerr, but otherwise the changes passed with little notice.

extension of qualified majority voting and "red lines"

The extension of qualified majority voting to more than 40 new areas including immigration and social policy was a more relevant development for the British, since these areas were implicitly where the Government had chosen not to draw 'red lines'.

Following the adjustment of the Polish position in Brussels, the reform of QMV had the attention of the British people and perhaps even the potential to be regarded favourably; the UK being one of the largest four member states which together make up 57% of the EU population. But the Constitution failed to take this opportunity to engage the British people. While it may have represented a simplification, it failed to sell its pragmatism to the people: Why 55% of states and 65% of population? Is the additional safeguard against the big four's collective veto strictly necessary? And why sometimes is the backing of 72% of states required? Why not a simple 50%/50% double majority? Or at least 60%/60%? Those looking to understand the Constitution may have discovered only that the EU remained needlessly arcane and inaccessible, despite the Constitution's aspirations to the contrary.

allocation of seats in the EP

The allocation of seats in the European Parliament generated no obvious position from the British, partly since the European Council, with the consent of the European Parliament, is yet to decide the exact number of seats per country based on degressive proportionality to population. The expansion of co-decision, aimed at boosting the EU's legitimacy in decision-making, similarly went largely unnoticed.

stability and growth pact

The UK remains outside the euro zone and in this sense is unaffected by the Stability and Growth Pact. However, the budget deficits run up in member states' repeated non-compliance to the Pact, the conspicuous absence of the Pact's enforcement, and the submission of false figures to the European Central Bank and are often cited as indicative of the euro zone's problems and reasons for the UK not to adopt the single currency.

enhanced cooperation

In the issue of enhanced co-operation, the British political class - although perhaps not the wider public - is more interested.

Whatever the frustration of the more federalist EU states, the UK Government continues to see America as its most important ally, and its defensive loyalties as explicitly bound up in NATO. While Britain might wish to see greater commitment to a European military capability on its own terms, a federalist core forging - through enhanced co-operation - a foreign or defence policy in the name of the EU is considered potentially too antagonistic to NATO's objectives for the UK to accept. Retaining the veto on initiating enhanced (or 'structured') co-operation on Common Foreign and Security Policy (CFSP) was a real priority for the British Government.

Success in protecting this reddest of 'red lines' required concessions in other areas, for example in allowing states participating in an area of enhanced co-operation to vote unanimously thereafter to make decisions by QMV. This concession - made to those parties who had become frustrated by what they saw as excessive restrictions on co-operation established at Amsterdam, and barely relaxed at Nice - was criticised by the 41st Report of the House of Lords Select Committee since "it could have the effect of allowing the Council to abolish unanimity in certain areas without

substantive involvement of national parliaments."

On the subject, Michael Howard had a simple message for the EU: "We don't want to stop you doing what you want to do, as long as you don't make us do what we don't want to do". The euroscepticism of the Conservative Party, and of much of the electorate is attributable to this perceived danger to British self-determination. The *Financial Times* however saw the agreement as a removal of one of Howard's key lines of attack; enhanced co-operation providing the means for the opt-in/opt-out Europe he advocates. The fundamental and emotive question of what the EU makes 'us' do in its name, is central to the arguments surrounding enhanced co-operation and this subject may in the future become of much wider significance for the British. Much depends on how member states interpret the Constitution's reforms.

balance between the EU-institutions

The shifts in balance between EU institutions effected by the Constitution have been considered only at an elite level. However the Prime Minister and his Foreign Secretary have repeatedly articulated the broad message that the Constitution has been 'good' for national parliaments. Jack Straw, on June 24th of this year presented a list of six "myths" on the Constitution which he proceeded to expose as such. Half of his myths were that in some sense power was being exported from London. Again, the pre-occupation seemed to be with sovereignty, with silencing eurosceptic sectors of society.

One explicit design of the Treaty's institutional reforms was that the EU be made more democratic and legitimate, and while it is true that the European Parliament is the Union's only *directly* elected body, and its most transparent, the British Government has seldom drawn attention to the increase in its powers, preferring instead to concentrate on the perceived increase to Westminster's power *within* the EU, via

- New competences for national parliaments (now able to urge the Commission to *review* legislation, retrospectively to bring legislation before the Court of Justice, and to have full and prompt access to all EU legislative proposals)
- The European Council. In Jack Straw's 2nd of six exposés: "the treaty strengthens the role of national governments in the EU by giving the European Council, the body

where they take decisions, a full-time chairman whom they will choose. That chairman will ensure that the nation states set the Union's agenda and drive it through."

It is highly debatable whether any of these reforms amount to any substantive shift in power. However, even were the Council's role strengthened, it would not be possible to equate this with a strengthening of the role of national government since when acting within the EU framework, governments cease to be sovereign entities: they are answerable to the Court of Justice, to previous agreements, and to the interests of European partners.

Indeed, even were the argument's rationale sound, a eurosceptic audience would see the strengthening of any EU institution, no matter how democratic and accountable, as inherehently undesirable.

Symptomatic of the British debate is that the Government considers the case for the Constitution best made not by arguing that Britons' elected EU representatives have gained powers (for example by the expansion of 'co-decision', and the ability to reject a new Commission en masse), but rather that domestic politicians are now more able to keep the EU machine on the leash. Whether it is right or wrong in supposing this to be the most effective appeal to the electorate remains to be seen. Championing the opaque actions of the Council above those of the European Parliament may lead to greater rather than less disaffection for the Union.

preparation of and probable obstacles to ratification

The UK's referendum on the Constitution has, in 2004, dominated the media like no other European issue.

In the context of a referendum, 'Constitution' soon came, in the British debate, to be synonymous with 'European Union'. The Leader of the overtly pro-EU Liberal Democrat Party, Charles Kennedy declared "It's ... time for us to decide what we actually want from Europe. I believe, once the argument has been joined, the consensus will be that it's better to be in than out. Because that, regardless of the question, is what this referendum will be all about."

Initially, the idea of a referendum in the UK had been proposed by some of its advocates as a means of attaining bargaining power in the Council's deliberations. Mr Blair was, in the summer of 2003, in a poor position to

constructively debate the development of the Constitution, since the Iraq war had weakened his diplomatic influence in the EU, particularly with respect to the 'Franco-German axis'. The approval in a British referendum of a Constitution containing specific concessions might assist the UK's protection of its 'red lines' at the IGC. However, it soon became clear that such a 'pre-emptive' referendum was out of the question, and attention turned to whether the Constitution, when it came to be ratified, should be put to the popular vote.

Representatives from both sides of the European debate in the UK advocated such a referendum. Those in favour of the EU supported a concerted campaign to finally rubbish what they saw as the deep-seated misconceptions sustaining public distaste for the Union, and to secure and legitimise British commitment to the EU. In June 2003, the anti-EU *Daily Mail* tabloid newspaper conducted a poll in which 90% of 1.7 million respondents stated their wish to have a referendum on the Constitution. Less partisan pollsters consistently came to similar conclusions, if not by quite the same margins. Even members of Tony Blair's own Cabinet purportedly supported such a referendum.

The Prime Minister would repeatedly defend his position that a referendum was unnecessary in any time frame; adamant that, as long as his 'red lines' remained intact, the Constitution was more consolidation than innovation. He explained, for example, in the face of allegations to the contrary, that British Law would become no more subordinate to European Law than it had been since the Treaty of Rome. Famously, Peter Hain, then Minister For Europe, described the Constitution as a "tidying-up exercise", something Michael Howard was particularly keen to contest, describing it instead as a "profound and radical change", and consistently exaggerating the significance of the new Commission President and Foreign Minister. His comments found an unlikely ally in those of the federalist chair of the Convention, Giscard d'Estaing, who had proclaimed his Draft Constitution a "great leap forward."

Michael Howard's Tory Party revelled in its populist cause. Having supported the Government over the war in Iraq, it was in need of political capital, and found it by accusing the Prime Minister of conceding Britain's sovereignty to the Continent against the will of the people: "When it comes to transferring power from Britain to Brussels, Tony Blair says 'trust me'. Well, Conservatives say 'trust the people'." While there was little

doubt that the public wanted a referendum, there was also little doubt that, if one were to take place promptly, it would be rejected. Accordingly, the Conservative Party pushed to secure a prompt referendum, and committed itself to an immediate vote should they be elected in 2005.

When Tony Blair's U-turn came in April 2004, it did not promise an immediate vote, but a vote nonetheless. Michael Howard, triumphant, ridiculed the Prime Minister's U-turn, asking, "Who will ever trust him again?" Generally, Blair's motivations were considered to be political. Not only was the Opposition suddenly stripped of its most profitable line of attack, but the difficult question of Europe could now be left off the agenda for the next General Election and constitute less of a liability at the upcoming European Elections. It was also observed that Blair had yet to define his lengthy term in office with an enduring foreign policy success. To the tabloid *Daily Express*, this "betrayal" was too much however, and it switched its allegiance from the Labour Party to the Opposition. Nevertheless, polls showed that a majority welcomed the U-turn, even though it was perceived as opportunistic rather than principled.

The Prime Minister, when asked whether his initial reluctance to have a referendum was, in retrospect, a mistake, replied that it probably was; that while he maintained the Constitution "doesn't change" the relationship between the nation state and the European Union, he now believed it right to have a proper debate with those who felt so strongly in favour of one.

Media attention has since largely focussed on the anticipated pro-EU campaign, on the magnitude of the challenge that lies ahead for the 'yes' camp, and on the height to which the political stakes have been raised. The Times newspaper soon dubbed Blair's decision "the biggest gamble of his career".

On the day of the Treaty's signing in Rome, the Foreign Secretary confirmed what had been believed for months; that the referendum would take place "early in 2006" – after the British Presidency of the EU, and after, probably, the instalment of a fresh Labour majority in a General Election. This meeting of Heads of State, along with the recent release of a Government White Paper recommending the Constitution, has brought fresh media attention to the issue. However, a sustained public debate remains only a prospect and the pro-EU campaign remains in low gear, to the dismay of the Union's proponents and to isolated and bewildered pro-EU organisations. Sir Menzies Campbell, Liberal Democrat

Foreign Affairs Spokesman and member of the 'Britain in Europe' organisation recently urged the start of the campaign. "We have given away a lot of ground so far - ground that will have to be made up." Well-organised campaign groups such as "Vote No" provide weight and coherence to the anti-Constitution cause. It seems at present to be a long road for the Government, but Jack Straw for one says he believes "very strongly" that the referendum, when it arrives, will be won.

It should be expected that the ten or so referendums currently expected in other member states before 2006 might profoundly influence the context of the British referendum. Any rejection of the Constitution preceding the British vote would inevitably make a British rejection seem far less serious. The British public might be attracted by the opportunity to form a coalition with apparently like-minded countries. Conversely, the UK would be less likely to vote for a rejection of the Constitution if it had no precedent from other member states. In such circumstances europhobic public feeling might not be deep-seated enough to risk Britain's alienation from the rest of the Union.

Possible parliamentary ratification of the Constitutional Treaty is rarely given much thought in the British debate, since such a vote is considered rather more straightforward than is ratification by the public. The Labour Party commands a healthy majority in the House of Commons and little dissent from its ranks would be expected in a vote. The situation might become more interesting given a reduced third term majority if Parliament were to take its vote after the 2005 General Election. However, even then, it is highly unlikely that sufficient dissatisfaction with the EU exists within The Commons for it to risk the endangering of EU membership by voting 'no'.

2. Concerning the EP elections 2004:

- What were the main subjects of the electoral campaign and how was it organised?
- What were the reactions in your country on the election's outcome and the voter turnout?
- What are the explanations for the outcome and the turnout?
- What were the reactions on the selection procedure and election of the new President of the Commission and the President of the EP?

Austria

What were the main subjects of the electoral campaign and how was it organised?

Ursula Stenzel of the People's Party and front-runner for the EP, stressed the need for a social policy that also allows economic growth which creates employment.²⁰¹ The Social Democratic Party concentrated on the social aspects and dimensions and the downsides of increased economic liberalization, particularly of water. The Green Party was the first party to organize a joint European electoral campaign. Their main topics were "Social Europe vs. Neo-liberalism", "Traffic as usual vs. New European Transport Policy", "Democracy vs. Transparency" and "Sustainable Energy Policy - Exit Strategy for Nuclear Power Plants".²⁰²

The Freedom Party picked up on the EU-wide debate on Turkey's EU membership and on the debate over the presence of European troops in Iraq. Although not a party at that stage, Hans-Peter Martin, since July 1999 an independent Member of the European Parliament within the Group of the European Social Democrats,²⁰³ staged a campaign looking into the abuse of travel expenses and the overall remuneration system of MEPs.

What were the reactions in your country on the election's outcome and the voter turnout?

The voter turnout was the lowest result in European parliamentary elections in Austria, with 42.4 % (7% less than in 1999), which is below the EU average of 45.7%.²⁰⁴ This contrasts with previous national voter turnouts at EP elections with 67.7% in 1996 and with 49.9% in 1999.²⁰⁵ Around 2.6% of the voters gave an invalid vote, which is 0.5% less than in 1999.

According to the Institute for the Danube Region and Central Europe, the voter turnout was rather low, but still not as dramatically so

²⁰¹ "Wiener Zeitung" 25.05.2004 for details see <http://wahlen.wienerzeitung.at/DesktopDefault.aspx?TabID=3612&Alias=wahlen>

²⁰² *ibid.* Green Party

²⁰³ http://www.hp martin.net/htmlStatic/index_en.html Hans-Peter Martin was barred from the European Socialist Group beginning this year.

²⁰⁴ On the average, the level of turnout in the 15 "old" Member states was 49.4% representing a slight drop, but very close to the figure for 1999 (49.8%). Flash Eurobarometer, EU Commission " *Post European Election 2004*", p. 9

²⁰⁵ Flash Eurobarometer, EU Commission " *Post European Election 2004*", p. 9

as feared by some analysts.²⁰⁶ The Green Party views the result as very negative and an alarming sign.²⁰⁷

The Socialists increased their share to 33.45% (7 seats, increase by 1.74%) and won the majority, followed closely by the Conservative Party with 32.66% (6 seats, increase by 1.99%), losing one seat.²⁰⁸ The Green Party for the first time passed the 10% threshold and increased their share to 12.75 % (2 seats, increase by 3.46%). Hans-Peter Martin²⁰⁹ (in a more or less one-man stunt) achieved 14.04% (2 seats) and positioned himself before the Greens and the Freedom Party at third place. The Freedom Party lost dramatically with 6.33 % (1 seat, previously 5 seats). Almost 50% of Hans-Peter Martin's voters came from dissatisfied Freedom Party voters.

What are the explanations for the outcome and the turnout?

As with previous EP elections, one could argue that the national political state of affairs and general atmosphere in the public were partly responsible for the outcome and the low turnout. As already mentioned in last year's EU-Watch-Report,²¹⁰ there has been a crisis within the governing coalition of the People's Party and Freedom Party, enhanced by the reform of the pension system. Other decisions such as the purchase of fighter jets have caused fierce public debate and heavy opposition from the Greens and the Socialist Democrats.

The Green Party argues that one reason for the low voter turnout could be lack of interest in the population due to a lack of knowledge of EU matters and their implications for people's daily lives. In order to ensure better communication, the Green Party proposes to amend the statutes of the Austrian Parliament in order to allow EU topics also to be dealt with in plenary sessions and not only by the Main Committee as it is the case now.²¹¹

The Federation of Austrian Industry²¹² also notes that although Austria has profited enormously from the opening of the borders

²⁰⁶ *ibid.* Institute for the Danube Region and Central Europe

²⁰⁷ *ibid.* Green Party

²⁰⁸ "Wiener Zeitung" <http://wahlen.wienerzeitung.at/DesktopDefault.aspx?TabID=3612&Alias=wahlen>

²⁰⁹ "Wiener Zeitung" <http://wahlen.wienerzeitung.at/DesktopDefault.aspx?TabID=3612&Alias=wahlen>

²¹⁰ *ibid.*, p. 38 <http://www.tepsa.be>

²¹¹ *ibid.* Green Party

²¹² *ibid.* Federation of Austrian Industry

and facilitated access to the Eastern European markets, the interest in EU matters has to some extent changed into indifference. Moreover, the declining voter turnout can be interpreted as a protest vote against EU structures and the lack of transparency and subsidiarity of the system.

This argument leads to the one of the most prominent outcomes, the sharp decline of the Freedom Party - which could be analyzed as a continuation of the coalition partners' general weakness - and the 14.04 % success of Hans-Peter Martin. His main agenda was the uncovering of the abuse of MEP's allowances that won him two seats in the EP. It should be also noted that Hans-Peter Martin received forceful support from Austria's most successful tabloid newspaper, the "Neue Kronen Zeitung".

What were the reactions on the selection procedure and election of the new President of the Commission and the President of the EP?

There was a general debate on the political criteria and choice within the selection process of the new President. The Federal Economic Chamber perceived the selection procedure as highly intransparent and therefore undemocratic.²¹³

For quite some time before the decision was made, Austrian newspapers put forward the possibility that the current Austrian Chancellor Wolfgang Schüssel had been shortlisted for the nomination. They argued that due to the fairly small size of the country and the Federal Chancellor's political outline he would be suitable for such a politically fought over position. The opposition complained that the rumour was spread by the People's Party for political gain in Austria.

Belgium

What were the main subjects of the electoral campaign and how was it organised?

In Belgium, the 2004 EP elections coincided with the elections for the regional parliaments. The campaign was completely focussed on internal policies. The results of these elections are in the first place a verdict about the policy of the ruling coalition. Little attention was given European subjects. As a reason for this indifference, Prof. Pascal Delwit (Université Libre de Bruxelles) points to the overall consensus in Belgium about the European

Union. Even the battle between the two Belgian political "heavy-weights" Guy Verhofstadt (current Premier) and Jean-Luc Dehaene (former Premier – Flemish Christian-Democratic party), both striving for a seat in the European Parliament, did not focus on European issues.

The European election campaign was dominated by national interests. National political heavyweights took a place on the list of candidates for the European elections without having the intention to take up their seat if they should become elected. All this was severely criticised in the media.

The European campaign programmes of the parties focussed on such issues as social and economic policy, democracy and citizenship, fight against crime and terrorism, asylum and immigration policy and the EU as a global player.

What were the reactions in your country on the election's outcome and the voter turnout?

As voting is compulsory in Belgium, there was no low voter turnout as was the case in most other European countries. Concerning the low turnout for the European elections, *La Libre Belgique* (15/06) remarked that the overall participation rate of 45% would be even lower if in Belgium and Luxembourg citizens were not obliged to vote. The results of the elections came as no surprise to political commentators. A lot of attention was paid to the low interest in these elections in the new Member States of the EU. As a reaction to the outcome of the elections, Bernard Bulcke stated in *De Standaard* (14/06) that the "European" Parliament remains a myth. In every Member State voters voted "nationally". The European Parliament consists of a loose set of national delegations. Political commentators also criticised the fact that the final discussion about the European Constitution was delayed until after the European elections and suspect a deliberate move to avoid that the Constitution would become a theme in the European election campaigns.

Results of the European elections in Belgium

EP parties	Greens	ALDE	EPP	ALDE	PES	NA	PES		EPP
Belgian names	Ecolo – Agalev/ Groen!	VLD	CVP	PRL MR	PS	VB	SP	VU-ID	PSC CdH
1999 – 25 seats	5	3	3	3	3	2	2	2	2
2004 – 24 seats	2	3	4	3	4	3	3	-	2

²¹³ *ibid.*

There was an important loss for the Greens (-3 seats). The Liberals kept the status quo.

Winners in these elections were, the Walloon socialists (+1), Flemish EPP (+1, thanks to a coalition with a part of the former Flemish democratic nationalists, VU-ID), and Flemish PES (+1, thanks to a coalition with the other part of the former Flemish democratic nationalists, VU-ID).

What are the explanations for the outcome and the turnout?

De Tijd (10/06) named four reasons: 1. the fact that European elections are overshadowed by the national debate, 2. poor knowledge about European affairs, 3. the negative image of Europe because of this lack of knowledge, 4. few media coverage of European dossiers.

Professor Hendrik Vos (University of Ghent) thinks ignorance is the main cause for the low outcome. Voters do not realise that the European Union is dealing with very concrete issues that are important for people in every day life. Problematic is also the fact that even professional politicians, opinion makers and journalists do not realise the importance of the European Parliament.

In *De Morgen* (15/06) a few suggestions are made to organise "real" European elections, e.g. the installation of pan-European list of candidates for part of the mandates and to make the Commission president the stake of the battle.

La Libre Belgique (15/06) judges that the Union has a communication problem.

Premier Guy Verhofstadt also thinks communication is the main issue: How to make people feel involved in the ever more complex decision making? How can the Union reach its 450 million citizens to give them information and show them the importance of democracy and the European project: here lies the solution for the lack of interest in the European elections.

What were the reactions on the selection procedure and election of the new President of the Commission and the President of the EP?

Since mid-May, the Belgian media paid a lot of attention to the search for a Commission president, since the name of Guy Verhofstadt, Belgian prime minister, circulated as a possible candidate. The fact that Verhofstadt never officially admitted that he was candidate for the position and the defeat of his party, the VLD (liberals), at the regional elections (which at a given time even seemed to threaten the

survival of the federal government) made that the newspapers were never really ardent supporters of his candidature. Particularly the (absence of) support of Tony Blair for Verhofstadt's candidature was highlighted. When Verhofstadt failed, comparisons were made with the Corfu summit in June 1994, when the candidature of Jean-Luc Dehaene for Commission president was vetoed by the Briton John Major. According to Karel Van Miert (Flemish socialist party), former Belgian Commissioner, the search for a Commission president is a very obscure affair, in which Member States judge every candidate according to their own national profits (*DS* 22/05).

Cyprus

Held on 13 June, the 2004 European election was the first for the Republic of Cyprus that joined the Union on 1 May. Beyond being an experience of self-evidently historic proportions, however, it was also a paradigm of mixed feelings. After all, on 24 April 2004, Greek and Turkish Cypriots voted in a twin referendum on the future of the divided island. A 'Yes' vote would have led to a 'United Cyprus Republic' acceding to the EU on May 1st and the European election following a different (logistical) course, reflecting the new – albeit quite obscure – socio-political realities.

Although the entire Republic of Cyprus joined the EU on May 1st as the legitimate state entity recognized by the international community, 75.8% of Greek Cypriots rejected Kofi Annan's Plan. Thus 37% of Cyprus' territory remained occupied by Turkish troops.²¹⁴ Thus, Greek Cypriots essentially formed the electorate. Although the Turkish Cypriots of the occupied 'north' had been invited to participate in the election, only 503 responded. The Nicosia Government had advertised the European election in all Turkish Cypriot newspapers. But, given the all-consuming preoccupation of all Cypriots with the UN-sponsored negotiations and the referenda, it is unclear whether the limited Turkish Cypriot turnout was due to indifference, confusion or other reasons. Greek Cypriots seemed mentally and emotionally exhausted by the protracted vicissitudes over the labyrinthine UN Plan. Therefore, mixed feelings arose from: relief that the Republic of

²¹⁴ Treaty of Accession (Protocol 10), signed on 16 April 2003 in Athens, provided that if Cyprus' political problem had not been resolved by the time of accession, the *acquis communautaire* would not be applied to the occupied territory.

Cyprus was 'saved' by their 'No' vote and optimism that the EU is bound to present a 'European' alternative to the UN Plan, despite disappointment over the EU not asserting itself in the UN-sponsored negotiations and injecting into the plan the EU's legal and political principles, values and norms.²¹⁵

Cypriots' turnout was 71.2%, with the correspondingly low abstention rate among the EU's lowest. Even this 27.5% abstention rate was unusual by Cypriot standards, where elections are (formally) compulsory. It can be explained by the political fatigue caused by the 24 April referendum and by the aforementioned 'mixed-feelings hypothesis'. Unlike the elaborate polls for the April referenda, no exit polls were conducted. Without opinion data, the evidence for the above is anecdotal and impressionistic.

Out of 483,311 registered voters, 350,387 citizens voted on 13 June to elect candidates from traditional political parties and a few new formations. The former consisted of the following: *Progressive Party of Working People* (Anorthotiko Komma Ergazomenou Laou) (AKEL), socialist party; *Democratic Rally* (Dimokratikos Synagermos) (DISY), right of center; *Democratic Party* (Dimokratiko Komma) (DIKO), centrist party; *Social Democratic Movement EDEK* (Kinima Social Dimokraton EDEK) (EDEK), social-democrat; and *Ecological and Environmental Movement* (Kinima Oikologon Perivallontiston) (KOP), green party.

New formations also fielded candidates. Apart from eight independents, the most interesting new political entity was a splinter group from the conservative DISY- 'For Europe'- its defining feature being its founders' clear opposition to the Annan Plan. Using the slogan 'European Cyprus', a group was formed combining the United Democrats (EDI) with some supporters of the Annan Plan. New Horizons (Neoi Orizontes) (NEO), a centrist yet 'nationalist' party, attracted like-minded individuals under the label 'European Collaboration-New Horizons'. The 'People's Socialist Movement', was an ad hoc creation for the European elections.

Essentially, lip-service was mostly paid to 'European issues' as most candidates

responded to the people's nearly exclusive preoccupation: that is, Cyprus' post-referendum state of affairs and who *could*, and who *would not*, work for a 'European solution' to the Cyprus problem.

In Cyprus, the EP election involved a two-step vote: selection of a party (or formation) and then up to two individual candidates from within the chosen list. Therefore, apart from the political parties' or formations' own advertising, many candidates ran individual campaigns. According to the GNORA Communications Counsellors, who conducted telephone interviews with a number of hopeful candidates,²¹⁶ their campaigns followed 'traditional' patterns, for three reasons: limited campaign funds, limited time, and limited familiarity with the single-constituency, national (as opposed to a regional) election campaign.

60% of candidates chose to communicate their message by phone (either personally or by their staff or both). 56.2 % used individual cards – with the candidate's name, photograph, and a biopic. 47% used pamphlets which circulated in addition to those of their political parties or formations. 44% ran ads in newspapers and magazines. Being a 'medium budget' tool, this differed substantially from the 'high budget' means of radio advertising (16%) and of television spots (chosen and/ or affordable by only 6.2%). Other campaigning included: cocktail parties in hotels (given by 34.4%). 28% chose gatherings in private homes. 25% of those interviewed sent personal letters to members of their respective political party. Finally, GNORA's conclusion about 'traditional' campaign methods rested also on evidence that only 22% of candidates used email and mobile phone messages.

However, most parties or groups promoted themselves and candidates on their websites. Major national newspapers' websites hosted portraits or short biographies of most candidates. Again, in the absence of research by Cypriot pollsters, voters' accessibility to these websites and degree of influence on their decisions cannot be determined. Such material, however, is revealing about the parties' European election concerns, their priorities, the balance between 'Cypriot' and 'European' content, and so forth. In most cases, this material did not elaborate on 'European issues', handling the European election primarily in a *party-centric* and *Cyprus-centric* manner. Each party attempted to

²¹⁵ Turkish Cypriots were relieved by controversial, post-referendum 'support' they received from the UN Secretary General, Washington, and London, all of whom spoke of 'upgrading' the status of the still unrecognised – because unilaterally-declared and condemned by the UN- 'Turkish Republic of Northern Cyprus' (TRNC). Simultaneously, they were reportedly concerned over exclusion from the EP election and about whether, when, and how, new negotiations would begin.

²¹⁶ Interviews with 32 of 48 candidates of the major formations, between 15 and 21 June, 2004, addressed individual campaigns. See *Phileleftheros*, Nicosia daily, 27 June 2004.

promote its image and argue that it alone had the 'best candidates', meaning those best-suited to representing *Cyprus' interests* in the European Parliament.

Neither the conservative DISY nor left wing AKEL created particularly relevant websites. Rather, the Ecologists' web page exhibited technical sophistication and even preoccupation with *European* concerns. 'How we see Europe and what we will claim in the European Parliament' emphasized almost exclusively the Green Agenda and the European Greens' values and worldview, to the point that 'the Cyprus content' seemed suppressed. Given the party's election results, however, this Euro-focus may have contributed to their serious defeat. DISY and AKEL internet material was limited and uninspiring. AKEL especially campaigned with less than its proverbial vigour. Its website lacked pre-election material but hosted its Secretary-General's apologetic post-election statement; and gave a link to the website of the European United Left/Nordic Green Left, even though the Cypriot party's platform did not seem to fit with its EP counterpart.

Apart from its candidates' biopics, DISY concentrated on summarising speeches by its president and other officials. These revealed the intense party-centric preoccupation of the Democratic Rally. DISY was experiencing a serious internal crisis, following the leadership's decision to support passionately the 'Yes' side in the referendum, despite its party membership's oppose to it by 2 to 1. Then, the associated expulsion of two leading MPs from the party in May led to the formation of the splinter group mentioned above. This group's initial chances of success were indeterminate. However, when former DISY president, Yiannakis Matsis, joined them, DISY's leadership felt seriously threatened. Thus, DISY's effective campaign concentrated on regaining its traditional following.

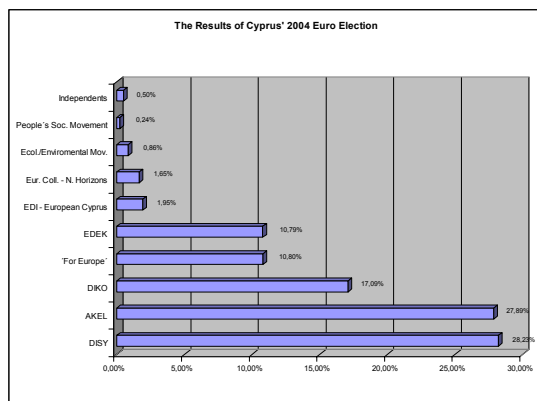
Much conspired to render Cyprus' national problem the *central focus* of most campaigns, including:- (i) the 24 April referendum, with the profound mental and emotional exhaustion it entailed; (ii) the dramatic debate about such an historic matter so close to the European election that it left Cypriots little time to immerse themselves in labyrinthine European issues; (iii) after long and passionate support for European integration, a sense of disillusionment with the EU had set in owing to the absence of support by the Commission and other EU organs for a more 'European', or at least a 'more fair', plan than that of Mr Annan. Finally, voters seemed convinced that the

priority now was to focus on how the EU would address and manage Cyprus' own problem. Voters' expectations affected candidates' focus and rested on the following question: which political parties or formations and which candidates could best respond to the issue of finding a solution to the national problem in line with EU principles, values and norms. Yet, the primacy of the national issue was not the electorate's only preoccupation. Most parties could not afford to disassociate their campaigns from either their corresponding EP Groups or some general 'European' theses, principles and values represented by their own formations. Except for a few individuals with long and/or deep familiarity with European issues, the majority did not expand on them. For instance, there was no substantive debate on either the emerging Constitution or Europe's need to cope with terrorism and asymmetrical security threats, or immigration, racism and xenophobia.

Only EDEK and the Ecologists made their 'European' credentials and commitments explicit. In contrast to the other parties' generalities on Europe, EDEK's main campaign pamphlet outlined a nine-point 'Vision, Theses and Commitments'. EDEK pamphlet's title - '*We have a place in Europe*' - was also its main campaign slogan. Six had clear 'European content' and only three were Cyprus-centric. Similarly, the Cypriot Greens' pamphlet contained only one 'Cypriot' out of four main arguments or theses. All four started with the verb 'Thelo' ('I want') and continued thus: 'support in the European Parliament for my decision for a just and viable solution of the Cyprus problem'; 'to strengthen the Movement which works continuously for the rights of ordinary citizens in Health, Culture, Education and the Environment'; 'to be represented in Europe by young persons with new and fresh ideas'; and finally, '(I want) Europe, a force for Peace, for Democracy and the protection of the Human Rights of all people in the whole world'.

The Result of Cyprus' 2004 European Election

Political Party/ Formation	Votes	Percentage	Seats	2001
DISY	94,355	28,23%	2 EPP-ED	34,0%
AKEL	93,212	27,89%	2 GUE/NGL	34,7%
DIKO	57,121	17,09%	1 ELDR	14,8%
'For Europe'	36,112	10,80%	1 EPP-ED	-
EDEK	36,075	10,79%		6,5%
EDI - European Cyprus	6,534	1,95%		2,6%
Eur. Coll. - N. Horizons	5,501	1,65%		3,0%
Ecological/ Enviromental Movment	2,872	0,86%		2,0%
People's Soc. Movement	808	0,24%		
Independents	1,678	0,50%		



Polls had predicted that AKEL and DISY would each win two seats, with the Democratic Party (DIKO) getting one and the Social Democratic Movement none. The first surprise was AKEL coming second to DISY. As the 2001 national election winner expecting to repeat that success, and as the party of the left - a political colossus in the Cypriot landscape – it was shocked by its losses. Party officials reportedly acknowledged weaknesses in party organization and admitted that the abstention suggested that many supporters hesitated to commit themselves. Independent analysts treated the losses as follows: disappointment with AKEL's oscillating stance on the Annan Plan,²¹⁷ a flow of party support to 'pro-No' parties (primarily EDEK); and some displeasure due to AKEL's participation in the

²¹⁷ AKEL Politburo, first supported the plan but in response to the people's opposition, its Central Committee changed its stance to a (qualified) No, before saying it would accept the Annan Plan if certain guarantees for implementation were met. Although the party leadership ended up campaigning for a No vote, prominent party officials championed a Yes vote.

governing coalition (for 16 months) entailing responsibility for recent economic difficulties. The second surprise was linked to DISY's performance. Instead of being traumatized by its simmering crisis, accentuated by the emergence of the splinter movement, 'For Europe', it managed to regain support among those previously disgruntled by its pro-Yes referendum stance. It must be concluded therefore, that DISY's campaign of 'party patriotism' worked since there is no evidence that pro-No followers changed their mind – the evidence from numerous reports and conversations being the contrary.

The success of social democratic EDEK – rising from 6.5% in 2001 to 10.8% – was also unexpected. It can be accounted by the return of voters disappointed in the past by the social democrats' protracted internal crisis; respect for EDEK's principled stance for a 'No' in the referendum; support by traditional AKEL voters; and an energetic and respectable campaign, which stressed the social democratic theses.

DIKO – the party of President Tassos Papadopoulos won 17,1% of the vote compared to the 14,8% share in the 2001 general election. Its own rise in popularity may be explained both by the well-received return of formerly alienated party figures, and by the firm respectability of Tassos Papadopoulos himself. DIKO met its realistic target of electing one MEP. The founders of 'For Europe' were pleased with their successful political experiment, winning 10,8% of the vote and the election of veteran Mr Matsis as MEP by a narrow margin of 37 votes over EDEK. The halving of support for New Horizons (and their associates) and for the Cyprus Greens can be explained by the 'lost vote syndrome'. In view of the near certainty that only DISY and AKEL could win two seats apiece, DIKO one, leaving 'For Europe' and EDEK fighting for the sixth seat, New Horizons and the Ecologists seemed set for defeat. The group around EDI were apparently condemned by their extreme pro-Yes views and their uncouth challenge to President Papadopoulos.

Finally, widespread reactions on the election of the new President of the Commission and the President of the EP were not very noticeable. However, optimism has been expressed that Mr Barroso could well combine his energy and dynamism with special sensitivity to EuroMed and other "southern" issues. As for new EP President, Josep Borrell, his respectability in Cyprus was strengthened when Cypriots were familiarized with the European Parliament's priorities (as set by him during the first plenary

session of mid-September). As for his popularity among the Greek Cypriots, this could be considered established given his statement of 28 September – after meeting Cypriot President, Tassos Papadopoulos – that the solution proposed to the Cypriots “could not have been very good, as it was not accepted by the Greek Cypriot community in the April 24 referendum”.

Czech Republic

What were the main subjects of the electoral campaign and how was it organised?

The elections to the European Parliament took place on June 11-12, 2004, in the CR. According to the Treaty of Nice and the result of the conclusion of the accession negotiations at the Copenhagen summit in December 2002, the CR has 24 seats in the EP. In the CR, the deputies to the EP are elected by means of a proportional electoral system; political parties or groupings are elected, and voters have a possible choice of two preferred votes from only one party’s list of candidates. 31 political parties or groups took part in the elections.

In the electoral campaign there appeared topics such as the preservation of national sovereignty, the selection of the EU commissioner from the CR and his/ her role, the change of price relations after EU entry, etc. However, topics connected with internal politics dominated.

The turnout of the elections to the EP in the CR was only 28.3%, which is even less than it had been expected by many analysts. Since the threshold for entering the EP was 5%, only six political parties or groups were successful in this respect.

Result of June 2004 elections to the European Parliament in the Czech Republic

Party or political grouping	% of votes	Number of mandates
ODS	30.04	9
KSCM	20.06	6
SNK-ED	11.02	3
KDU-CSL	9.57	2
CSSD	8.78	2
Nezavisli	8.18	2
SZ	3.16	-
ULD	1.69	-
PB	1.17	-

Note:

- ODS – Civic Democratic Party
- KSCM – Communist Party of Bohemia and Moravia
- SNK-ED – Association of Independent Candidates – European Democrats

- KDU-CSL – Christian Democratic Union – Czech People’s Party
- CSSD – Czech Social Democratic Party
- Nezavisli - Independents
- SZ – Green Party
- ULD – Union of Liberal Democrats
- PB – Right Block

What were the reactions in your country on the election’s outcome and the voter turnout?

First of all, it should be mentioned that the result of the elections to the EP in the CR contributed significantly to the fall of the government of Vladimir Spidla in July 2004, i.e. more or less in mid-term of the electoral period. Immediately after the elections, President Klaus declared that the marginal interest of Czech citizens in the EP elections means a defeat of advocates of the present direction of the EU and of their naiveté. At the same time, the debacle of the government coalition parties, which obtained only four out of the 24 seats reserved for the CR in EP, is according to him a significant signal of the poor performance of the government of Mr Spidla. Klaus also said literally: “Almost three quarters of the citizens of the Czech Republic clearly said by their absence in the elections, that the issue of elections to the European Parliament does not interest them. This is an extraordinarily significant statement about the European Union and about the relation of citizens towards it.”²¹⁸ According to Klaus, the debate about the EU was insufficient, and real problems were taboo in the CR as well as in other EU member countries.

What are the explanations for the outcome and the turnout?

Among the characteristic features of the EP elections in the CR were a very low turnout, the victory of the opposition to the government both on the right (ODS) and the left (KSCM), relatively good results for the so-called independents, the dissatisfaction of the Czech population with the government of Vladimir Spidla,²¹⁹ and an insufficient education about EU topics to the Czech public. In the electoral campaign the politicians did not emphasise

²¹⁸ CTK, June 14, 2004

²¹⁹ Prime Minister Vladimir Spidla resigned shortly after the elections to the EP and was replaced in his position by Minister of Interior Stanislav Gross. Mr Spidla will replace Pavel Telicka as the Czech Commissioner in the EC in November 2004. He will be in charge of employment, social affairs and equal opportunities, i.e. more or less the area which he was in charge of as a minister in the Czech government before becoming prime minister after the June 2002 parliamentary elections.

sufficiently the importance of the EP elections. The campaign was too focused on subjects of internal politics, and discussions on key issues of the EU such as e.g. the Constitutional Treaty, the President of the EU, the Minister of Foreign Affairs of the EU, common defence policy, coordinated steps in the fight against terrorism, the future EU budget, and the EU arrest warrant, did not appear.

In the recent past, the Czech public was mobilized for EU accession (see the relatively high percentage of Czechs who voted for the accession in the 2003 referendum), but it appears as if the Czechs lost interest in their future participation in the construction of the European space. Seen from the inside, this phenomenon is attributed on one hand to the “fatigue from democracy”, and on the other hand to the disgust of voters from the insufficient competence of domestic politicians, from their inability to rouse the interest of the electorate in EU affairs, from an excessively technocratic character of Brussels negotiations, the unintelligibility of European politics, etc. Seen from the point of view of the “old” members, the CR and other new members have confirmed their peripheral position in the EU.

What were the reactions on the selection procedure and election of the new President of the Commission and the President of the EP?

The CR welcomed the confirmation of the nomination of José Manuel Durão Barroso to the position of the President of the EC. Mr Durão Barroso has enough experience from his previous career as both Minister of Foreign Affairs and Prime Minister, to lead the Commission in the period 2004-2009 as an effective, cohesive and credible team, which would contribute to the successful cooperation of the present 25 member countries. In more or less the same positive way, the CR has accepted the choice of Josep Borrell for the position of President of the EP. In general, the Czech media have not cast doubt on the choice of either of these two politicians for the two key positions in EU institutions.

Denmark

What were the main subjects of the electoral campaign and how was it organised?

There were at least five main subjects in the electoral campaign to the EP 2004 elections in Denmark. In casual order, these were the

“utility issue”, with TV for instance broadcasting programmes with candidates informing about the EP’s potential impact on the daily lives of Danes (i.e. regulations on the contents of toothpaste and children’s toys); the struggle against bureaucracy in the EU and the extraordinary salaries of many MEPs; the role of the EP as a “democratic watchdog” in the EU; the Constitutional Treaty and the future of the four Danish opt-outs; and the issue of Turkish membership of the EU. Public meetings with candidates were common but poorly attended by “ordinary” Danes. The leading candidates of each party duelled in prime-time TV, and most parties joined calls for people to turn out and vote. Several Danish football icons from the European Championship finals formed part of the campaign to boost turnout. Election analysts’ have pointed out that the campaign was the first European election to be extensively covered in the Danish media.²²⁰

What were the reactions in your country on the election’s outcome and the voter turnout?

The election’s outcome was met with some surprise by many commentators. One feature was that the lead candidate of the Social Democrats, former Prime Minister Poul Nyrup Rasmussen, had a sensational vote – attracting more personal votes than the governing Liberals were able to attract in total. The fact that the Social Democratic Party did well was not in itself a surprise, as it presented a well-known, strong team of candidates and is the main opposition party. The other main surprise was that the traditionally strong eurosceptic movements, the June Movement and the People’s Movement against the EU, had a very poor election, securing just one seat each (see below).

Turnout decreased from 50 percent in the 1999 EP elections to 46 percent, which evoked concern among the parties in favour of the EU.

What are the explanations for the outcome and the turnout?

A survey published on the day of the elections to the EP revealed that more than one in three Danes do not trust the European Parliament.²²¹ The lack of trust in the EP can be one reason for the (seen with Danish eyes) low turnout.

²²⁰ Brink Lund & Ørsten (2004), “Kioskbasker. Danmark har oplevet sin første europæiske valgkamp”, *Politiken*, September 30th.

²²¹ Kongstad & Collignon (2004), “Måling: Ringe tillid til EU-Parlament”, *Jyllands-Posten*, June 13th.

Other explanations have included that EP elections are seen as second-rate elections and that voters are indifferent to and/or feel estranged from the EP.

The poor showing of the eurosceptic movements in the election has been interpreted as a sign of the beginning politicisation of the European debate in Denmark, with voters shifting from the “yes/no-to-the-EU” dichotomy (which has been largely prevalent in the previous Danish referenda) to a more ideological positioning. However, it would be too early to conclude from the EP elections that Danish euroscepticism is on the down: low voter turnout reveals that the election was not seen as being as important as referenda (where turnout may reach 80 percent), and personality (former Prime Minister Nyrup Rasmussen) may have played a significant role in attracting one-off votes from other parties to the Social Democrats.

What were the reactions on the selection procedure and election of the new President of the Commission and the President of the EP?

Political reactions to the election of José Barroso as new President of the Commission were rather critical, but the main criticism centred on the process rather than on the man. Chairman of the European Committee of the Danish Parliament, Claus Larsen-Jensen (Social Democrat) accused the election process of being messy, leaving the impression of a very accidental choice of a compromise candidate. He has instead suggested a model, where the national parliaments and the European Parliament are more involved in the selection process, in order to secure more openness and a more democratic process with the involvement of citizens.²²² He is supported in this ambition by MEP for the Liberals, Karen Riis Jørgensen.²²³ On the other hand, Foreign Minister Per Stig Møller (Conservative Party) has defended the closed doors of the selection process, as candidates are political heavyweights who need to protect their current positions. Reactions to the choice of Josep Borrell as President of the EP was not surprisingly criticised by the Danish members of the Liberal group in the EP (ALDE), whose influence was curbed by the powerful coalition of the Conservatives (EPP) and the Social Democrats (PSE). Thus, Karen Riis Jørgensen (who is also deputy chairman of the ALDE)

²²² Ritzau (2004), “Kritik af lukkede forhandlinger”, *Vejle Amts Folkeblad*, July 1st. Own translation.

²²³ *Ibid.*

called the election disappointing and Borrell a “catastrophe”, someone “very left-wing, not charming and without the ability to sell the European project”.²²⁴

Estonia

What were the main subjects of the electoral campaign and how was it organised?

European Parliament elections in Estonia bore the mark of inexperience, as substantive discussion on issues was overshadowed by debates on the rules and nature of the game. Most parties appeared to be stuck in the referendum mindset, trying to position themselves somewhere on the pro/anti-EU scale. Election results were consistent with the Europe-wide trend of low turnout and poor performance of government parties, reflecting the “second-order national elections” thesis formulated by Reif and Schmitt a quarter of a century ago.²²⁵

The elections were preceded by a major debate on “open” versus “closed” party lists. In February 2004, the Parliament passed amendments to the law on European Parliament elections replacing the „closed lists“ system where votes do not alter the predetermined positions of candidates in a party list with a system of „open lists“ where candidates are re-ranked according to the number of votes received.²²⁶ Following an intensive debate, the „open lists system“ was signed into law in March 2004.

Ten political parties presented candidates for the elections. Including four individual candidates, the total number of candidates was 95. There was no fixed ceiling for campaign expenses, and some parties appeared to spend quite liberally. The leading government party, Res Publica, launched an aggressive, highly visible campaign, featuring full page ads and immense posters. TV coverage was not very extensive. The Estonian Public TV (ETV) was the only TV channel that featured a special four-series election program and also a special election night program.

²²⁴ Lauritzen (2004), “Vrede over studehandel i det nye Europaparlament”, *Politiken*, July 18th.

²²⁵ Reif, Karlheinz and Hermann Schmitt, „Nine Second Order National Elections: A Conceptual Framework for the Analysis of European Election Results,“ *European Journal of Political Research*

²²⁶ For more information, see Piret Ehin and Viljar Veebel, National Report Estonia, in „IGC 2003: Positions of 10 Central and Eastern European countries on EU institutional reforms,“ Analytical survey in the framework of the CEEC-debate.

Party positions were characterized by an obsession with toughness. Many campaigns cast a negative or cautious tone, depicting membership in terms of a fight or a struggle.²²⁷

Candidates tried to avoid appearing too soft or pro-Brussels, pledging to defend Estonia's rights and interests at all costs. To cite just a few examples, a candidate from the Centre Party emphasized the conditionality of Estonia's membership, claiming that the country's leaders must have the courage to leave the Union if it „does not live up our expectations.“²²⁸ The platform of Rahvaliid (People's Union) portrayed EU politics as unequal game, dominated by large states, in which the principles of fairness and the right to sovereignty must be defended.²²⁹

The results produced several surprises. Turnout confirmed to most pessimistic expectations, reaching only 26.7%.²³⁰ This was attributed to the standard reasons, such as the low salience of European issues, limited role of the European Parliament, and a limited understanding of the European political system.²³¹ Other, domestic causes included voter fatigue and the perception that the campaigns were small, primitive, hectic and took place in the middle of the short Estonian summer.²³² Former Foreign Minister Toomas Hendrik Ilves argued that the particularly low turnout figures in the new member states reflect a lack of experience and understanding about the role of the European Parliament in EU decision-making.²³³

The performance of the governing parties was worse than expected: five out of six seats went to opposition parties. Above all, the 6.7% of votes collected by Res Publica, the leading coalition party, was seen as a near-catastrophic defeat.²³⁴ The magnitude of the Social Democrats' victory, in contrast, surprised the public as well as the analysts. The party's leading candidate, ex-Foreign Minister Toomas Hendrik Ilves, pocketed nearly one third of all votes, making the

²²⁷ Res Publica's elections slogan „Let's break through“ accompanied by posters depicting candidates who pound their fists on the table, was a prime example.

²²⁸ Vilja Savisaar, „Sirge seljaga Euroopa Liitu,“ *Kesknädal*, June 2, 2004.

²²⁹ „Eestimaa Rahvaliidu platvorm 2004. aasta Euroopa Parlamendi valimisteks,“ approved by the party's council on February 25, 2004. www.erl.ee.

²³⁰ Parliamentary elections held in March 2003 produced a 58,2 per cent turnout.

²³¹ „Juhtkiri: Halvim valik,“ *Postimees*, June 14, 2004.

²³² *Ibid.*

²³³ Toomas Hendrik Ilves, „Mida näitasid Euroopa Parlamendi valimised meil ja mujal Euroopas?“ *Eesti Päevaleht*, June 15, 2004.

²³⁴ „Peaministri partei kukkus eurovalimistel ootamatult läbi,“ *Postimees*, June 14, 2004.

hitherto small opposition party (7% of votes at parliamentary elections in March 2003) the overwhelming winner of the elections with 37% of votes and three seats in the EP.

Excessive toughness appears to be a miscalculation that alienated voters. Toomas Hendrik Ilves attributed his success to a positive campaign that offered an alternative to the aggressive negativism of Res Publica.²³⁵ In light of the fact that public support for membership has steadily increased since accession in May 2004, Ilves's claim that the elections were „yes to Europe“ elections appears to be a correct observation that other parties understood too late.²³⁶ In any case, the results signaled that the time for simple „for or against the EU“ arguments is over, and candidates and parties must be able to demonstrate earnest engagement with Europe in order to be successful.

What were the reactions on the selection procedure and election of the new President of the Commission and the President of the EP?

There has been very little discussion about the selection procedures of the new Commission and the EP president. Overall, Estonia was pleased with the composition of the new Commission and in particular, with the fact that the Estonian Commissioner, Siim Kallas, was nominated to the post of the Commission Vice-President. A document released by the Ministry of Foreign Affairs claims that

„Estonia is pleased with the distribution of portfolios in the new Commission, which has given worthy portfolios to Commissioners from the new member states matching their competencies. We find that Commission President José Manuel Barroso has succeeded in constructing a strong and competent team. We hope that the new Commission will be effective, open and able to restore its authority and political strength among EU institutions.“²³⁷

²³⁵ „Sotsid triumfeerisid eurovalimistel,“ *Postimees*, June 14, 2004.

²³⁶ According to a survey conducted by Emor, public support for the EU has increased steadily since May 2004, reaching 70% in September. See *Postimees*, October 2, 2004.

²³⁷ Ministry of Foreign Affairs, „Estonia in the European Union,“ 22 September 2004, www.vm.ee

Finland

What were the main subjects of the electoral campaign and how was it organised?

According to polls, the people were most concerned about the question of the rights of Finns in the EU. The citizens were concerned with how Finland's national interests are best promoted in the Union especially in the field of unemployment, agriculture and crime. The future of social security and the welfare state, and the cost of the EU membership to Finland also featured on the citizens' agenda. The dominance of national issues in the minds of Finns can to some extent be explained by the citizens' feeble interest for Europe, which was weaker than in other EU member states, as shown in the European Elections Barometer of June 2004.

The personality of the candidates was an essential element in people's decision to vote. In the European Elections Barometer, 67% of the Finnish interviewees stressed the personality factor, against an EU-25 average of 58%. This also means that for the Finns the position of parties either on national or European issues was less prominent than for EU citizens generally.

Unlike in many other EU member states, the EP elections in Finland were not primarily centred on protests against the Union, nor against the EU policy of the Finnish Government. The election outcome was by and large consistent with the party divisions formed in the previous EP elections in 1999.

In response to public hopes and concerns, most of the candidates claimed to promote the cause of the Finnish citizens in the European Parliament.

What were the reactions in your country on the election's outcome and the voter turnout?

The outcome of the election was by and large expected. The Green Party suffered the greatest defeat when compared to the previous EP elections as it lost one of its two representatives. The Christian Democrats also failed as they lost their only seat in the European Parliament. As previously, the Swedish People's Party and the Left Alliance received one place in the Finnish delegation. The dominant party in the National Parliament and the leading party in the current Government, the Centre Party, received four places, as did the right-wing Coalition Party. The Social Democratic Party, the second

largest party in the Government, remained with three representatives.

What are the explanations for the outcome and the turnout?

As in most other EU member states, the EP elections in Finland traditionally attract less attention from the public than national parliamentary elections. However, the proportion of votes cast rose from 31,4% in 1999 to 41,1% in this year's elections. The increase in the voter turnout was explained by greater public familiarity with the Union and by the great media appeal of some of the candidates.

The election outcome reflects the political landscape of the large cities. This is because relatively more people from the urban areas of Finland take part in the elections than from the rural electorate. For example, in the electorate district of Helsinki 52,2% of the suffrage took to the polls, while in the rural eastern district of North Carelia only 32,7% voted. As a result the conservative Coalition Party, an urban favourite but only the third largest party in the Finnish Parliament, received an election victory with its 23,7% share of the votes and four seats. The Centre Party also received four seats while the Social Democratic Party, one of the leading parties in national elections, attained three MEP positions. The Greens, the Swedish People's Party and the Left Alliance each achieved one seat in the European Parliament.

It is obviously hard to measure which party actually lost and which gained as this year Finland only had 14 MEP positions as opposed to 16 in the previous European Elections.

What were the reactions on the selection procedure and election of the new President of the Commission and the President of the EP?

The appointment of José Manuel Durão Barroso as Commission President was received with mixed feelings in Finland. On the one hand it marked a defeat of the Finnish campaign to get the former Prime Minister Paavo Lipponen to the post, but on the other hand special sympathy was expressed in the media towards Mr. Durão Barroso for his small country background. According to the Government, its main concern was the selection of a competent chairman for the Commission. The Government's efforts to push for the appointment of the Social Democrat Paavo Lipponen were at most half-hearted. Some prominent Government figures, including

the Foreign Minister Erkki Tuomioja, also a Social Democrat, publicly doubted the chances of the Social Democratic Lipponen in the light of a right wing majority in the recently elected European Parliament. The passiveness of the Government in this matter has to do with differences between Mr. Lipponen's and the leading ministers' views on the development of the EU: when being Prime Minister Mr. Lipponen gained a reputation of a visionary pro-integrationist whereas the current leadership of the Government favours a more cautionary stance.

The selection of Josep Borrell as President of the European Parliament did not arouse strong feelings in Finland. Among the Finnish Members of the European Parliament evaluations of Mr Borrell's background and chances of success as President of the EP were by and large positive.

Germany

What were the main subjects of the electoral campaign and how was it organised?

The EP electoral campaign in Germany was dominated by national topics. Particularly the CDU opposition used the opportunity to settle old scores with the government. The CDU started its electoral campaign with the slogan: "Europa macht man nicht mit links" (Europe cannot be done blindfold) and the manifesto for the European Parliament elections shows that the CDU tried to catch voters with national issues. Therefore the party made a lot of comparisons between Germany and the other EU-countries concerning economic growth, unemployment rate, fiscal system, stability and growth pact and education, to show the "backwardness" of the biggest EU member state due to the failure of the German government.²³⁸

The electoral campaign of the SPD was focused on European foreign policy. "Europa – Friedensmacht" (Europe, power of peace) was one of the main statements. Other topics almost did not appear during the SPD electoral campaign. The party contented itself with general declarations like the necessity to strengthen the democracy in the European Union or to stabilise the internal European security.²³⁹

²³⁸ Cf. Manifesto of the CDU for the European Parliament Elections 2004, Saarbrücken, 8 May 2004, <http://www.cdu.de/doc/pdf/europa2004.pdf>.

²³⁹ Cf. Manifesto of the SPD for the European Parliament Election 2004, Berlin, 16 November 2003,

Both manifestos, the CDU and the SPD manifesto, demonstrated however that the general objectives concerning the European Union are almost equal.

The three smaller parties, FDP, Bündnis 90/Die Grünen and PDS, tried to score with concrete proposals concerning Europe. The FDP for example argued in its economic tradition for an abandonment of the European subvention policy in antiquated branches of the economy and for higher expenditure for research, development and education. Furthermore, the FDP favoured the creation of an independent cartel office which strictly executed European competition law.²⁴⁰

Bündnis 90/Die Grünen set priorities on typical green demands like climate protection, safeguards for biodiversity etc. and, most important, the abolishing of the EURATOM programme. They also expressed their view about institutional and procedural reform in the European Union such as the abolishment of the national veto in the European Council and the Council, particularly concerning foreign policy, or the political equality between the European Parliament and the Council.²⁴¹ The PDS presented slogans like: "Ein anderes Europa ist notwendig. Ein anderes Europa ist möglich" (Another Europe is necessary. Another Europe is possible.) In its historical tradition this party focused its criticism on the "militarisation" of the European Union and on various social aspects which were disregarded by the European Union. The PDS would like to establish a type of European welfare state that subordinates the economic policy under social facets.²⁴²

All in all, the manifestos of the main parties showed a large agreement about the German aims concerning the European Union. They only emphasised varying issues without following a diverse policy.

<http://www.spd.de/servlet/PB/show/1030391/europamanifest.pdf>.

²⁴⁰ Cf. Manifesto of the FDP for the European Parliament Elections 2004, Saarbrücken, 17 January 2004, <http://www.fdp-bundesverband.de/pdf/Wahlprogramm-europawahl.pdf>.

²⁴¹ Cf. Manifesto of the Grünen for the European Parliament Elections 2004, Dresden, 20 November 2003, <http://www.eurogreens.org/cms/default/rubrik/3/3133.manifesto@de.htm>.

²⁴² Cf. Manifesto of the PDS for the European Parliament Elections 2004, Berlin 31 January 2004, <http://www.sozialisten.de/wahlen2004/wahlprogramm/themen/index.htm>.

What were the reactions in your country on the election's outcome and the voter turnout?

The Social Democrats (SPD) were appalled about their performance in the European parliamentary elections as they hit rock bottom losing more than 9% and achieving only 21,5%. They were punished, like other parties in power in other European member states, for the policy of the German government at home.²⁴³ The Social Democrats conceded the defeat.²⁴⁴

The winners of the European parliamentary elections in Germany are the Christian Democrats (CDU/CSU). Even though they lost 4,2 %, they remained the strongest party with 44,5%. The leader of the CDU, Angela Merkel, took this result as a signal that voters wanted a political change.²⁴⁵ The victory of the Christian Democrats in Germany goes along with the fact that the conservative EPP is once again the strongest parliamentary group in the European Parliament.

Bündnis 90/Die Grünen gained substantially and increased their turnout to 11,9%. For the first time since 1994, the FDP is represented again in the European Parliament.

The elections to the European Parliament still showed some differences between East and West Germany. In the new *Länder*, the SPD arrived only at 15,6% while the PDS obtained 25,1% and won the second place behind the CDU (34,2%). In the old *Länder*, however, the PDS achieved only 1,7%. Similar differences between East and West were identifiable concerning Bündnis 90/Die Grünen. In the Eastern part of Germany only 6,7% voted for the Greens compared to 13,2% in the West.²⁴⁶

The political class in general was appalled at the good performance of the European sceptics in these elections, particularly in the United Kingdom, Sweden, the Netherlands and Austria. The low voter turnout was a disappointment but was not unexpected.

²⁴³ Cf. Europawahl: Wer regiert, verliert, in: Die Welt, 14 June 2004.

²⁴⁴ Cf. Europawahl: SPD erleidet katastrophale Niederlage, in: Spiegel-Online, 13 June 2004, <http://www.spiegel.de/politik/ausland/0,1518,304017,00.html>.

²⁴⁵ Cf. „Denkzettel: Die Europäer bestrafen ihre Regierungen“, in: Spiegel-Online, 14 June 2004, <http://www.spiegel.de/politik/ausland/0,1518,304043,00.html>.

²⁴⁶ Cf. Forschungsgruppe Wahlen: Europawahl in Deutschland 13. Juni 2004: Debakel für die SPD: Unzufriedenheit mit der Bundesregierung prägt die Entscheidung, Mannheim, 14 June 2004, http://www.forschungsgruppe.de/Ergebnisse/Wahlanalyse/n/Newsletter_Europa_2.pdf.

What are the explanations for the outcome and the turnout?

Both politicians and actors of civil society saw the main reason for the low turnout in the problem of intermediation between the European institutions, the political actors in the member states and the media on the one hand and the citizens on the other hand.²⁴⁷ They do not give the people a real understanding of the importance, the functioning and the aims of the European Union. Surveys indicated that about half of the German population are highly interested in political issues in general, but only 31% declare to be interested in European issues. Only 61% of the respondents think that the political decisions taken by the European Parliament are important, compared to 86% who think that the acts of the German Bundestag are important.²⁴⁸

In addition, the majority of voters do not see major differences in the political programme for the European Parliament. For this reason, 51% of the Germans voted according to national aspects.²⁴⁹ The SPD was punished for its national social policy and not for its policy concerning the European Union. The CDU, however, was able to mobilise its voters mainly because of two reasons: First, the majority of the conservative voters is regarded as rather pro-European and secondly, the CDU/CSU had, according to public-opinion polls, the most convincing and appealing electoral campaign for the voters.²⁵⁰

What were the reactions on the selection procedure and election of the new President of the Commission and the President of the EP?

In the beginning of the debate about the new President of the Commission and after Jean-Claude Juncker – the “ideal” candidate – rejected his nomination, the German government favoured together with France the Belgian Prime minister Guy Verhofstadt. As he was considered as too pro-European by Tony Blair and as the European Peoples Party was lobbying very strongly for a conservative candidate due to the result of the European parliamentary elections, the European Council

²⁴⁷ Cf. *Ibid.*

²⁴⁸ Cf. *Ibid.*

²⁴⁹ Cf. *Ibid.* and <http://www.zdf.de/ZDFde/img/9/0,1886,2338537,00.jpg>.

²⁵⁰ Cf. Michael Mertens, dimap Consult GmbH, in the speech “Die Europawahl 2004 – Ergebnisse und Analyse, given in the office of the Konrad-Adenauer-Stiftung, Brüssel 14 June 2004, http://www.kas.de/proj/home/events/9/1/year-2004/month-9/veranstaltung_id-10117/index.html.

finally agreed, after lengthy discussions about several candidates, to nominate José Manuel Durão Barroso, the Portuguese Prime minister. Schröder characterised him despite all controversial debates as a “competent candidate” and as a good compromise between the European Parliament and the European Council.²⁵¹ The opposition leader of the CDU, Angela Merkel, was very much in favour of nominating a conservative candidate. As provided for in the future European Constitution, already now the results of the EP elections had to be considered when selecting a new President of the Commission.²⁵² The FDP parliamentary party favoured in general a strong President of the Commission hoping that Barroso would be the right choice.²⁵³ The German foreign minister, Joschka Fischer, criticised the party politics of the conservatives during the selection procedure. He did not agree with the assumption of the conservatives that this nomination procedure will help to bring the European system closer to European citizens. If this is the aim, every parliamentary group should nominate its candidate for the President of the Commission before the next European parliamentary elections in 2009.²⁵⁴ Similarly, Michael Roth, member of parliament (SPD), denounced the selection procedure of the new President of the Commission and the role of the conservatives during that process. He pointed out that Europe needed real European parties and that they have to work together to avoid a political tug-of-war in the future.²⁵⁵

The SPD and the German government appreciated the election of the socialist Josep Borrell Fontelles as the new President of the European Parliament. As part of a deal, the conservative EPP also voted for the socialist Borrell. He will be replaced after the first half of the five-year legislature by the conservative Hans Gert Pöttering. There was some criticism concerning this procedure also in the German media, especially as the very known and widely respected former Polish foreign minister Bronislaw Geremek as a deputy from the new member states also ran for office and as Borrell was supposed to be a rather weak

candidate having been elected for the first time to the EP.²⁵⁶

Greece

The EP elections occurred at a moment where Greece had just undergone (two months earlier) a change in Government, with the Socialists of Costas Simitis (under the leadership of ex-Foreign Minister George Papandreou) losing out to the Conservatives of Costas Karamanlis. So the European elections played effectively the role of a re-run of national elections. For instance, the Socialists renewed radically their MEP list as a first step for a general party overhaul.

Moreover, the European elections occurred shortly after the Annan Plan for a solution to the Cyprus issue. The plan, which benefited of the clear support of the EU, was shot down at a referendum in the Cypriot Republic while also getting very cool reception by Greek public opinion. So, the European ballot box served as an outlet for frustration over this issue.

The outcome of the European elections was to enhance the position of the Conservatives, with a noticeable fall of the Socialists. One further important element was the success of the far-Right party of G. Karatzaferis to enter the European Parliament. The turnout was higher than in most other member States, mainly due to the fact that voting is mandatory in Greece.

The nomination of Mr Barroso as the new President of the Commission was fully endorsed by the Government and there was no official reaction regarding his difficulties in obtaining the EP's assent.

Hungary

What were the main subjects of the electoral campaign and how was it organised?

The EP-electoral campaign has been organised similarly to national electoral campaigns: there have been bill boards, campaigns in the written and electronic media, programs of the politicians in Budapest and all over the country, distribution of leaflets, etc. The problem was however, that the debates

²⁵¹ Cf. Gerhard Schröder, Government declaration, l.c.

²⁵² Cf. Angela Merkel in a speech to the German Bundestag, 2.7.2004. l.c.

²⁵³ Cf. Dr. Wolfgang Gerhardt in a speech to the German Bundestag, 2.7.2004. l.c.

²⁵⁴ Cf. Joschka Fischer in a speech to the German Bundestag, 2.7.2004. l.c.

²⁵⁵ Cf. Michael Roth in a speech to the German Bundestag, 2.7.2004. l.c.

²⁵⁶ Rienäcker, Cai: Bedenkliches Paktieren im EU-Parlament, Commentary 20 July 2004, ARD Hörfunkstudio Straßburg, <http://www.tagesschau.de/aktuell/meldungen/0,1185,OID3457184,00.html>.

were almost entirely about internal politics: all the main subjects taken up by the politicians covered internal policy issues and reflected a strong competition of internal policy programs, instead of presenting European programs. Another shortcoming was that discussions among the parties gave little emphasis to the importance of voting as such. This resulted in the low participation rate of Hungarian citizens.

What were the reactions in your country on the election's outcome and the voter turnout?

The outcome of the Hungarian EP-elections for the 24 seats available is as follows: 12 mandates for FIDESZ-MPSZ – FIDESZ-Hungarian Civic Alliance (opposition); 9 for MSZP – Hungarian Socialist Party (ruling coalition); 2 for SZDSZ – Alliance of Free Democrats (ruling coalition); and 1 for MDF – Hungarian Democratic Forum (opposition). The turnout was 38,5% – with which Hungary ranges in the middle among the EU-25, along with Portugal. The general reactions were of course twofold: the centre-right parties and their voters felt joy over their victory, while the governing parties perceived the result as a strong criticism by the voters towards the government. It seems that some half of the supporters of MSZP and nearly two thirds of the supporters of FIDESZ-MPSZ casted their ballots, while the two smaller parliamentary parties (liberals and conservatives) probably maximized their votes nationwide (this is the reason why the low turnout was advantageous for them). As regards the mentioned low turnout, it was perceived by the political elite as regrettable, although not dramatic. At the same time EU-experts saw it as an alarming failure.

What are the explanations for the outcome and the turnout?

The low turnout on the EP-elections even surprised the polling experts. Interestingly enough, opinion polls conducted in May 2004 showed that nearly half of those questioned would participate in the elections and 42% of them were politically committed. The question naturally arises: why in the end 61,5% of the citizens did not go to vote. The possible answers given by the director of Szonda Ipsos Polling and Market Research Institute are as follows: 1. electing Hungarian politicians to the European Parliament is something new and unusual for the voters; 2. people are not interested in/know little about the EU; 3. negative expectations of Hungary's EU-membership were spread across the society

(e.g. higher prices, bankruptcy of small and medium sized companies and small farmers, a widening gap between rich and poor, as well as between the developed and the lagging regions, etc.) – nobody took the effort to dispel these anxieties, and nobody was reassuring the society highlighting the advantages of membership and the EP's role in the integration process; 4. no internal political power was at stake (despite the strong political competition among the major Hungarian parties overthrowing the acting government was not really an issue); 5. the date of elections (just at the time of closing the school year) might not have been ideal. As regards the outcome, as it was mentioned, the result of the EP elections showed EU-wide a strong criticism towards the acting governments (except for Spain and Greece having new governments, reinforced by the citizens respectively) and this was the case for Hungary too. This of course signals the prematurity of a true EU-level democracy and the lack of political awareness of EU-citizens.

What were the reactions on the selection procedure and election of the new President of the Commission and the President of the EP?

By promoting José Manuel Durão Barroso as the President of the European Commission the European Peoples Party (EPP) asserted its electoral success. This move was of course supported by the Hungarian members of the EPP but at the same time not too strongly opposed by the Party of European Socialists (PES). After a rather tough hearing procedure even a number of the socialist MEPs (among them also Hungarians) approved the nomination of Mr. Barroso. In exchange the EPP (including the Hungarian members) supported the election of the socialist Josep Borrell as the President of the EP. This happened due to a "pact" between the two largest political groups, against which the liberals (among them the Hungarians too) and the smaller groups had objections.

Ireland

What were the main subjects of the electoral campaign?

For the senior partner in Government (Fianna Fáil) normal election campaigning was somewhat curtailed due to the fact that the Government was engaged with and responsible for the EU Presidency. Mr. Ahern

(Taoiseach [Prime Minister] outlined the party's objectives for the next parliament as protecting and building employment, directing funding towards communities, increasing co-operation against international crime and protecting the interests of Irish farming²⁵⁷.

The junior partner in Government (Progressive Democrats) did not field any candidates.

The European Elections were used, along with the local elections, as an opportunity to attack the government. The main opposition party Fine Gael emphasised its connection to the EPP/Christian Democrats the biggest grouping in the Parliament, promoted itself as the most pro-European of the political parties and emphasised its policies on defence. It gained a seat at the expense of the Green Party to become the largest of the Irish parties in the European Parliament. The Labour party (which is associated with the SPE in the European Parliament) highlighted a plan for a Social Europe. The Green Party concentrated on environmental and planning issues but lost its only seat, while Sinn Féin policy was based on issues such as military neutrality and national sovereignty and it gained a seat in the European Parliament for the first time.

A number of NGOs campaigned on a variety of issues. There was also a campaign to have the Irish language recognised as an official language of the European Union.

Attention of the public and media was largely concentrated on local issues and the citizenship referendum. In the case of the European Parliament elections, the focus was on personalities rather than any specific policies.

How was the campaign organised?

- The number of seats to be contested was reduced (due to the Nice Treaty) from 15 to 13. The country was divided up into four multi-seat constituencies Dublin (4 seats), East (3 seats), South (3 seats), NorthWest (3 seats).
- Government: Fianna Fáil fielded a total of eight candidates.
- Opposition Parties: Fine Gael fielded a total of six candidates and as part of the election strategy selected two candidates for the East Constituency (resulting in direct competition between the two candidates Avril Doyle and Mairead McGuinness). Labour fielded five candidates with two Candidates competing for positions in Dublin. The Greens presented

two candidates and Sinn Féin nominated 4 candidates (plus a candidate representing the party in Northern Ireland). The results were as follows:

- Fianna Fail won four seats, Fine Gael won five seats, Labour won one seat, Sinn Fein's Mary Lou Mc Donald won one seat and two independents Marian Harkin and Kathy Sinnott were also elected totalling thirteen seats in all.
- Media coverage was quite extensive and was organised around TV, Papers, and Internet. The campaign was fought alongside the citizenship referendum, which saw groups campaigning for and against the change in the constitution.

What were the reactions in your country on the election's outcome and the voter turnout?

Voter turnout was almost 60%.

- Government: Both Fianna Fáil and the junior partner the Progressive Democrats admitted that the elections had been extremely disappointing from their viewpoint.
- Opposition Parties: Fine Gael appeared satisfied with the election and was very pleased to see 5 of their 6 candidates elected to the European Parliament. Labour seemed happy with the return of their candidate in Dublin (De Rossa) and the performance of his running mate Ivana Bacik, however the party was clearly disappointed with the results in the other constituencies.
- The media concentrated on what they viewed as the unprecedented rise of Sinn Fein. There was also widespread coverage of the poor showing of the Government parties in the election, although Fine Gael the main opposition party was viewed as being on the road to recovery with the success of 5 of their 6 candidates in the elections.

Public reaction indicators showed that reaction was minimal and public interest in the elections was low as in previous European Elections.

What are the explanations for the outcome and the turnout?

Voter Turnout was high at 59.8% due primarily to the fact that local elections, a citizenship referendum and the European elections were held on the same day.

²⁵⁷ Irish Times, 18/5/04

What were the reactions on the selection procedure and election of the new President of the Commission and the President of the EP?

On the selection of the Commission President, the Government, as Presidency, was largely concerned with the Taoiseach's (Prime Minister) consultation process with capitals on nominations to the post. As President of the European Council, Mr Bertie Ahern, visited the capitals of all the other 24 EU countries ahead of the European Council on 17/18 June finishing with France, the UK, the Netherlands, Belgium, Luxembourg, Germany and Denmark. After the failure to reach agreement at the European Council, the Presidency brokered an agreement in which the current Commission President emerged as the candidate.

The selection of the President of the European Parliament remained largely outside the Government's sphere of influence or concern, given the arrangements made between the EPP and EPS to share the Presidency between them. The Government did however express pride at the achievements of outgoing President, Pat Cox.

As with the other aspects of the Presidency, two opposition parties, Fine Gael and Labour, were supportive of Government efforts to secure a candidate for nomination to Commission President, although Labour would not have shared Fine Gael's enthusiasm for Barroso, given his liberal credentials. Both parties also saluted the achievements of outgoing President, Pat Cox but reverted to their European party grouping alliances for the selection of the next President of the Parliament, given the special arrangement agreed between them. The Green Party's former MEP, Patricia McKenna, made it clear that while she did not support Pat Cox or his policies, he was a well respected figure in the European institutions. The Green Party did not support Mr Barroso's nomination as Commission President.

The Media concentrated on the selection procedure for President of the Commission and President of the Parliament from an Irish perspective. The Taoiseach was widely rumoured to be a possible candidate for the post of President of the Commission. With regard to the President of the European Parliament attention focused more on the stepping down of the then current Irish President of the European Parliament, Pat Cox rather than on the selection of the new President Josep Borrell.

Italy

Coming at the mid-term of the Italian legislature, national value was conferred on the European elections in Italy, making it a test of the electorate's satisfaction with the government's performance. On the one hand, Prime Minister Berlusconi was criticised for presenting his own candidature even though he would be unable, once elected, to become a MEP pursuant to the new law on incompatibility. On the other hand, although he chose, after some hesitation, not to present his own candidature, former prime minister and President of the European Commission Romano Prodi was also accused of campaigning with the opposing coalition.

In this context, it is not surprising that the electoral campaigns disregarded European issues and focused mainly on national questions, such as the economic crisis, tax reforms and the situation in Iraq. In particular, the months preceding the elections were dominated by the kidnapping of 4 Italian civilians in Iraq, exacerbating the debate on terrorism and on Italy's presence in the country.

On the whole, the opposition and government coalitions did not record a substantial change in the consensus they had achieved in the previous national elections. Compared with the 1999 European elections, the centre-left gained ground on the centre-right.

For the first time, the centre-left parties *Margherita*, DS and SDI, (the so-called Tricycle) ran together. This choice was aimed at showing greater cohesion and achieving a broader consensus. However, the Tricycle did not achieve the expected results and gained more or less the same votes estimated for the three parties running separately. Once in the Euro-Parliament, Tricycle MEPs chose different affiliations: parliamentarians of the *Margherita* affiliated with the new pro-European centrist group ALDE, while DS and SDI candidates became part of PSE. As for the other opposition parties, the *Verdi* became part of the Green group and the PRC part of the European United Left. On the right wing, parliamentarians of right-wing *Alleanza Nazionale* remained part of UEN (Union for Europe of the Nations) while the Prime Minister's party, *Forza Italia*, and the centrist UDC affiliated with the PPE.

In conclusion, the voter turnout of 73% was higher than the previous European elections (70,8%), even though it was lower than the last national elections (81.5% in 2001). This positive and somehow surprising result is

certainly due to the specific value conferred on the polls and was made possible by the fact that administrative elections were held at the same time. The percentage turnout is strikingly high compared with the European average and confirms Italians' trust in EU institutions and their greater propensity to express their vote.

Latvia

Latvians elected their nine representatives to the EU Parliament on Sunday, 13 June 2004. Despite the historic significance of the occasion, the majority of voters did not cast a ballot. The voters may have been influenced, in part, by the feeling that Brussels is far away and that Latvian representatives, constituting but a minuscule fraction of the European Parliament, would be too few to influence the course of events. Such feelings of distance may also help explain why there was no particular reaction in Latvia to the election of Josep Borrell Fontenelles as President of the European Parliament and to the appointment of José Manuel Barroso as President designate of the European Commission. Owing to the unusually low participation of the electorate, the EP elections set a negative record in terms of voter turnout. They also demonstrated the public disenchantment with the parties composing the coalition government of Prime Minister Indulis Emsis and suggested that ethnic interests and a post-Soviet mentality played a role in the choice of representatives in the European Parliament. Since these were the first elections to the European Parliament in Latvia, some changes were instituted by the Central Election Committee in the voting procedures; for example, each voter was assigned to a particular polling station, and it was possible to cast a ballot early, since most polling stations were open at least 4 hours each day on June 9-11. It was also possible to vote by mail. The overwhelming majority of voters did not consider the changes as a hindrance to participation or as something extraordinary and they did not complain that the elections took place on a summery weekend. As in the previous parliamentary elections, the public was informed sufficiently early so as to become acquainted with the platforms and candidates fielded by 16 political parties; on election day, the voter cast a ballot for one party with the candidates of that party appearing on the ballot.

Compared with the excitement generated by the elections to the *Saeima* (Latvia's

parliament), the campaigning before the EP elections seemed lacklustre and matter-of-fact. The pre-election discussions focused less on issues and ideas, than on personalities and parties most likely to serve as best representatives of the people of Latvia. Though there were clear differences between the platforms of rightwing and leftwing parties (this will be illustrated later), there was little public debating about the different points of view prior to the elections. Consequently, some people complained that they did not know for whom to cast a ballot. Despite a media campaign urging people to vote, only 41.4% of the electorate participated in the elections. For Latvia, this is a record low when compared with voter participation of 70% and more in parliamentary elections and the referendum on Latvia's membership of the EU on 20 September 2003. A public opinion study in August 2004 on voter participation in the EU parliamentary elections in Latvia did not provide a clear explanation for the low turnout.²⁵⁸ Among the sundry reasons given for non-participation, at the top were two – being too busy or having to work (12%) and health problems (10%) – followed by explanations that could be summed up as lack of interest in political developments, and an abundance of miscellaneous reasons, such as having lost one's passport (it is required to show one's passport before obtaining a ballot). Since the public opinion study was professionally done and there is no reason to doubt its validity, the explanations for the low voter turnout and the election results probably stem from factors not specifically mentioned in the questionnaire of the pollsters.

One such factor, mentioned also in the assessment of the poll results but not quantified during the poll-taking, was public opinion of the EU. In the referendum on 20 September 2003, nearly 67% of the voters affirmed that they were for Latvia's membership of the EU. Voter participation was over 71%. Such positive results were not a forgone conclusion, because Latvians' opinion of the EU tended to become more reserved as their country's membership of Union drew nearer. Just before the referendum, an information campaign was launched by the authorities to promote more enthusiasm for joining the EU. After the referendum, however, public sympathies for the Union declined. Had the referendum taken place in February 2004,

²⁵⁸ Veletāju līdzdalību ietekmējošie faktori Eiropas Parlamenta vēlēšanās, Latvijas iedzīvotāju aptauja 2004.gada augusts, Rīga: SDKDS, August 2004; see http://www.cvk.lv/cvkserv/EP/pet_2004.pdf

53.1% of the voters polled would have endorsed Latvia's membership of the EU, while in March 2004 – only 45.3%; nonetheless, in March 2004 40.7% of the respondents said that the EU was neither good nor bad.²⁵⁹

After the festivities on 1 May 2004 when Latvia formally became a member of the European Union, people returned to their everyday lives where politics and politicians are not held in high regard. According to the public opinion study of August 2004, most people who voted in the EP elections did so because it is the duty of a citizen to vote.²⁶⁰

Given the widespread dissatisfaction with the government and the lukewarm attitude of the population toward the EU, the majority of voters did not go to the polls and those who did, tended to cast their ballots for opposition parties. In general, they preferred the more experienced parties rather than the newer and smaller ones, parties fielding well-known candidates who had participated in the work of European institutions, and parties proposing clear and specific, rather than vague and general goals. These factors would serve to explain the beginning of the political comeback of the right-of-center party, Latvia's Way, which did not win a seat in Saeima in the 2002 the elections. The party's "locomotives" in June 2004 were experienced and well-known politicians. Elected to the European Parliament from Latvia's Way was the respected diplomat Georgs Andrejevs.

Winners of the 2004 European Parliamentary Elections in Latvia: parties, number of seats gained in the European Parliament, and percentage of total votes received

Political Party	Seats	Percent of Total Votes
For Fatherland and Freedom/LNIP (Apvienība "Tēvzemei un Brīvībai"/LNNK) ²⁶¹	4	29.82
New Era (Jaunais laiks) ²⁶²	2	19.71
For Human Rights in a United Latvia (Par cilvēka tiesībām vienotā Latvijā) ²⁶³	1	10.66
People's Party (Tautas partija) ²⁶⁴	1	6.65
Latvia's Way (Latvijas ceļš) ²⁶⁵	1	6.55

Source: Central Election Committee, http://www.cvk.lv/cgi-bin/wdbcgiw/base/eiro.veles_rez04c.sak

Of the nine representatives elected, eight were from right-of-center parties and one from the radical leftwing party For Human Rights in a United Latvia (FHRUL) (*Par cilvēka tiesībām vienotā Latvijā-PCTVL*). The largest number (four) representatives come from the rightwing For Fatherland and Freedom/Latvia's National Independence Movement LNIP (*Tēvzemei un Brīvībai /LNNK*); they are all experienced politicians and familiar with the work of European and Transatlantic organisations: former Prime Minister Guntars Krasts, former Minister of Transport Roberts Zile, former Minister of Defence Girts Kristovskis, and former chairperson of the Saeima Foreign Affairs Committee, Inese Vaidere. The FF/LNIP victory was rather unexpected because prior to the elections New Era had ranked consistently as the most popular among the rightwing parties. It must be said, however, that FF/LNIP prepared more carefully for the elections and was duly rewarded. New Era is represented by two capable politicians,

²⁵⁹ Attieksme pret Eiropas Savienību. Sabiedriskas domas aptauja, Rīga: SKDS, March 2004; see <http://www.politika.lv/index.php?id=108760&lang=lv>

²⁶⁰ Veletāju līdzdalību ietekmējošie faktori Eiropas Parlamenta vēlēšanās, Latvijas iedzīvotāju aptauja 2004.gada augusts, Rīga: SDKDS, August 2004; see http://www.cvk.lv/cvkserv/EP/pet_2004.pdf

²⁶¹ http://www.cvk.lv/cgi-bin/wdbcgiw/base/EIRO.veles_Rez04c.pers_punkti?NR=5&sec=1

²⁶² http://www.cvk.lv/cgi-bin/wdbcgiw/base/EIRO.veles_Rez04c.pers_punkti?NR=12&sec=1

²⁶³ http://www.cvk.lv/cgi-bin/wdbcgiw/base/EIRO.veles_Rez04c.pers_punkti?NR=6&sec=1

²⁶⁴ http://www.cvk.lv/cgi-bin/wdbcgiw/base/EIRO.veles_Rez04c.pers_punkti?NR=2&sec=1

²⁶⁵ http://www.cvk.lv/cgi-bin/wdbcgiw/base/EIRO.veles_Rez04c.pers_punkti?NR=13&sec=1

but less experienced than the four from FF/LNIP; they are: former Finance Minister Valdis Dombrovskis and former parliamentarian Aldis Kuskis. Of the parties of the ruling coalition, only the right-of-center People's Party (*Tautas partija*) succeeded in gaining a seat in the European Parliament and it will be filled by former Minister of Foreign Affairs, Rihards Pīks. The other parties constituting the government – Green and Farmers Union and the First Party – failed to win sufficient voter support to have EP representation. Thus, these elections were a setback for the parties forming the government and also for most leftwing parties, whether drawing their support predominantly from the Latvian-speaking or the Russian-speaking population.

The EP elections point to the appeal of party programs emphasising issues appealing especially to a particular ethnic group. The best illustration is the program of the rightwing FF/LNIP and the program of the leftwing FHRUL. Seeking to attract the Latvian electorate, FF/LNIP said that it

- rejects the idea of a federal Europe;
- stands for equality of all EU member states, whether large or small, old or new;
- EU member states decide foreign policy, defence, and security issues, but taxation should be decided by individual member states;
- wants to limit bureaucracy in Brussels and wants the EU institutions to respect Latvia's state and private interests; Latvia should have more say in the distribution of EU funds in Latvia;
- will work through the European Parliament to achieve international condemnation of communist genocide and the occupation of Latvia;
- in EU-Russian relations, will reject Russia's efforts to discredit the Baltic States;
- since Latvia's eastern border will be an EU border, the costs of securing that border must be borne by all EU member states;
- to resolve problems of international migration, immigrants should be directed toward countries where there are fewer immigrants; owing to the consequences of occupation, Latvia cannot accept additional immigrants;
- upholds Christian values in Europe;
- will work for a more equitable division among the old and the new EU member states of EU funds for economic,

educational, scientific and social development;

- will strive for a speedy inclusion of the new EU member states into the EU gas and electricity market network.²⁶⁶

A sharp contrast is provided by the program of the leftwing FHRUL, which seeks to appeal to the ethnic Russian and Russian-speaking Slavic population of Latvia, to people who were content when Latvia was a part of the Soviet Union and the CPSU prevailed, to people dissatisfied with Latvia's westward political orientation, to people who still look upon Russia not only as a great power but also an authority. In its pre-election program, the FHRUL supported the following ideas:

- Every resident of Latvia should have European rights, freedoms, salary, and guarantees.
- The price paid by Latvia to join the European Union has been much too high.

During the past 13 years [i.e. since regaining independence from the USSR], as a consequence of the anti-human reforms of the rightwing and nationalist parties, Latvia has lost 12% of its population [mostly as a consequence of the departure of persons affiliated with the presence of the Soviet military forces and installations]; its industry and agriculture have been destroyed so as to free the market for Western producers; Latvia's eastern region of *Latgale* has become one the poorest region of the EU; and inflation has not been curbed. A part of the responsibility must be assumed by the EU bureaucracy which closed its eyes to the inhuman social policies of the Latvian state. The EU should try to compensate for the economic and humanitarian losses suffered by the people of Latvia during the course of European integration.

- FHRUL participates in the European Parliament elections so as to secure EU support for the renewal of Latvia's economy, development of a modern infrastructure, education of and new jobs for the unemployed, and the welfare of people living in the countryside;
- FHRUL deputies in the European Parliament have the task to defend the

²⁶⁶ These points are excerpted and summarized from the full program available at the Internet; see <http://www.cvk.lv/cgi-bin/wdbcgiw/base/eiro.ekand.programma?NR1=3>

- interests of the people of Latvia, the Russian-speaking communities, and its electorate.
- FHRUL will work with the leftwing, national minority, regional and Green parties in the EP.
 - in the future, the Russian Party of Europe, which will unite Russian political and social organizations in the EU, must become a member of the above coalition of political parties;
 - FHRUL will defend a human being's right to life, healthy environment, freedom of expression, education in the native language, preservation of ethnic identity and national culture
 - FHRUL deputies will promote the recognition of Latvia's non-citizens as full-fledged EU citizens, and the demands of the organizations for the defence of Russian schools [e.g. halt the education reform which stipulates that 60% of the subjects taught in Russian and other minority schools must be in Latvian], labour unions, human rights organisations, veterans, and national culture societies;
 - today's European Union is a transitional entity on the way to union of Europe's nations and cultures; from today's alliance of national states it must become a federation of regions;
 - EU enlargement toward the East and partnership with Russia must focus on the creation of a united political and economic space. A united Europe will provide the chance to gain the upper hand in the competition with the fast-growing regions, such as America and East Asia. Europe must promote a world order without mass violence, terrorism and catastrophic poverty of large parts of the population.²⁶⁷

The FHRUL representative at the European Parliament is Tatyana Zhdanoka, a seasoned politician who in 1991 wanted Latvia to remain a part of the Soviet Union and staunchly supported the policies of the CPSU. Since the parliament of independent Latvia passed a law precluding those who opposed Latvia's independence to become members of the national parliament, Zhdanoka could not run for the Saeima. She became an indefatigable advocate for more rights of ethnic Russians and Russian-speaking Slavs in Latvia; she

²⁶⁷ For the full text of the FHRUL program, see <http://www.cvk.lv/cgi-bin/wdbcgiw/base/eiro.ekand.programma?NR1=2>

believes that they should have been granted Latvian citizenship automatically and that Russian should be recognized as an official language of Latvia. Convinced that the Latvian law restricting her from the parliament was unjust, in 2000 she brought a case before the European Court of Human Rights. The Court ruled that more than ten years after Latvia had regained independence, the law, adopted for national security reasons, was unduly restrictive and no longer relevant and that Latvia had to pay compensation. Zhdanoka, as the main candidate of FHRUL, campaigned for the European Parliament and won a seat. In the EP, she wants to become the spokesperson for ethnic Russians and Russian-speakers not only in Latvia, but also in the rest of the European Union. She is organizing a Russian Party of Europe. According to Interfax, on 4 June 2004 representatives of Russian-speaking organizations from Estonia, Latvia, Lithuania, Czech Republic, Cyprus and Norway met in Prague and signed a declaration to form a political party to represent the interests of about six million Russians and Russian-speakers living in the European Union. The organizers intend to prepare the program and statutes by December 2004 and to have the party registered in May 2005. The party wants the Russians and Russian-speakers living permanently in an EU country to have EU citizenship, thus legalizing their juridical status in EU and to promote the Russian language and culture in the EU. The party also wants to foster EU-Russia cooperation so that in the coming decade a united economic zone is created which stretches from Lisbon to Vladivostok.²⁶⁸ The party will carry out its objectives by working actively in the European Parliament and by forming legal counsel centres in all countries of Europe.

Lithuania

What were the main subjects of the electoral campaign and how was it organised?

Lithuania has 13 seats in European Parliament (EP). Thirteen parties were competing in the elections. According to the Law on Elections to the European Parliament voters are voting for the list of candidates. A list of the party may receive mandates of members of the EP only if

²⁶⁸ LETA and Interfax, 4 and 5 June 2004.

not less than 5 percent of the voters participating in the elections voted for it.²⁶⁹

At the same day (June 13, 2004) the Presidential elections were also taking place. These elections attracted much more attention than EP elections. Parties were much more worried about the presidential candidates and did not rush to present their candidates to the EP or to formulate the programmes or the main issues of this campaign.

Maybe the most active was recently established Labour Party which also was in the first place in the opinion polls before the elections. This party promised that they first of all after election would seek to correct the mistakes made during the accession negotiations. It was asserted that the negotiations would be reopened in the areas of tax issues and the free labour movement problem. The paradox was that at the same time during the presidential elections this party was supporting Petras Auštrevičius, the chief negotiator for the EU accession negotiations. The paradox was explained: many institutions are "guilty", not personally chief negotiator.²⁷⁰

Other parties have chosen more abstract strategy. The conservative Homeland Union had the slogan "Be more Lithuanian" meaning that before the membership Lithuanians had to be "more Europeans", now it is time to turn back.²⁷¹ Others were not so original: the parties promised to defend the interests of Lithuania in the EP, fight the Brussels bureaucrats, take care that Lithuania would get most from the structural and other funds. Some were even talking about raising salaries, pensions, creating new workplaces etc. To attract voters to vote one popular trick was used: on the list the well-know persons were put that did not have any intention to go to the EP (e.g. Minister of Foreign Affairs A. Valionis in the list of New Union/Social Liberals, presidential candidate Kazimira Prunskiene on the list of the Union of Peasants' and New Democracy Parties).

The general mood of the EP elections was nicely described in the commentary of the daily *Lietuvos Rytas*: "Many of the candidates seem to have no idea about the work of the European Parliament [...]. Instead of explaining to a badly informed society about

²⁶⁹ Law on Elections to the European Parliament, adopted November 20, 2003 - <http://www3.lrs.lt/cgi-bin/preps2?Condition1=226195&Condition2=>

²⁷⁰ "Darbo partija žada taisyti derybininkų 'klaidas'" [Labour party promises to correct the 'mistakes' of the negotiators], BNS, May 12, 2004.

²⁷¹ "Konservatoriai į EP eina su šūkiu 'Būk labiau lietuvis'" [Conservatives go with slogan 'Be more Lithuanian'] BNS, May 14, 2004.

the EP's work, they competed in promises of bringing various treasures for Lithuania from Brussels and Strasbourg." The electoral campaign was correct but boring concluded the newspaper.²⁷²

What were the reactions in your country on the election's outcome and the voter turnout?

The most surprising result was that the new Labour party got 5 seats from 13 (30.2% of votes) and the ruling Social Democratic party – only 2 (14.5%) and other ruling party – New Union/Social Liberals – none.²⁷³ Therefore, the biggest reaction was to the victory of Labour party. Lecturer of the Institute of International Relations and Political Science Alvidas Lukošaitis said that it is the feature of Lithuanian voter to be experimental and poke around. In his opinion, as usual, people took vengeance on the ruling and traditional parties preferring the populist candidates and not paying attention to that that nobody could tell at least three politicians of this party.²⁷⁴

In general all the parties looked at the EP elections as a rehearsal and preparation to the parliamentary elections in the autumn (they took place on October 10, 2004).²⁷⁵ And all the conclusions were made having in regard this future event. As for the population, the most important election and the reason to come was not the EP, but Presidential election.

The opinion poll made some days after the EP elections found out that most Lithuanians (about 50%) are satisfied with the election results. Even from those who did show up to vote the most (38%) were satisfied with the results.²⁷⁶

What are the explanations for the outcome and the turnout?

As mentioned, at the same day Lithuania had EP and Presidential elections. So, the relatively high turnout (48.4%) compared to

²⁷² "Laiko ženklai", *Lietuvos Rytas*, June 11, 2004.

²⁷³ About the Elections to the European Parliament - <http://www.vrk.lt/rinkimai/2004/euro/index.eng.html>

²⁷⁴ "Lietuvos rinkėjas yra eksperimentuotojas" [Lithuanian voter is the experimenter], ELTA, June 14, 2004, <http://www.delfi.lt/archive/index.php?id=4526981>

²⁷⁵ The election to the Parliament took place on October 10 and the Labour party got the majority of seats (40 from 141 seats), however not as big as it was forecasted. For more on these election look - <http://www.vrk.lt/2004/seimas/index.eng.html>

²⁷⁶ "Daugelis lietuvių patenkinti rinkimų į EP rezultatais" [Most Lithuanians are satisfied with the election results] Market and Opinion research agency „Baltic Surveys“, BNS, July 7, 2004, <http://www.delfi.lt/archive/index.php?id=4727066>

other Central European states was connected with the interest in presidential campaign. The question of presidency in Lithuania during more than a half year was a hot issue. The peak was reached on April 6 then Seimas impeached the president Rolandas Paksas accusing him of violation the presidential oath. Security services also accused him of having ties to Russian organised crime, participating in influence peddling.²⁷⁷ Before that there was a long chain of the trials in the Constitutional Court, a lot of secret material publicised in the mass media, a lot of additional scandals with the people connected with the president at that time R. Paksas. So, when it was decided to hold new presidential elections at the same day as the elections to the EP, political parties and politicians were already exhausted. And it is no surprise that the parties did not pay as much attention to the elections to the EP. They did not managed to get the voters interested, too.²⁷⁸

Speaking about the outcome of the EP elections, the most popular explanation on the victory of the centre-left Labour party was the discontent with the current ruling parties. It is also the reason why the right opposition parties - the conservative Homeland Union and Union of Liberals and Centrists – each got around 12% of votes, and the party of scandalous R. Paksas managed to get one seat with the 6.8% of votes. As the questions discussed during the campaign were mostly not European issues, but domestic problems it also shows that the parties were rehearsing the Seimas elections.

What were the reactions on the selection procedure and election of the new President of the Commission and the President of the EP?

Initially when the discussions on the Commission President began, Lithuania did not express a clear position which candidate it prefers. Instead the general position was defined: the candidate should be well known in the member states and be familiar with the problems of the new EU members.²⁷⁹

²⁷⁷ For more see – “Lithuania's president Rolandas Paksas is impeached”, EurActiv, April 7, 2004, <http://www.euractiv.com/Article?tcaturi=tcm:29-112605-16&type=News>; Rokas M. Tracevskis “Life After Paksas?”, *Transitions Online*, 13 April, 2004, <http://www.tol.cz/>

²⁷⁸ Since in the Presidential election no candidate received more than 50% of the vote, a runoff was held on June 27. The former President Valdas Adamkus (1997-2003) has beaten the leader of the centre left Union of Peasants' and New Democracy Parties Kazimiera Prunskiene. More - <http://www.vrk.lt/rinkimai/2004/prezidentas/index.eng.html>
²⁷⁹ “Derybos dėl ES Konstitucijos gali būti baigtos” [Negotiations on the EU Constitution can be finished],

Later, Lithuania supported the candidacy of the Portuguese Prime Minister José Manuel Durão Barroso. The official from the Ministry of Foreign Affairs explained the reasons: Barroso is from the small state which endured the political and economical transformations, and it allows to hope the he “will understand our transitory period, our troubles and concerns”.²⁸⁰

There were no discussion and clearly expressed official position on the candidacy of the President of the EP.

Luxemburg

What were the main subjects of the electoral campaign and how was it organised?

As the national elections were held on the same day as European elections, it is most obvious that the national political topics largely dominated the political debates. Many candidates regret that European themes were not really a subject of the election campaign.

Jean-Claude Juncker promised to his fellow Luxembourgers not to accept the possible nomination as the president of the European commission. Some of his political rivals did not believe him and tried to persuade their voters that he would not keep his promise. These critics were not very successful since Jean-Claude Juncker and his party the CSV (Christian democrats) won the elections by a large margin.

The only “European” subjects discussed in the election campaign if any were the possible membership of Turkey in the European Union, the departure of some EU Institutions to Brussels against the will of Luxembourg and the employees based in Luxembourg, the challenge the next presidency may be for tiny Luxembourg. Governing Liberals claimed that opposing Socialists would not be able to run the presidency successfully.

The official campaign organized by government and Commission to convince voters to vote was not very successful. European Union citizens living in Luxembourg did not feel very concerned with this campaign. Nevertheless some results were obtained in the efforts to encourage the Portuguese community to register as voters for the European Parliament.

ELTA, June 17, 2004, <http://www.delfi.lt/archive/index.php?id=4569480>

²⁸⁰ “Lietuva remia Barroso kandidatūrą į EK vadovus” [Lithuania supports the Barroso candidacy to the Presidents of the Commission], BNS, June 29, 2004

What were the reactions in your country on the election's outcome and the voter turnout?

The outcome of European and National elections were roughly similar. The big winner in both elections was Jean-Claude Juncker's Christian-Democrats (CSV) and the big loser were foreign affairs minister Lydie Polfer's Liberals (DP). Socialists (LSAP) and Greens could slightly improve their positions whereas the right wing populist ADR lost some seats. Communists and leftists parties got kicked out of parliament because of their splitting up. In European election the Greens managed to bypass the liberals whereas in national the Democratic party was still ahead of the Greens. The explanation may be the very active role of the Green representative in Strasbourg, who could convince the voters via the media of his fight for a clean environment. Voters turnout in European as in national elections can not be compared to most other EU members because voting is compulsory in Luxembourg. The turnout for European elections is around 80%. It's nevertheless lower in European elections than national elections since some voters refuse to vote for European elections whereas they voted for national parliament.

Party	National elections result	European elections result	Seats	Variation
ADR (populists)	9.95%	8.03%	0	0
DP (Liberals)	16.05%	14.87%	1	-1
LSAP (Socialists)	23.37%	22.09%	1	0
GREENS	11.58%	15.02%	1	0
CSV (Christian-Democrats)	36.11%	37.13%	3	+1

What are the explanations for the outcome and the turnout?

The European elections reflect the political mood of the national elections. As many candidates are running in both elections it has become a current custom that those elected candidates belonging to winning parties tend to stay at home or enter the new government, whereas the losers tend to go to Strasbourg. Sometimes the European Parliament is called an elder statesmen house since many European parliamentarians are on the dusk of their political career. This phenomenon does not suit well a lot of voters well.

What were the reactions on the selection procedure and election of the new President of the Commission and the President of the EP?

This discussion did only interest Luxembourg as far as Jean-Claude Juncker was concerned as a potential successor of Prodi. Juncker having promised his voters that he would not go to Brussels unless he lost the national elections. It was obvious that the new and old Prime Minister Juncker did his best, along with many others to convince Mr Barroso from Portugal to accept the job. Luxembourg's political class was satisfied with the result. The recent nomination of Jean-Claude Juncker as "MR EURO", chairman of the EURO group, is most satisfactory for Luxembourg. Luxembourg's Prime Minister does not have to leave his post as the head of the government and minister of finance of the grand duchy.

Malta

Following Malta's accession to the European Union in May of 2004, the country held its first election to the European Parliament on 12 June 2004.

Five representatives were to be elected. The contest attracted 27 candidates – eight each by the two major parties, the Nationalist Party (PN) and the Malta Labour Party (MLP), one from the Green Party and ten more candidates who were independents or represented marginal groups like newly created one-person political parties.

The elections were conducted under Malta's prevailing single-transferable-vote system. These were the winning candidates (in the order in which they were elected):

- Simon Busuttil (PN)
- Joseph Muscat (MLP)
- John Attard Montalto (MLP)
- David Casa (PN)
- Louis Grech (MLP)

Voting participation was low by Maltese standards but extremely high by European standards:

Eligible Voters:	304,283	100%
Votes Cast	250,691	82.39%
Invalid Votes	4,969	1.63%
Valid Votes	245,722	80.75%

The distribution of valid (first count) votes among the parties was as follows:

Malta Labour Party	118,983	48.42%
Nationalist Party	97,688	39.76%
AD - Green Party	22,938	9.33%
All Others	6,113	2.49%

Two aspects of the election results attracted particular attention in the Maltese media: That the MLP exceeded the PN's national vote percentage (which had happened only once in the past six general elections) and the strong showing by the Alternative Democrats (AD), also known as the Green Party.

The AD managed to attract over nine percent of the first-count votes, a remarkable feat after its steady decline at the polls in recent general elections. It attracted transfer votes from the PN and, to a lesser extent, from MLP candidates; yet, as the Table shows, these were quite modest in size.

Many observers guessed that the AD attracted a substantial number of former PN supporters. This may well be the case but it remains undocumented. It is possible that voters making the AD their first choice "reverted" to other party preferences thereafter; but this can only be assumed because no vote transfers from the AD's ballots were required.

The Green Party (AD) expressed its satisfaction on the growing wave of support for the candidature of Prof. Arnold Cassola. The Green Party's candidate Arnold Cassola had stressed the crucial importance of the Green vote in the European Parliament. One effective campaign reference was the fact that the President of the European Parliament Pat Cox is neither a member of the EPP nor of the PES. He forms part of the ELDR, the liberal democratic European political family. Pat Cox had defeated his Socialist rival for the same post after the Greens joined the European Popular Party and the ELDR in voting for Cox the second round of voting. Fortunately in this case the European People's Party did not dismiss Pat Cox because he belongs to a small political family.

Netherlands

In line with a growing euro-scepticism in the Netherlands it was expected that the turnout of the elections for the European parliament on 10 June 2004 would even drop below the low level of the last elections,²⁸¹ but things turned

²⁸¹ Edwin van de Haar, 'The Dutch European Union presidency. Dutch doubts' *The World Today* (June 2004), p.12.

out to be quite differently. In comparison with the elections of 1999 there was a significant increase in the voters turnout of a good 9%.²⁸²

In a neck-and-neck race the Christian democrats beat the social democrats with 24,4% against 23,6% of the votes with both parties gaining 7 seats in the European Parliament.²⁸³ Both parties were satisfied with the results, although only the Labour Party also won in comparison to last elections. This is related to the negative predictions for the Christian democrats. The liberals lost considerably in these elections. Liberal MEP Jules Maaten thinks the negative results are related to affairs around liberal politicians and due to the fact that part of their electorate voted for other euro-sceptic parties like the Socialist Party and the new party of Van Buitenen.²⁸⁴ This new party called Europa Transparant (Europe Transparent) was the big surprise of the elections and established by Paul van Buitenen, the man who unveiled the corruption scandal inside the commission Santer. Europe Transparent gained 7,3% that is 2 seats with their anti-corruption programme.²⁸⁵ Major topics in the various election campaigns were economy and the social security system, education and innovation, security and terrorism and transparency.²⁸⁶ One of the reasons for the higher turnout at the elections might be the active government campaign to create awareness among the population concerning the elections through the media and via the special website.²⁸⁷ Another likely reason is a growing dissatisfaction with Europe and a feeling that it has to change. Dissatisfaction deriving amongst others from the position of the Netherlands as net contributor to the Union and the corruption scandals in European institutions. The election campaign of the Socialist party anticipated on these feelings by

²⁸² Voter turnout elections EP 1999: 29,9%; 2004: 39,1% source: Office of the European Parliament in The Hague, The Netherlands (www.europeesparlement.nl)

²⁸³ Results elections EP (total 27 seats): CDA (Christian Democratic Alliance) 24,4 % (7), PvdA (Labour Party) 23,6% (7), VVD (Liberal Party) 13,2% (4), Groen Links (Green Left Party) 7,4% (2), Europa Transparant (Europe Transparent) 7,3 (2), SP (Socialist Party) 7,0% (2), ChristenUnie/SGP (Christian parties) 5,9% (2) and D66 (Democratic Party) 4,2 (1). Source: Centraal Stembureau (electoral council) 15 June 2004.

²⁸⁴ 'Reacties op de verkiezingsuitslag', 10 June 2004 (www.nos.nl/lijn25/nieuwsartikelen/reacties1006.html)

²⁸⁵ 'CDA blijft PvdA net voor', 10 June 2004 (www.nos.nl/lijn25/nieuwsartikelen/uitslag.html)

²⁸⁶ 'Waar gaan de verkiezingen over? Lijsttrekkers Europese Verkiezingen' *Europa in Beweging* vol.29, nr.3 (2004) 10-13.

²⁸⁷ www.ukomttochook.nl, www.jijkomttochook.nl [You come nevertheless also.]

calling upon the electorate to let them send a 'watch dog' to Brussels.²⁸⁸

Poland

What were the main subjects of the electoral campaign and how was it organised?

First elections to the European Parliament in Poland did not enjoy much interest among the Polish society, both before and after the polling day, especially if compared with the pre-referendum campaign. Judging by turnout of only 20,9% it seems that the campaign proved rather unsuccessful.

As regards the way of defining the integration process two major strands can be distinguished within the campaign, namely the one presenting the vision of the EU as a community that can give Poland a good opportunity for economic development and the one stressing rivalry on the international scene that would affect Poland.

The electoral programmes represented obviously differentiated views from the perspective of more general question of support for integration. Within the parties supporting the integration two major perspectives dominated: absolute support for integration (Left Democratic Alliance–Labour Union (SLD-UP), Civic Platform (PO), Freedom Union (UW)) and that of conditional support for integration based on conviction that support should be based on actual economic benefits from membership (Law and Justice (PiS), Polish Peasants Party (PSL).

A separate category was the one represented by the League of Polish Families (LPR) and Self-Defence both questioning integration as such on the basis of conviction that the membership conditions built-in the Accession Treaty are definitely unfavourable both in economic and political terms

From the point of view of the objectives of Poland membership in the EU it is possible to distinguish the following categories of programmes:

- programmes of parties stressing that integration is to contribute to economic growth and increase in state's security (PO, SLD, SdPD – Social Democracy of Poland), PiS, UW, PSL);
- programmes of those parties that attach importance to the issues of building up the

vision of the EU (PiS, PSL, Self-Defence, SLD, PO) and

- parties advocating "isolation" policy vis-à-vis the EU (League of Polish Families).²⁸⁹

Another line of division between the programmes was the way of addressing the issues of costs and benefits of membership: SLD-UP, UW, PO – were the ones stressing the possibilities of economic benefits;

PiS and PSL – underlined mainly the possibilities of *maximising* Poland's gains from the point of view of national interests of Poland;

Self-Defence and LPR claiming that bad membership conditions cannot justify entry to the EU.

As regards the media coverage and political discourse around the EP elections the assessment is rather unfavourable. The majority of the public (78%)²⁹⁰ felt not sufficiently informed to make a choice between candidates. Similarly, according to the respondents inadequate was also the information about the role European Parliament, role of MEPs and their competences. In the media the EP elections represented basically a second-class subject, the most topical issues being the current domestic political developments. Similarly, the political parties seemed to treat the EP elections as and overture to the national parliamentary elections.

Therefore the understanding of EP's role was rather little (most of the respondents confirmed that Polish MEPs must represent Polish rather than EU interests) and in the view of the interviewees the campaign should concentrate on domestic issues (in particular unemployment).

What were the reactions in your country on the election's outcome and the voter turnout?

The voter turnout was the lowest result in European parliamentary elections in Austria, with 42.4 % (7% less than in 1999), which is below the EU average of 45.7%.²⁹¹ This contrasts with previous national voter turnouts

²⁸⁹ K. Cebul, *Integracja Polski z Unia Europejska w programach wyborczych do PE*. Study commissioned by Office of the Committee for European Integration, Warsaw, 2004

²⁹⁰ Urszula Krassowska, TNS, OBOP, *communiqué on low turnout in EP elections*, Warsaw, 25 June 2004

²⁹¹ On the average, the level of turnout in the 15 "old" Member states was 49.4% representing a slight drop, but very close to the figure for 1999 (49.8%). *Flash Eurobarometer, EU Commission " Post European Election 2004"*, p. 9

²⁸⁸ "Waar gaan de verkiezingen over?", p.12.

at EP elections with 67.7% in 1996 and with 49.9% in 1999.²⁹² Around 2.6% of the voters gave an invalid vote, which is 0.5% less than in 1999.

According to the Institute for the Danube Region and Central Europe, the voter turnout was rather low, but still not as dramatically so as feared by some analysts.²⁹³ The Green Party views the result as very negative and an alarming sign.²⁹⁴

The Socialists increased their share to 33.45% (7 seats, increase by 1.74%) and won the majority, followed closely by the Conservative Party with 32.66% (6 seats, increase by 1.99%), losing one seat.²⁹⁵ The Green Party for the first time passed the 10% threshold and increased their share to 12.75 % (2 seats, increase by 3.46%). Hans-Peter Martin²⁹⁶ (in a more or less one-man stunt) achieved 14.04% (2 seats) and positioned himself before the Greens and the Freedom Party at third place. The Freedom Party lost dramatically with 6.33 % (1 seat, previously 5 seats). Almost 50% of Hans-Peter Martin's voters came from dissatisfied Freedom Party voters.

What are the explanations for the outcome and the turnout?

The low turnout of the EP elections reflecting rather little interest of the electorate in this historic moment cannot be linked with the general attitude of the electorate towards integration as such as this still remains high, but rather to unfortunate coincidence of political developments that dominated the scene at the time of the elections. These were both the ones in internal policy field as well as the international ones (in particular the situation in Iraq). Other reasons are the generally low social awareness of the importance of the elections, resulting from the poor coverage of the EP itself, the popular disbelief in possibility of influencing the high politics developments and probably also rather unfortunate date for the elections, 13 June, that coincided with the June "long week-end". Additionally, the electoral absence was also instigated by the lack of clear party-

²⁹² Flash Eurobarometer, EU Commission " *Post European Election 2004*", p. 9

²⁹³ *ibid.* Institute for the Danube Region and Central Europe

²⁹⁴ *ibid.* Green Party

²⁹⁵ "Wiener Zeitung"

<http://wahlen.wienerzeitung.at/DesktopDefault.aspx?TabID=3612&Alias=wahlen>

²⁹⁶ "Wiener Zeitung"

<http://wahlen.wienerzeitung.at/DesktopDefault.aspx?TabID=3612&Alias=wahlen>

preferences and political opinions in general among the electorate, while the supporters of pro-integrationist parties declared their participation only a bit more often than the integration opponents.

As for the outcome of the elections the only new element was the result of the Freedom Union, the other parties results reflecting their current standing in the opinions of the electorate.

What were the reactions on the selection procedure and election of the new President of the Commission and the President of the EP?

Selection procedure and the election of the new Commission President was not much covered by the media and similarly did not enjoy much of public interest although the President-nominate is generally perceived as a good choice.

As regards the elections of the President and the Vice-Presidents of the EP, it received more interest in media and political debates, most probably because of Polish MEPs candidatures. The results of the elections for the Vice-Presidents were considered in Poland a success as reflecting the high standing of the Polish candidates among the MEPs.

Portugal

What were the main subjects of the electoral campaign and how was it organised?

As in most other EU member states, the EP elections in Portugal were dominated by national issues, above all the government's performance, with the opposition parties accusing it of leading a disastrous economic and budgetary policy, with very negative effects on the country's growth and competitiveness. Despite the call by prominent analysts for a serious engagement of citizens at a crucial stage of European integration (with the recent enlargement and the imminent agreement on the European Constitution), the European context was raised only to the extent that it revealed Portugal's weak economic performance vis-à-vis the other Member States, including even some of the newcomers.

What were the reactions in your country on the election's outcome and the voter turnout?

With an electoral campaign dominated by domestic issues, it is no wonder that the heavy

loss suffered by the coalition parties was seen as a clear rejection of governmental policies. Abstention was very high (61,25%), but still below the 64% record in the 1994 EP elections. Lack of interest for European affairs, a widespread belief that the European Parliament has little influence in the important political affairs, the unwillingness of political parties to run their campaigns on European issues or simply the ever growing gap and mistrust between the public and political parties, were all reasons put forward to justify the abstention levels. Other, more eurosceptic analysts saw the low election turnout as a further proof of the 'democratic deficit' of the EU and of the lack of public support to the deepening of integration that the Constitution represents.

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What were the reactions on the selection procedure and election of the new President of the Commission and the President of the EP?

For obvious reasons, the selection of the new Commission President had an unforeseen media coverage. The appointment of then Prime Minister Barroso as candidate to the post overshadowed all other aspects but at the same time triggered a public discussion on the transparency of the whole process. The fact that the next President of the Commission belongs to the political group that claimed victory in the last EP election was seen as a sign of added legitimacy to the future Commission. Although most political figures

(left and right of the system) saw the nomination of Barroso as a recognition of Portugal's progress as EU member, as well as a source of pride and perhaps future benefit, some underlined the fact that the Prime Minister had been only the third or fourth choice of a very secretive process, demanding that in the future there should be more public discussion on candidates. Consequently, the process of parliamentary scrutiny that Barroso had to go through was positively assessed as a sign of the EP's 'coming of age'.

Slovakia

Paradoxically, since the second half of the 1990s, the major role in mobilizing voters in pre-elections campaigns has not been played by political parties but by the civil society, more precisely by the cluster of non governmental organizations. The European elections were unique in the way that the main responsibility for the voters' mobilization was delegated to the political parties themselves. Neither the governmental office nor the NGOs significantly contributed to the mobilization. Because of the absence of the mentioned actors and weak commitment of the political parties the Euro-campaign was perceived as a very weak one in the short Slovak history if not the worst one.

Slovak voters had experienced the courtship of 17 political parties (counting 187 candidates) including ad hoc established movements as *Active women* during the Euroelections campaign 2004. However, there are only five parties which made it to get to the European Parliament in Slovakia. Surprisingly, the winner of the elections was the party of the Prime Minister which was badly criticized just before the campaign started.

Results of European elections in Slovakia

Party	Seats	Votes	
		Absolute number	Percentage
Slovak Democratic and Christian Union (SDKÚ)	3	119 954	17,09%
People party – Movement for Democratic Slovakia (LS-HZDS)	3	119 582	17,04%
SMER	3	118 535	16,89%
Christian Democratic Movement (KDH)	3	113 655	16,19%
Party of Hungarian Coalition MKP (SMK)	2	92 927	13,24%

The final turnout in the Slovak elections to the European Parliament (16.96%) became to be

the biggest surprise for all involved. Even if there were some serious warnings which had pointed out possible low participation of the Slovak population in the elections (most of them showing the turnout between 20 up to 30%), the final result was extremely frustrating. Scepticism had come from concerns that people would be fed up by various elections (on 4 April 2004 there was the first round of the direct presidential elections, as well as a public referenda. The second round of the presidential elections was on 17 April. The European elections, the fourth election act in the row, were held on 13 June 2004). Most of the political parties preparing for the election campaign for the EP elections counted on such assumptions, so they have planned small campaigns focused on their own voters. A cardinal rule said: a party which would be successful with the mobilization of its own voters will get into the game.

The explanations for the low turnout in the European elections are especially interesting when one considers that average turnout in the Slovak parliamentary elections is about 78% (even if there is a decreasing tendency – see Table 2) and the long term popular support for the Slovak membership in the European Union has been about the 70%.

Popular turnout in the elections: Slovakia 1992-2004

Election year	Total turnout
1992	84,20%
1994	75,65%
1998	84,24%
2002	70,06%
2004	16,96%

Obviously, when the Slovak Republic appeared as a failed state within the EU in terms of being the one with the lowest turnout from the twenty five, political parties were not satisfied with the turnout and they have reflected it as a serious problem which has demanded to offer some explanations. They all agree upon pointing the general popular disgust at the politics as a main but not the only explanatory factor. The parties of coalition and opposition vary in the larger scale on additional determinants which could cause the apathy. Opposition puts fault on those parties which in recent referenda campaign (held in April 2004) recommended their voters not to participate in the referenda (these were some parties of governmental coalition). They argued that people got confused. Beyond that, the absence of political conflict during the campaign which is obvious for the Slovak

elections, absence of so-called “no vote” has even increased the popular apathy. Regarding the Slovak elections’ campaigns, it is useful to mention some observations. Since the 1990s, the common denominator for the Slovak elections has been no vote or voting against something. The perception of consequences of not balloting and thus raising the chances of the “bad man or men” to win was the major mobilizing factor.²⁹⁷ Such an aspect was completely missing at the European elections because since yet, no significant political party has been against the membership of the Slovak Republic in the EU or against the EU policies. Up till recently, there was no serious representative of the euro-sceptic camp in the Slovak party system. During the election campaign the only euro-sceptic party was Citizen Conservative Party with one candidate and no chance. Shortly after the elections with the upcoming constitutional debate in Europe, the Christian Democratic Movement has shifted itself radically towards the opponents of the Constitution for Europe and thus it joined the growing camp of euro-sceptics. But once again, this shift occurred just after the elections.

Coalition parties are likely to emphasize widespread lack of interest in politics and the role of media played in the pre-elections’ campaign. Beyond that, they have pointed out the lack of public debate and the lack of information about the European Parliament which, consequently, had escalated the perception of Brussels being far away.

Because of anticipated lower turnout of the people in the elections which were validated by even worst final results (meaning final turnout), the search for a wrongdoer has already started during the campaign. Obviously, the media have blamed political parties for rapid campaign lacking the issues and political parties have kept criticizing the media for their indifference towards the European politics. Paradoxically, both sides are right.

Following the press coverage (three main national daily newspapers) from 10 May to 15 June 2004, the European issues indirectly connected with the European elections were extremely rare (total of 19 articles) and they focused mainly on the EU institutions as such and on the problems with the translation after the last enlargement. Regarding the articles dealing with the European elections’ issues, they were mainly devoted to references to the

²⁹⁷ 1990 vote against the communists; 1992 vote against the federalists; 1994 vote against those who were not in favour of the independent Slovakia; 1998, 2002 presidential elections; 1999, 2004 vote against Mečiar

EP candidates' knowledge, spicy stories about the candidates and also to the references about the elections' campaigns in the other member states. There was rather little information spread out about the European Parliament, its competencies or the role of the MEPs, although the political fractions within the Parliament were well presented by the Slovak media. Surprisingly, only a limited space was devoted to the parties' manifestos (one article during the entire campaign) or parties' campaigns themselves. Finally, the story of unsuccessful elections and political failure of the Slovak Republic had preoccupied all the media after the elections for the rest of the monitored period.

Main criticism of the media from the side of the politicians has referred to their overdone attention towards the salaries of the Slovak MEPs. However, those were mostly the audiovisual media which were focusing on that point following the parliamentary adoption of the legal act dealing with this issue. Looking back, it has to be admitted that political parties had not paid attention to the European politics during the campaign as well. Debate about the European topic more precisely about the EU constitution and the European integration as such has started just recently after the Brussels' summit and that was definitely after the European elections.

Shortly after EP elections, the occasion of appointment of new European Commission stirred a calm media surface in Slovakia. José Manuel Duroã Baroso has been perceived as an agent of smaller states and deeper integration within the Union and thus Slovak media drew a quite positive picture. On contrary, the elections of a new President of the EP Josep Borrell Fontelles got only marginal attention and dry comments.

Slovenia

What were the main subjects of the electoral campaign and how was it organised?

Slovenia's MEPs are directly elected from party lists, by proportional representation. For the European elections, there is only one electoral unit in Slovenia. Mandates (7) are allotted to party lists by using the d'Hont system. Voters select a party list, and can give a preferential vote to any candidate on that list.²⁹⁸

²⁹⁸ Roter, Petra. *Slovenia*. In: *Political Parties*. London: John Harper, forthcoming.

The election campaign was marked by an intensive campaign by non-governmental and civil society groups that led to the adoption of a special law, requiring that party lists be based on equal representation of both genders (with a minimum of 40 %, or three candidates, of one gender; and with at least one candidate of either gender being placed to the upper part of every party list).²⁹⁹

Additionally, two issues seemed to have driven the election campaign: firstly, the fact that these elections were the first European elections in Slovenia, and secondly, that the European elections preceded the general elections by just less than four months. The latter significantly intensified the struggle between the candidate lists – both, those that were already represented in the National Assembly, and those that were yet to enter the parliament. A few new parties (candidate lists) were formed to participate at the European elections, but with a clear ambition to thus raise their profile and increase their chances to enter the National Assembly in October 2004.

During the campaign, the European Parliament Information Office in Slovenia was trying very hard to mobilise people to participate at the European elections. The Office carried out a campaign in many Slovenian towns during the time when Slovenia was celebrating its accession to the EU (the week before and after 1 May 2004).

What were the reactions on and explanations for the election's outcome and the voter turnout in your country?

On June 13, 2004, Slovenians elected seven Members of the European Parliament (MEPs). The turnout was only 28.3%. Thirteen party lists – each with seven candidates – participated at the 2004 European elections. Only candidates from four party lists were elected to the European Parliament. Two (i.e. the first- and the second-listed) candidates were elected from the following three party lists: by the New Slovenia–Christian People's Party (based on 23.5% of the vote), a joint party list by the Liberal Democracy of Slovenia and the Democratic Party of Pensioners of Slovenia (based on the 21.9% of the vote; both candidates were from the Liberal Democracy of Slovenia), and by the Slovenian Democratic Party (17.7%). The United List of Social Democrats won one seat on the basis of a 14.2% of the vote.³⁰⁰

²⁹⁹ *Ibid.*

³⁰⁰ Roter, Petra. *Slovenia*. In: *Political Parties*. London: John Harper, forthcoming.

Three out of seven elected MEPs are women, following the above-mentioned campaign by non-governmental and civil society groups.

In one case (the United List of Social Democrats), the possibility of a preferential vote resulted in the election of a candidate who was listed last on the party list. This was the party's president, also the then President of the National Assembly, Borut Pahor. He ran the European elections to help the party collect the votes (and remain among the three strongest political parties in Slovenia just months before the general elections in October 2004).³⁰¹

Pahor was very satisfied with the outcome for the party, but less enthusiastic with the fact that the voters did not respect the party's preferences. The result was the party's highest share of votes since the first free elections in Slovenia, which made the party believe that the previous latent attitude towards social democracy in Slovenian politics was beginning to change for the more favourable.³⁰²

With the largest share of the vote at the June 2004 European elections, and two seats in the European Parliament, the New Slovenia-Christian People's Party emerged from the elections with great expectations for the following general elections. However, its result was probably affected by the extremely low turnout and especially by its popular candidate, Alojz Peterle (the President of the first Government in the independent Slovenia, between 1990 and 1992, and a prominent member of the European Convention). Peterle received the highest number of preferential votes among all the candidates of all party lists.³⁰³

The Slovenian People's Party participated at the June 2004 European elections, but failed to win a seat in the European Parliament. This came as a huge shock and disappointment both, for its first-listed candidate, Franc But, former minister for agriculture (until the party left the governing coalition in April 2004) and the former president of the party, and for the party itself since it only received 8.4% of the vote.³⁰⁴

On the whole, the outcome of the 2004 European elections in Slovenia has indicated a shift of the electorate to the right. Surprisingly, the Liberal Democracy of Slovenia was clearly defeated and lost (even with the support from

the Democratic Party of Pensioners of Slovenia) the position as the strongest political party in Slovenia. The result tended to be ascribed to the low turnout, which, in itself, came as a complete surprise.³⁰⁵

Although the President of the Liberal Democracy of Slovenia and the Prime Minister, Anton Rop, played down the electorate's swing to the right, he did agree that voters had shown dissatisfaction with the governmental policies of the Liberal Democracy of Slovenia.³⁰⁶

If the Liberal Democracy of Slovenia accorded the low turnout to the pre-election behaviour of the right-wing parties that were allegedly pushing the electorate away from active involvement in politics,³⁰⁷ then the President of the New Slovenia-Christian People's Party, Dr Andrej Bajuk, talked about the overall shifting of the Slovenian political space. Bajuk was satisfied with the result and was convinced that they would also be reflected in the general elections in autumn. Ljudmila Novak, the elected MEP on the New Slovenia's party list, pointed out that the reason for a low turnout was the Media, presenting the candidates throughout the campaign as 'greedy and craving for money'. Both elected MEPs from the party list of the Slovenian Democratic Party shared this view – that the negative campaign in the Media, directed not just at the candidates but also suggesting that the European elections were not important, was to be blamed for a low turnout.³⁰⁸

Party lists that did not achieve enough support to obtain a seat in the European Parliament were generally dissatisfied with the low voters' turnout. Many pointed out that the Media and the big parties should be accounted for voters' indifference to the European elections: the former because it had failed to make the elections interesting and attracting enough for voters to turn up, and the latter because they did not undertake the European elections with enough enthusiasm.³⁰⁹

The Head of the European Parliament Office in Slovenia, Leone Rizzo, has expressed his great disappointment regarding the Slovenian turnout. In his opinion, the reason for the unsatisfactory result was the fact that people were not interested in European affairs and even a striking campaign could not have forced them to vote. Rizzo explained that his Office

³⁰¹ *Ibid.*

³⁰² Slovenian Press Agency STA: "Razlog za dober izid desnosredinske opcije tudi nizka volilna udeležba" ["A reason for a good outcome of the centre-right option also a low turnout"], 14 June 2004.

³⁰³ Roter, Petra. *Slovenia*. In: *Political Parties*. London: John Harper, forthcoming.

³⁰⁴ *Ibid.*

³⁰⁵ Slovenian Press Agency STA: "Razlog za dober izid desnosredinske opcije tudi nizka volilna udeležba" ["A reason for a good outcome of the centre-right option also a low turnout"], 14 June 2004.

³⁰⁶ *Ibid.*

³⁰⁷ *Ibid.*

³⁰⁸ *Ibid.*

³⁰⁹ *Ibid.*

did everything it could, spending more money on the elections in comparison to the previous elections. Rizzo has argued that the turnout seems to suggest that something must be wrong in the European society itself.³¹⁰

The Slovenian commissioner, Janez Potočnik, has expressed his disappointment regarding the low turnout in the European elections. In his view, this sent out a negative message. According to Potočnik, the sooner the Slovenian people realise that decisions taken in the EU space are of great importance to them, the better Slovenians will be.³¹¹

The Minister for European Affairs, Milan M. Cvikl, has described the first European elections in Slovenia as 'elections of personalities, rather than programmes'.³¹²

What were the reactions on the selection procedure and election of the new President of the Commission and the President of the EP?

Reactions to the election of José Manuel Durão Barroso as the President of the European Commission were reflected only after the new President had released the names of new Commissioners and their portfolios. In Slovenia, the reaction was very positive to Barroso's selection of the Slovenian candidate, Dr Janez Potočnik, as a Commissioner for Science and Research. Potočnik himself has also expressed satisfaction regarding Barroso's decision, particularly because the field of science and research is one of the key priorities of the Slovenian Government and crucial for reaching the goals of the Lisbon Strategy.

In general, the reaction in Slovenia to Barroso's selection of candidates for Commissioner and above all his distribution of portfolios has been positive because Barroso did not make any distinctions between the candidates from the new and those from the old member states. It was noted that some of the important economic fields were assigned to candidates from new member states. This was perceived as a sign of the new Commission's

support to economic development of new member states.³¹³

Reactions regarding the new President of the European Parliament have mainly come from Slovenian MEPs. Since they had voted according to their parties' preferences, it was understandable that the four MEPs from the European People's Party (EPP) have been satisfied with the election of their candidate as the new President of the European Parliament. A Slovenian member of the Party of European Socialists (PES) voted according to his own preferences and has been satisfied with the result. Still, the head of the Slovenian EPP delegation said that some MEPs had personally not been favourable to Borrell, but had respected the agreement between the EPP and the PES and voted accordingly. By contrast, the two Slovenian liberal MEPs were disappointed with the outcome. Their party did not support the candidate, nor did they vote for him personally. For them, Geremek was a better candidate offering more potential for efficient work of the European Parliament.³¹⁴

It can be added that Borut Pahor, a Slovenian MEP – a member of the PES, presented his candidature for the President of the European Parliament within his party. With the choice for Borrell having been made within the PES, Pahor resigned his candidature, but commented that he was satisfied with the procedure as he wanted to show that the new MEPs had the ambition and abilities to play an equal role in the European Parliament.³¹⁵

Spain

First of all, it should be considered that the European election in Spain took place in a particular context. The proximity of the general elections on 14 March gave a national focus to the European elections. The Socialist Party, which secured twenty five seats in the European Parliament, centred its electoral campaign around the topic "*Back to Europe*", in direct reference to the euro-scepticism of the Aznar Government. The main electoral pledges made by the Socialist candidates

³¹⁰ Slovenian Press Agency STA: "Rizzo: Nizka udeležba na volitvah - nekaj je narobe v evropski družbi sami" ["Rizzo: A low turnout – something must be wrong with the European society itself"], 13 June 2004.

³¹¹ Slovenian Press Agency STA: "Potočnik: danes smo dobili slabo sporočilo" ["Potočnik: today we have received a bad message"], 13 June 2004.

³¹² Slovenian Press Agency STA: "Cvikl: To so volitve osebnosti, manj pa programov" [Cvikl: These are the elections of personalities, rather than programmes"], 13 June 2004.

³¹³ Slovenian Press Agency STA: "Barroso razdelil resorje v novi Evropski komisiji" ["Barroso distributed policy areas in the new European Commission"], 12 August 2004.

³¹⁴ Slovenian Press Agency STA: "Za predsednika evropskega parlamenta slovenski poslanci po strankarskih linijah" ["For the President of the European Parliament the Slovenians according to party lines"], 20 July 2004.

³¹⁵ Slovenian Press Agency STA: "Pahor odstopil od kandidature, kandidat PES za predsednika Borrell" ["Pahor resigned his candidature, the candidate of the PES for the President is Borrell"], 6 June 2004.

related to the social model for Europe, the need to bring the European Union closer to its citizens, to improve the participation of the regions in Europe's institutions, to provide an increasingly prominent role to young people, to fight at the European level against domestic violence, to enhance the external role of the EU with the aim of building a more secure, sustainable, peaceful world, and to promote solidarity in Europe in terms of economic, social and territorial cohesion.

The Partido Popular, with twenty four elected candidates, focused its campaign on Spain's national interests in Europe. The slogan was '*With you we shall be strong in Europe*', in clear reference to the Spanish debate over the weighting of votes in the Council and the loss of Spanish power in the Future European Constitution compared with the Treaty of Nice. The PP proposed that the defence of Spanish interests is compatible with loyalty to the European Union and the integration project. Candidates made commitments to the fight against terrorism and the enhancement of the Area of Freedom, Security and Justice within the EU, as well as to a common immigration policy. They referred to the need to improve the legitimacy, effectiveness and transparency of European institutions, and to the aim of enhancing the EU's role in the world through the development of the CFSP and the ESDP.

At almost 55%, abstention was the highest in the history of Spain's European elections. There is no consensus on its causes. Some analysts believe that citizens considered the elections to the EP more as a second round of the general elections of 14 March than as elections concerning European affairs. Others stressed that abstention could not be understood only in terms of euro-scepticism: Spaniards still have a very positive attitude towards the European Union (according to a CIS barometer 77% of Spaniards were in favour of the EU in May 2004).³¹⁶

Concerning the President of the EP, the election of Spain's Josep Borrell was welcomed. On the other hand, the election of José Manuel Durão Barroso was criticized because of his support for the war in Iraq and the Atlantic connexion in detriment of 'core' Europe.

³¹⁶ Belén Barreiro, 'El triunfo de la abstención en la Unión Europea', *Claves*, nr 145, September 2004, p. 58-62. Ignacio Torreblanca, 'Keys to Understanding Abstention in the European Elections', ARI Nr. 112/2004 (translated from the original Spanish version), (<http://www.realinstitutoelcano.org/analisis/544.asp>).

Sweden

The election to the European Parliament became a rather dramatic political process in Sweden, resulting in the newly established June List (*Junilistan*) attaining three of the 19 Swedish seats. The June List is not a traditional party, was organized only in the last year leading up to the elections and has not participated in any Swedish national elections. In focusing on issues of democracy and autonomy and being led by people from various corners of Swedish public life, it attracted voters from across the political spectrum. It is an EU-sceptical party, not arguing for Swedish withdrawal from the EU but for halting what it perceives to be the continuous transfer of competence from the national level to the EU level. It is against the adoption of an EU constitution, and argues for a Swedish referendum to decide this issue.³¹⁷ The success of the June List implied that most other parties, not least the Social Democratic Party, performed worse than in earlier EP elections; indeed, many argued that the political establishment in Sweden suffered a severe blow.³¹⁸

This development also reflects that issues of democracy and autonomy/ sovereignty along with environmental matters and the domestic policies of the parties were the most decisive issues when the public decided how to vote in the election.³¹⁹ This in turn reflects the rather EU-sceptical sentiments in large portions of Swedish society. Although membership has been a reality for approximately ten years, it is still deemed negative in some quarters, whereas others are indifferent. According to *Eurobarometer 61*, 37% deem membership a good thing, 33% a bad thing, and 29% neither good nor bad.³²⁰ The low turnout, 37.9% compared to 38.8% in 1999 and 41.6% in 1995,³²¹ has generally been commented on in very serious terms, and has been explained both by lack of interest in EU matters and by scepticism about the European project and Sweden's participation. In addition, it seems

³¹⁷ Interestingly, it obviously considers participating in the national elections of 2006 if there is no referendum; see further www.junilistan.se and www.svd.se, 2004-09-07

³¹⁸ Background note on election results, % (1995/1999 results): Social Democratic Party 24.6 (28.1/26.0), Moderate Party 18.2 (23.1/20.7) June List 14.5 (-/-), Left Party 12.8 (12.9/15.8), Liberal Party 9.9 (4.9/13.9), Centre Party 6.3 (7.2/6.0), Green Party 6.0 (17.2/9.5), Christian Democratic Party 5.7 (3.9/7.6), others 2.2 (2.8/0.5), for further information see www.temo.se

³¹⁹ According to polling company TEMO, increasingly so in the last two weeks, see www.temo.se

³²⁰ See www.europa.eu.int/comm/public_opinion

³²¹ See www.temo.se for further analysis

that the established parties have not been successful in explaining to people the significance of the EP in EU affairs, indeed have failed to integrate EU affairs into Swedish domestic politics, as the Deputy Minister of Finance Gunnar Lund put it.³²²

UK

What were the main subjects of the electoral campaign and how was it organised?

Electoral campaigns for the European Parliament were largely incoherent, invisible or negative, the three main parties seemingly having more pressing priorities elsewhere. No party effectively championed the European cause whereas anti-EU campaigning was high profile and well organised. In the campaigns, European issues remained subservient to those of domestic party politics.

The elections came at a bad time for the Labour Party. Aside from a mid-term trough in popularity over domestic issues, disapproval was growing of the justification for and execution of the Iraq war, and trust in the Prime Minister was suffering as a result. Dissatisfaction was not attenuated either by the Government's enthusiasm for the European Constitution, for which the public had little sympathy. The Party's otherwise inconspicuous election campaign attracted criticism for its defeatist attitude, particularly from the Conservative Party, whose leader was the target of Blair's opening campaign remarks, printed in *The Times*. "Their decision to concentrate on negative campaigning highlights their current state of insecurity", said a Tory Party Spokesman.

Running a campaign on the basis of the key European issue, the EU Constitution, would have required overturning the negative rhetoric which had come to define the European debate, and such a battle against the "myths" of the europhobes the Government evidently felt unready, or unable to undertake. The position was only that the Constitution would be satisfactory if subsequent negotiations over 'red lines' proved successful.

What Labour did have in its favour was Tony Blair's well-received U-turn on holding a referendum, which helped neutralise criticism of the Constitution and deprived the Tories of perhaps their strongest card. Labour also laid out that it would work to reform the CAP, that it would not endanger the 'special relationship'

with the US, and that it would use its future Presidency of the EU to press for conformation to the Kyoto Protocol.

The Tory Party was accused by the Government of advocating a stance on Europe that would inevitably lead to EU withdrawal, something that was denied by Michael Howard although he never ventured a specific alternative given a rejection of the Constitution in the future. The best represented of the British Parties in the European Parliament, the Conservatives faced a challenge to retain their winning margin. With Blair weakened, the Tories' lacklustre campaign was rued by its supporters as a missed opportunity. In fact, with the UK Independence Party (Ukip) claiming political ground to its right, the Conservative Party was restricted to being non-committal on Europe.

The only party which succeeded in executing an effective campaign for the European Elections was Ukip, which had the simplest election manifesto, and an agenda focussed on Europe itself: espousing EU withdrawal at the earliest opportunity. The time was right for Ukip to tap in to a rich vein of public disenchantment with the major political parties, and with Europe. Presenting itself as the only "moderate and democratic" party explicitly opposed to EU membership, and with the controversial former talk-show host Robert Kilroy-Silk – who vowed to "wreck" the European Parliament – as Deputy Leader, Ukip was given extensive media coverage and came to be widely considered as a viable party. Others might have agreed with the *Financial Times*, which labelled them a "ramshackle outfit of disgraced ex-MPs, out-of-work celebrities and eccentrics".

Many of those who Ukip appealed to were traditional Tory supporters looking for an outlet for more extreme anti-Europe sentiment. Polls taken around one week prior to the election suggested striking support for Ukip, but little future for it apart from as a 'protest party' over Europe: 10 – 20% of the vote was predicted to fall to Ukip in the European Elections, but in the next General Election – which the British would consider far more consequential – support would be nearer 2%, and the Tories could expect less of a battle for votes on the right.

The three major parties, all of which disagreed with Ukip's sole policy, failed to run powerful eurocentric campaigns to stem its rise; instead withdrawing from European issues and implicitly questioning why anyone should vote in European Elections when domestic politics seemed to remain the pre-occupation of the

³²² See www.svd.se, 2004-06-15

political parties. The Liberal Democrats made their priority the electoral punishment of Blair for the damage his foreign policy had inflicted upon Britain's multilateral ambitions. It was perhaps a surprising approach from the party, given its genuine enthusiasm for Europe and recent successes over Labour and the Tories in mid-term by-elections.

What were the reactions in your country on the election's outcome and the voter turnout?

Dubbed 'Super Thursday', the European Elections were arranged to take place on the same day as elections for local councils, for the Greater London Assembly, and for the London Mayorship, in the hope of boosting turnout. While increased turnout may have been one effect, another may have been to confuse the campaigns of elections that are poorly understood even in isolation.

On June 10th, the *Financial Times* took issue with the day's title: "It has been dubbed "Super Thursday", but the appropriate adjective to describe at least one of today's elections would be dismal".

For Ukip, the elections were anything but dismal. In the 1999 elections, they won two of the UK's 87 seats in the European Parliament. In 2004, they secured 12 of the UK's 78. Despite Ukip's high profile election campaign and predictions of its success, there was widespread surprise and some discomfort in the UK at the *scale* of success for a party considered so peripheral. Ukip had become the equal third largest British presence in the European Parliament; there were now as many MEPs in the most overtly anti-EU party as there were in the Liberal Democrats, the EU's staunchest advocate in Britain. (Ukip actually received a greater share of the votes than did the Liberal Democrats). In the East Midlands, Ukip was 0.3% off being the most popular party. And of the UK's seats in the European Parliament, exactly half belonged to parties opposed to the Constitution. Ukip's succinct, committed campaign had paid dividends.

The public's reaction to Ukip's success perhaps served as a salutary reminder that people cared about the results of European Elections, and that parties which weren't prepared to treat them with commitment and respect stood to lose out. *The Sun* newspaper didn't dismiss Ukip's rise as a freak protest vote: "It's not new and it's not extremist. The massive vote for Ukip reflects what Tony Blair finds most unpalatable: that there is no appetite for becoming more European." At

least one factor in Ukip's success though, was distaste for the political alternatives.

Turnout for the European Elections wasn't dismal either, at least not in the context of other member states' performance. The UK found itself in the unusual position of not being one of the most apathetic states in the Union. In 1999, 24% turned out in Britain, lower than any other member state. In 2004, participation was up to 38%. It seemed the British wanted to shout about something, although it was debatable about exactly what.

Ukip's campaign certainly contributed to the higher turnout, the increase in its voters accounting for a healthy proportion of the overall increase from 1999. In addition, the efforts made to make voting easier and more accessible, such as encouraging voting by post and by proxy had a positive effect. There was surprise in the UK, and pleasure for some eurosceptics, that some of the newest member states recorded such low turnouts following the supposed enthusiasm of their accession.

The election results - according to the BBC's Nick Assinder - were "humiliating" for Labour, which took 23% of the vote, 3% down on 1999, but remained a clear second behind the Tories. The Deputy Prime Minister, John Prescott, decided that Labour had received a "good kicking", while Tony Blair conceded that "lessons had to be learned."

The media debated how much the loss in support reflected general dissatisfaction with the Premier - whose trustworthiness, according to a June 10th poll was at a low of 39% - and how much antipathy towards Europe itself. For the *Daily Mail*, the answer was absolutely the latter: "this was more than an exercise in giving the big political parties a bloody nose. ... [it] shows beyond anyone's wildest imaginings the depth of bitterness and impotent rage felt by the British people over the overweening and corrupting influence of Brussels." Clare Short, who resigned her Ministerial post over the Iraq war, interpreted the results as more due to Labour's failures away from Europe. "I think that the electorate is sending a message to Tony Blair because the Labour Party seems incapable of correcting him. What we did in Iraq has brought disgrace and dishonour on Britain around the world."

Labour's poor election results, in concert with Blair's unpopularity over the Iraq war, apparently put the Prime Minister's own position in doubt. However the gathering storm in the media - a Times columnist believing Blair to be "dead in the water" - and in the Commons - where calls were made for him to "step aside" - soon dissipated. The lack of

recriminations was seen to reflect complacency from the Labour Party which, despite coming under sustained attack over a number of issues, appeared to have little to fear in a General Election from a divided and unappealing Opposition.

The elections confirmed the Tory Party as the dominant British force in the European Parliament, contributing more than a third of all UK MEPs. Yet in capturing 27% of the vote - down from 33% in 1999 - the Conservative Party achieved its lowest share of any nationwide election since 1832. Despite the Government's troubles and widespread voter disaffection, Howard's party lost more seats than Blair's did. In trying to appeal alike to eurosceptic and europhilic sectors of his party by opposing the Constitution but advocating a renegotiation of Britain's relationship from 'within', the Tory Leader's stance was considered impractical and ambivalent. Michael Howard might have been tempted to move the party back to the right to win back the europhobes who had voted for a harder line on Europe. However the former-Chancellor (and europhile) Kenneth Clarke was not so tempted: "For heaven's sake, don't panic in the face of a protest vote. ... To start chasing after Robert Kilroy-Silk's vote would be a complete disaster."

One positive consequence of the European Elections for the Tories was the majority of British seats in the European Parliament they - along with Ukip - established against the European Constitution. This, Michael Howard would repeatedly claim, gave Mr Blair no mandate to sign up. "When he is in Brussels tomorrow, will the Prime Minister do what the majority of the British people want him to do and say no to the European Constitution?" enquired Howard, the day before the IGC convened in June. Blair would consistently respond that he could not be accused of ignoring his people's wishes on the Constitution when he had promised them a referendum on the very subject.

The Liberal Democrats, while winning no more seats in the European Parliament than Ukip, had more to smile about than Labour and the Conservatives in the sense that they increased their share of the vote from 1999. Still, the result - 12 of 78 MEPs compared to 10 of 87 in 1999 - was not particularly encouraging for a party which, otherwise gaining in confidence, was painting itself as the most effective opposition to Labour. Charles Kennedy proclaimed his party's performance "satisfactory", something neither Michael Howard nor Tony Blair might have ventured.

Northern Ireland's Single Transferable Vote system elected one MEP for each of the Democratic Unionist Party (DUP), the Ulster Unionist Party (UUP), and Sinn Fein; the latter taking the seat formerly held by the more moderate Social Democratic and Labour Party (SDLP). The most eurosceptic of the three, the DUP, saw the retirement from its seat of the Reverend Ian Paisley. The Scottish National Party (SNP) and Plaid Cymru, who champion independence within Europe for Scotland and Wales respectively, were the only parties other than Labour and the Conservatives to see their share of the vote fall from 1999. The SNP held onto its two MEPs while Plaid Cymru's representation fell to one, one fewer than in 1999. The Green Party held its two seats with 6% of the vote, attributing its success to its uniquely Europe-wide approach. There was widespread relief in the UK that the far-right British National Party (BNP) failed to gain a seat, despite its capturing 4.9% of the vote.

What were the reactions on the selection procedure and election of the new President of the Commission and the President of the EP?

While there was little or no reaction in the UK to the election of Josep Borrell as President of the European Parliament, very much more was paid to the Council's recommendation for President of the Commission, arguably the EU's most influential position. The British Government's priority of safeguarding NATO and the UK's 'special relationship' with the US informed their explicit support for Durão Barroso, whom they perceived as Atlanticist in character, and politically centrist. Mr Barroso's appointment was therefore seen as a great success for the UK, given, for example, the support that the more federally minded and more liberal Mr Verhofstadt had enjoyed from other member states. In Blair's words, "I think Mr Barroso is the right person, because I think he is someone who shares a strong belief in economic reform, as well as ... social justice. He is a believer in the alliance with the United States ... I think it is an excellent result."

3. Are there any special interests and concerns with regard to the continuation of the enlargement process towards:

- Bulgaria and Romania
- Croatia
- Turkey
- Western Balkans

Austria

Bulgaria and Romania

Throughout the negotiations issues such as security and nuclear safety were of concern to the Austrian government. Hence, Austria and Romania established a functioning co-operation to fight crime and illegal migration. In November 2002, Bulgaria decided to close the reactors 3 and 4 of its nuclear power plant Kozloduj by 2006.³²³

As already stated in last year's EU Watch Report,³²⁴ all political parties and groups welcomed the perspective that Bulgaria and Romania could become members by 2007. The Austrian government views the current negotiations and its timetable - as in conclusions of negotiations in 2004, signature of the accession treaty as early as possible in 2005 and the accession in January 2007 - as realistic.³²⁵

Croatia

Due to the geographical position of Austria, intense relationships to Croatia have been developed over the years and Croatia's intentions to join the EU have been supported.³²⁶ With the accession of Croatia, economic relations, particularly in the field of trade and investment, would certainly intensify.³²⁷ The Federation of Austrian Industry³²⁸ hopes that by 2007 not only Romania and Bulgaria but also Croatia will join the EU.

Turkey

The Austrian government takes the European Council's stance. Turkey is a candidate state, and its accession depends on the fulfilment of all relevant criteria of membership as laid down by the EU. One of the main subjects should be the EU's own ability and capacity to successfully integrate Turkey.³²⁹

The coalition party of the government, the Freedom Party faces internal conflicts on the issue. The governor of Carinthia and former party leader of the Freedom Party, Jörg

Haider, has only recently expressed clear approval of the accession³³⁰, facing opposition from most of the party, which not only is against the accession but also rejects any accession negotiations with Turkey, however, considers alternative co-operations.³³¹

The Green Party recognizes the huge effort made by the current Turkish government regarding the human rights situation, however, remain sceptical how these legal changes are to be brought into practice in order to benefit its citizens.³³²

Currently, as everywhere else in Europe, there is a rather heated public debate and vast media coverage on issues such as human rights, democracy, the rule of law and protection of the rights of minorities come up in the public debate about Turkey's accession.

Western Balkans

There is a general political consensus to support the stabilisation and association process in the Western Balkans. The Green Party points out that the stabilisation of this highly vulnerable region as an absolute priority.³³³

The Federation of Austrian Industry points out that the enlargement process needs to be taken further. In cooperation with the European Industrial and Employers Federation (UNICE), the Federation of Austrian Industry wants to be actively involved in the continuation of the stabilization process, economically as well as politically, in Serbia and Montenegro, Macedonia, Bosnia and Herzegovina.³³⁴

Hubert Gorbach³³⁵, the Vice Chancellor and Transport Minister, has undertaken several visits to Serbia and Montenegro in order to enforce a bilateral dialogue on infrastructural issues, particular on long-term strategies for railway, road and ship networks.³³⁶

³²³ Dr. Elena Kirtcheva, Bulgarian Ambassador to Austria at the International European Conference, 23.03.2004. Kozloduj has altogether six reactors.

³²⁴ *ibid.*, p. 43 <http://www.tepsa.be>

³²⁵ *ibid.*

³²⁶ *ibid.*, p. 44 <http://www.tepsa.be>

³²⁷ *ibid.*

³²⁸ *ibid.*

³²⁹ *ibid.*

³³⁰ "Die Presse", 07.08.2004

³³¹ Freedom Party, for more information see www.fpoe.at

³³² *ibid.*

³³³ *ibid.*

³³⁴ *ibid.*

³³⁵ Vice-Chancellor and Minister for Transport, Hubert Gorbach (Freedom Party)

³³⁶ *ibid.*

Belgium

Bulgaria and Romania

In the coalition agreement (2003), the federal government states that the enlargement of the Union to 25 Member States is not the end of the process. Bulgaria and Romania should become full member in 2007. New State Secretary for European Affairs, Didier Donfut (PS - Walloon socialist party), first official state visit was Bulgaria, which shows the importance of this country for Belgium.

Croatia

During a visit in Zagreb in March 2004, Minister of Foreign Affairs Louis Michel assured Croatia of Belgium's support for its accession to the EU.

Turkey

There is some discord in Belgium about the Turkish membership of the EU. Former Foreign Affairs Minister Louis Michel (current Commissioner for Development) has always been in favour. So is the State Secretary for European Affairs, Didier Donfut. Not admitting Turkey, that has its place on the international scene, plays an important economic role and constitutes a bridge between two cultural worlds, would be a serious strategic mistake. During a visit in Turkey, Finance Minister Didier Reynders (MR – Walloon liberal party) assured Turkey of Belgium's support for its accession to the EU. prime minister Guy Verhofstadt said that the Turkish membership should be the subject of a discussion in the Belgian parliament in October or November 2004.³³⁷ The political parties have not yet taken a clear point of view. In the meanwhile, on 31 August, the prime minister stated that if the Commission finds that Turkey fulfils the accession criteria of Copenhagen, the Belgian government wants accession negotiations to be started early next year. If the negotiations will be opened, this will show that the EU is also open for a moderate Islamic country that recognises the separation between Church and State.

In the recent discussion about the Turkish adultery law, Minister of Foreign Affairs Karel De Gucht (VLD – Flemish liberal party)

considered that this law proposal would be counterproductive for Turkey's chances of becoming a member state.

Western Balkans

In the coalition agreement, the Belgian government states that every country of former Yugoslavia should have the possibility to become a member state of the European Union. The European perspective is a major catalyst of stability.

Cyprus

Bulgaria and Romania

The Cypriot political forces and the public at large have long endorsed the candidacies of these two states without any perceptible reservations. Moreover, Bulgaria maintained close collaboration with Cyprus during the former pre-accession preparations.

Croatia

The government of Cyprus has recently supported the candidacy of Croatia, although no public debate has covered the issue as yet.

Turkey

To date, no public discussion has addressed the possible future candidacy of the Western Balkan states.

Western Balkans

Evidently the issue of EU-Turkey relations is at the heart of the Republic's special interests and concerns. Cyprus believes that should Turkey adopt EU principles, values and norms, this would result in a stable and democratic country with beneficial implications for both its people and the Eastern Mediterranean region. At present, however, 37% of the Republic's territory is still occupied illegally by over 40,000 Turkish troops. Naturally, therefore, Turkey's candidacy is linked logically, legally, and politically to the solution of Cyprus' political problem. Since the Republic's accession to the EU on May 1st, the aforementioned links are even more evident. And yet, President Papadopoulos has stated that Cyprus is not predisposed towards vetoing the granting to Turkey of a date to open accession negotiations. However, some other official voices, as well as voices in civil society at

³³⁷ De Europese Raad van 17 en 18 juni 2004, Verslag namens het Federaal Adviescomité voor de Europese aangelegenheden, uitgebracht door de heren Mahoux en De Croo, 1 July 2004, DOC 51 1271/001.

large, favour granting the aforementioned date but not as "carte blanche". More concretely, the latter position is premised on the expectation that Turkey should satisfy the following obligations. First, Turkey must extend its Customs Union Agreement so as to cover the Republic of Cyprus. Second, it is manifest that Turkey should recognise formally the Republic of Cyprus, since it is inconceivable to refuse to do so while it aspires to open accession negotiations. Third, Turkey should cease vetoing Cyprus joining international organisations and regimes. Fourth, and equally important from the European legal and political-cultural point of view, it is unacceptable for a candidate state to maintain illegally occupation forces and settlers in the territory of an EU member state.

Czech Republic

Bulgaria and Romania

In general, the CR emphasises that any further enlargement should not weaken the functionality and cohesion of the EU. On the contrary, it should further develop the democratic profile of the Union. As far as further EU enlargement is concerned, it is the opinion of the Czech MFA that these countries must fulfil the same pre-accession criteria, and to the same extent as was the case with the countries which entered the Union in May 2004.

The CR fully supports the conclusions of the June 2004 EU summit in Brussels, where the common goal of the EU-25 countries to welcome Bulgaria and Romania in the Union in January 2007 was again confirmed, if they meet the accession criteria. The MFA of the CR believes that Bulgaria and Romania will be able to take on all the obligations of membership. From its own experience, the CR knows that maintenance of dynamic continuity and quality of domestic preparedness is of great importance, especially when it is taken into account that the active use of the observer status in the period between the signing of the Accession Treaty (in the case of Bulgaria and Romania most probably in May 2005) and the proper date of accession (the expected January 2007) can also be considered as part of the preparations.

Croatia

The CR considers the decision to give Croatia the status of a candidate country on one hand

as acknowledgement of its progress on the way towards EU accession, and on the other hand as a positive impulse to other countries of the Western Balkans. The CR believes that Croatia – in accordance with the recommendations of the European Council – will make further efforts in the area of minorities' rights, the return of refugees, judicial reforms etc. The MFA of the CR thinks that negotiations with Croatia should not be artificially accelerated and extended to all areas, especially to problematic ones. The MFA does not consider it convenient to connect the accession of Croatia with enlargement by Romania and Bulgaria, for example in order to distinguish those candidates from Turkey.

Turkey

According to the MFA of the CR, the European alignment of Turkey is of great importance both for the country itself, and for Europe, but also for Asian-African (namely Islamic) space. The process of decision-making about the validity of Turkey's candidacy for membership in the EU will be exceptionally demanding. It will be necessary to take into consideration all of the benefits, the strategic value of Turkey, the efforts of Turkey to fulfill the Copenhagen criteria, and also the costs, e.g. the need to reform the internal policies of the Union.

The CR supports Turkey's European orientation and its eventual membership in the EU. As a necessary condition for starting the accession negotiations, it is necessary to complete the fulfilment of the Copenhagen criteria by Turkey, and a recommendation from the Commission is also needed. The eventual membership of Turkey in the Union will not depend only on Turkey's overall preparedness but also on the capacity of the EU to "absorb" such a large country.

The majority of parliamentary political parties in the CR are in favour of the idea of Turkey's membership in the EU. However, strong reservations in this respect have been expressed by several top politicians from the KDU-CSL, including Foreign Minister Cyril Svoboda. Both in the Czech media and in academic circles, the question as to whether Turkey should or should not be a standard member of the Union is a very controversial issue. Opinions both pro and con can be heard.

The Czech media had long ignored the issue of Turkish membership because Turkey is still perceived as a far-away country, and the EU membership of which would have only a minor

impact on the CR. Yet the situation has gradually changed and more newspaper articles have appeared in relation to the Commission's report on Turkey.³³⁸

Western Balkans

The aspirations of Macedonia and other countries of the Western Balkans which participate in the process of the Stabilization and Association Agreements, to enter the EU in the future are legitimate. These countries are also obliged to fulfil the required Copenhagen criteria. In their case this also means cooperation with the ICTY.³³⁹ According to the Czech MFA, the EU should elaborate its strategies towards the region of Western Balkans, because that is the only way to reach stability, security and finally prosperity for the region. The CR therefore welcomes that as part of the EU financial plans for the period 2007-2013, a special financial instrument for the Western Balkans will be introduced (with the exceptions of Turkey and Croatia).

Denmark

Bulgaria and Romania

The Danish government is supportive of the accession of Bulgaria and Romania, but there has not been much debate over the issue. Successive Danish governments have focused on getting the 'first wave' of enlargement off the ground, giving clear priority to the inclusion of the Baltic States in the enlargement negotiations. The public debate in Denmark has consequently tended to focus on the first entrants, while the situation of Bulgaria and Romania has received comparatively little attention. Following the enlargement in May 2004, public debate in Denmark has been more focused on the issue of Turkey's eligibility than on the fate of the negotiations with Bulgaria and Romania.

Croatia

The Danish government supports Croatia's effort to obtain membership of the EU. The timeframe for accession is not presently discussed, but it will have to await the

³³⁸ See for example Turecko udělalo velký krok ke vstupu do EU (Turkey Made a huge Step Toward EU Accession). Mladá fronta Dnes, September 24, 2004; Nebude důvod říct ne (There Will Be No Reason to Say No). Lidové noviny, August 31, 2004

³³⁹ International Criminal Tribunal for the former-Yugoslavia

successful admission of Bulgaria and Romania. In general, the question of Croatia's accession has not been a matter of public debate in Denmark.

Turkey

With the Danish EP-election, the question of Turkey's accession to the EU made headway on the public agenda. The question dominated the debate, and in many ways overshadowed other important aspects concerning future enlargements. One reason for this is of course the actuality of the Turkish question prior to the Commission's recommendation in October. But the right wing Danish People's Party has also been keen to raise the issue. The Party is strongly against Turkish accession, mainly because of Turkey's cultural, ethnic and religious differences. The greatest concern is undoubtedly Turkey's Muslim background, which is seen as incommensurable with the EU's Christian heritage. The Social Liberals, on the other hand, strongly support Turkish membership. Their argument is that the EU has made a promise to Turkey, which in turn means that the EU's credibility is at stake. Other parties appear more lukewarm on the issue and have been reluctant to give their opinion. A common stance is that Turkey is not there *yet*. Both the government and the biggest opposition party, the Social Democrats, support negotiations if Turkey resolves issues concerning human rights, democracy and the economy. There is a demand for action: Turkey must show *real* progress and not just formal progress. Geopolitics is also at stake. The supporters of accession see Turkey as a bridge, which will help tie together Europe and the Middle-East, while sceptics call into doubt the "Europeanness" of Turkey. Another objection is the size of the Turkish population, which, it is feared, will give Turkey too dominating a role in EU decision-making. The public sentiment is largely against Turkey's accession – only around 31 percent support accession, while 49 percent are against it.³⁴⁰ The most important issue to the Danish public appears to be human rights.³⁴¹ In the ongoing debates the Danish industry voiced its opinion – and backed Turkish membership. From a commercial point of view Turkey is interesting as a closer partner because of its high economic growth rates and its strategic geographical position.

³⁴⁰ Collignon (2004), "Flertal mod Tyrkiet i EU", *Jyllands-Posten*, September 19th.

³⁴¹ *Ibid.*

Western Balkans

According to the Danish Government, the countries on the Western Balkans are close partners that have the potential of becoming members of the EU. But achievement of membership will require a continuation of the struggle for economic and democratic reforms in the countries. At the moment the Danish government is more concerned with putting an end to instability and conflict in the area, than to give promises of EU-membership. As with Bulgaria, Romania and Croatia, the question of the accession of the Western Balkans has not reached the attention of the broader Danish public and is rarely debated in the press.

Estonia

Estonia's positions towards the continuation of the enlargement process are supportive but not particularly elaborated. Basically, the government supports the positions of the Commission. The cautious ideas expressed by Foreign Minister Kristiina Ojuland in Vienna on September 28, 2004 are characteristic of the prevailing attitudes. The speech called for closer cooperation between the Union and its neighbours which also means „aiming at the potential membership of the remaining candidate countries.“ However, membership should be the culmination of domestic reform: „future enlargement must be based upon the same principles and criteria, that have applied until now.“³⁴² The latter point, repeated from speech to speech, appears to constitute the government's main message on the issue.

There is very little concern about the Romanian and Bulgarian accession, as these countries have been „on the list“ for such a long period of time. Western Balkans and Croatia have, so far, received limited attention. Opinions regarding Turkey are mixed and discussion is characterized by familiar debates about Turkey's identity, level of development, and commitment to democratic norms. The Turkish embassy in Estonia has participated in the debate, reacting to criticisms – painfully, at

times - and actively building support for Turkish accession.³⁴³

Finland

Finland was extensively involved in the recently completed enlargement process promoting in particular the accession of Estonia, Latvia and Lithuania. In terms of the new countries on the enlargement agenda, the Finnish position could best be described as pragmatic. The remaining candidate countries lie far from Finland and do not raise as much interest or emotional appeal among the Finns as did the candidate countries of the latest enlargement. Perhaps for the perceived neutrality of Finland towards the new aspiring members, the Finnish commissioner candidate Olli Rehn is particularly well-suited for the task of enlargement in the new Commission chaired by José Manuel Barroso. He will be responsible for monitoring the current candidate countries Bulgaria, Romania, Croatia and Turkey together with the Western Balkans region.

Bulgaria and Romania

In the same way as Finland supported the recent Eastern Enlargement, it also favours the eventual inclusion of Bulgaria and Romania. Their accession timetable should match the development of their internal structures towards EU standards. In the reform efforts of Bulgaria and Romania, Finland welcomes the extension of Community aid to these two candidates. According to the Enlargement Eurobarometer 140 from early 2003, 60% of Finns would have wanted Romania to have joined the Union in May 2004 against an EU average of 42%. Similarly, the support for Bulgarian membership at 52% was higher than the 40% level of EU-15.

Croatia

The Finnish Government has not yet struck a firm stance on the issue but it can be inferred that it welcomes the inclusion of Croatia over a feasible period. Finland believes that the Copenhagen criteria of EU membership should be applied equally to all candidate countries, including Croatia. No special concerns have been raised in the Finnish media about Croatian membership.

³⁴² Address by the Minister of Foreign Affairs Kristiina Ojuland at the event "Dialogue with a new Member State: Estonia" in Vienna, 28 September 2004. See also her speech to the Estonian parliament on the Main Guidelines of Estonian Foreign Policy on June 8, 2004. Both speeches are available at Ministry of Foreign Affairs webpage at www.vm.ee.

³⁴³ A recent instance includes sponsoring a special Turkey supplement to one of the main daily newspapers, *Postimees* (October 2, 2004).

Turkey

The official Finnish position reflects the cautious stance of the European Commission. The Finnish President Tarja Halonen has proclaimed to support the inclusion of Turkey into the Union once it fulfils the commonly agreed criteria for membership.³⁴⁴ The wait-and-see approach of Finland does not entail any set deadline for Turkish membership in the EU. Fundamentally the pace of Turkey's internal reforms determines the accession schedule. The Finnish public is conducive to Turkish membership as 54% of them support it, while among EU-15 the rate of support is only 42%, according to the Enlargement Eurobarometer 140 (April 2003).

The report by the Independent Commission on Turkey: "Turkey in Europe: More than a promise?"³⁴⁵ was positively received in Finnish debate, probably partly because the commission was chaired by the former Finnish President Martti Ahtisaari.

Western Balkans

The Finnish Government has not raised any fundamental obstacles to the addition of the Former Yugoslav Republic of Macedonia, Albania or Bosnia-Herzegovina into the Union. The inclusion of Serbia-Montenegro looms also as a possibility by the time the cohesion of the republic is guaranteed. As to schedule, the priority is to integrate the abovementioned three entities before the Union moves to consider the Western Balkans.

Germany

Bulgaria and Romania

The political class in Germany strongly believes that eastward enlargement is not yet finished with the accession of 10 new members in 2004. Bulgaria and Romania are perceived as left-overs of the most recent round of enlargement. 2007 or 2008 are seen as likely dates for their accession. Bilateral relations are lively which is reflected in recent

official visits³⁴⁶ of the Heads of state and government as well as in economic relations. Germany is one of the biggest foreign investors and trading partners of the candidate states.³⁴⁷ That is also why the German industry continues to welcome further enlargement of the EU.³⁴⁸ Support for opening of negotiations with Croatia was not controversial. The country is regarded as part of Europe and with a special role in stabilising the troubled Western Balkans. There is a clear expectation that negotiations with Croatia on membership are a real incentive for pursuing the European perspective also in other countries of the Western Balkan.³⁴⁹ In general, there is much sympathy for Croatia joining as early as Bulgaria and Romania. On the other hand, it should be emphasised that compared to the Eastern enlargement of 2004 German interest in Bulgaria and Romania and even Croatia is less intensive and explicit.

Turkey

The question of enlargement looks very different, when it comes to Turkey. Generally speaking, the opposition parties CDU/CSU would prefer to or are even explicitly in favour of drawing a red line after probable membership of Bulgaria, Romania and Croatia.³⁵⁰ For reasons discussed below, they

³⁴⁶ Among official state visits were: Bulgarian Prime minister Saksoburgotski in Germany in Mai 2004; Chancellor Schröder in Bulgaria and Romania in August 2004; Federal Minister of Economics Clement in Romania in March 2004; Romanian President Iliescu in Germany in September 2003; Federal Foreign Minister Fischer in Romania in September 2003 ; Romanian Foreign Minister Geoana in Berlin in March 2004.

³⁴⁷ Germany is the biggest trading partner for Bulgaria, cf: Auswärtiges Amt: Beziehungen zwischen Deutschland und Bulgarien, http://www.auswaertigesamt.de/www/de/laenderinfos/laender/laender_ausgabe_ht ml?type_id=14&land_id=28 (April 2004). Germany is the second most important trading partner for Romania, cf: Auswärtiges Amt: Beziehungen zwischen Deutschland und Rumänien, http://www.auswaertigesamt.de/www/de/laenderinfos/laender/laender_ausgabe_ht ml?type_id=14&land_id=139 (April 2004). In the last two years the volume of bilateral trade between Germany and the two countries increased considerably up to 6 billion euro in Romania and 2 billion euro in Bulgaria. Cf. Deutsche Firmen unterzeichnen Verträge im Umfang von zwei Milliarden Euro, in: ost-ausschuss-informationen 09/2004, p.8.

³⁴⁸ Cf. Bundesverband der Deutschen Industrie e.V.: Erfolgreiche EU Erweiterung erfordert weitere Anstrengungen, Berlin, 05.11.2003, 110/03, <http://www.presseportal.de/story.htx?nr=496654&firmid=6570>.

³⁴⁹ Cf. Schröder in Zagreb: Kroatien ein Hord der Stabilität. Kroatien allemal so weit wie Rumänien und Bulgarien, in: Frankfurter Allgemeine Zeitung, 31.10.2003, p.2.

³⁵⁰ Cf. Stoiber für EU-Schlussstrich, in: Frankfurter Allgemeine Zeitung, 21.05.2004, p.4. EU-Erweiterung wird

³⁴⁴ Speech by President Tarja Halonen on European security at the Royal United Services Institute for Defence And Security Studies (RUSI), 11 May 2004, available in English at <http://www.tpk.fi/english/>

³⁴⁵ The report is available at <http://www.independentcommissiononturkey.org/pdfs/english.pdf>.

think that the EU of 28 has reached its “finalité géographique” for some time to come. Meanwhile the Liberals support an opening of negotiations with Turkey, however with an open ending,³⁵¹ which is emphasised by all parties in Germany albeit with different notions.³⁵² The government stresses that the EU must aim at membership at the end of negotiations while the opposition is ambivalent about the final outcome not only as far as Turkey but also as far as the EU is concerned. In Germany, the whole debate about continuation of enlargement takes place in the shadow of the question of Turkey’s membership. There is a clear difference between the official positions of the government to open negotiations with Turkey and large parts of the opposition who wanted to postpone the decision and develop an alternative perspective dubbed “privileged partnership”.³⁵³ However, the question of Turkish membership really shows a cross-party-cleavage.³⁵⁴ Supporters of Turkish membership argue in terms of geopolitical orientation and a strategic dimension of European integration, not in the least after September 11. One of the most vocal proponents is foreign Minister Fischer who admittedly changed his earlier position of being sceptic about Turkish membership.³⁵⁵ He is backed by parts of the foreign policy and atlanticist establishment in Germany including the CDU. One of their exponents is former defense minister Volker Rühle (CDU), another is Gernot Eler from the SPD.³⁵⁶ Pointing out

the geostrategic and security dimension, they argue that enlargement has been the most successful foreign policy instrument over the last decades, in particular after 1989. They expect a positive role of Turkey vis-à-vis the neighbouring Arab and Muslim countries and also refer to Turkey as the only effective model of a democratic islamic state in the whole region. Membership negotiations would further work as a catalyst of democratic reforms and modernisation. Others like Chancellor Schröder very much stress the promise that has been given to Turkey starting with the association agreement of 1963 and confirmed over the years on many occasions and European summits not in the least by the long serving Christian democrat/liberal governments. Therefore, Schröder sees his government’s foreign policy and attitude towards Turkey in continuation with German policy under his predecessors from Adenauer to Kohl. Chancellor Schröder also expects economic benefits from Turkish membership given the strong economic relations between the two countries.³⁵⁷ Moreover, he is among those who point at positive effects with regard to further integration of the large Turkish minority in Germany (around 2,5 million) and the strong societal links which would even improve. Despite of some concerns among the SPD group in the German parliament and among members of the SPD in general the SPD group now fully backs the position of the Chancellor and government.³⁵⁸ It is quite interesting that Chancellor Schröder shows a comparatively high profile in the debate on Turkey. MP Erdogan was invited to a French-German summit in Berlin at the end October which gave Schröder and Chirac an opportunity to stress their willingness to open negotiations with Turkey.³⁵⁹

Opponents of Turkish membership across the parties are concerned over the political and in the particular human rights’ situation in Turkey which is also referred to those which are more

erschwert, in: Berliner Zeitung, 16.12.2003. EU-Erweiterung: Krach im Bundestag um Beitritt der Türkei, in: Spiegel online, 30.04.2004.

³⁵¹ Cf. FDP für offene Türkei-Verhandlung, in: Frankfurter Allgemeine Zeitung, 26.10.04, p. 2.

³⁵² Cf. In die Falsche Richtung gedacht, in: Der Spiegel, 18.10.2004. Interview mit Bundesaußenminister Fischer zu USA, Irak und EU-Beitritt der Türkei, in: Berliner Zeitung, 14.10.2004.

³⁵³ Cf. So eine Art Deutschlandhaß in Teilen der Linken, in: Frankfurter Allgemeine Zeitung, 27.10.2004, p.2.

³⁵⁴ For an excellent account of the German debate see: Martin Große Hüttmann: „Die Türkei ist anders als Europa“: Die öffentliche Debatte um einen EU-Beitritt in Deutschland, in: Angelos Giannakopoulos, Konstadinos Maras (Hrsg.): Die Türkei-Debatte in Europa. Ein Vergleich, VS Verlag, Wiesbaden, 2004 (in appearance)

³⁵⁵ Minister Fischer in a speech to the German Bundestag, Berlin, 30.04.2004; Fischer sichert der Türkei Unterstützung zu, in: Frankfurter Allgemeine Zeitung, 23.01.2004, p.4; Die Rekonstruktion des Westens. Außenminister Fischer über Europa, Amerika und die gemeinsamen strategischen Aufgaben, in: Frankfurter Allgemein Zeitung, 06.03.2004, p.9. and see his interview with the German Journal „Spiegel“ available at http://www.auswaertiges-amt.de/www/de/ausgabe_archiv?archiv_id=6306

³⁵⁶ Volker Rühle appelliert an die eigene Partei: Union soll EU-Beitritt der Türkei zustimmen, in: BILD, 16.09.2004;

Wollen wir die Türkei als Mitglied in der EU?, in: Die Welt, 09.09.2004.

³⁵⁷ Cf. Gerhard Schröder: Warum die Türkei in die EU gehört, in: Die Welt, 13.10.2004; Gerhard Schröder: Türkei mit Reformprozess auf gutem Wege, Ankara, 23.02.2004, <http://www.bundeskanzler.de/Weitere-Meldungen-.8106.611217/Schroeder-Tuerkei-mit-Reformprozess-auf-gutem-Weg.htm>.

³⁵⁸ Cf. Gernot Eler, Dr. Angelica Schwall-Düren, Uta Zapf: Papier zur Diskussion der Aufnahme von EU-Beitrittsverhandlungen mit der Türkei, verabschiedet vom Vorstand der SPD-Bundestagsfraktion am 18. Oktober 2004 zur Vorlage für die Fraktionssitzung am 19. Oktober 2004.

³⁵⁹ Cf. Agence Europe 28 October 2004.

neutral.³⁶⁰ A continuous, however less vocal strand of argumentation refers to identity related aspects of the different cultures, history and religion.³⁶¹ Others emphasise the risk of overstretch of the European Union in political, geographic and also financial terms.³⁶² They see membership of Turkey as an end to any ambitions of deepening the political Union and of coming for example to a more integrated foreign and security policy. Moreover, the impact on the budget of the Union (in terms of CAP and even more structural funds) and as a quite new topic, on the institutions of the Union is seen as crucial if not prohibitive. In particular the introduction of double majority voting as foreseen in the treaty on a constitution for Europe seems challenged by Turkish membership. It could accentuate differences between the big countries and most notably also affect and downgrade Germany's position as the biggest member of the Union. The FDP, for example, stated that at present the EU is not ready to take in Turkey and that today Turkey is not ready for membership.³⁶³ Many in Germany would subscribe to this statement, while drawing different conclusions. A new phase of discussing the Turkish case is now underway in Germany: Focus is shifting from the question whether Turkey would be capable of fulfilling membership criteria sufficiently and sustainably to the challenges connected with the probable impact of Turkey on the constitutional order, the politics and the capacity to act of the enlarged EU.

Apart from this rather new perspective, there are few new aspects or proposals in the German Turkey debate. On the contrary, the initiative of party leader Angela Merkel (CDU) in her letter to the conservative party leaders in Europe in which she proposed a privileged partnership with Turkey was received quite cool by governing Christian democratic parties.³⁶⁴ The general feeling is that this was an initiative that came too late and still lacks substance. While the government accuses the Christian democrats of being without courage and of even acting irresponsible,³⁶⁵ they

acknowledge that there are many uncertainties linked to Turkish membership. The German government will certainly vote for the opening of accession negotiations in the European Council in December 2004 in particular considering that the Commission has given its positive recommendation. Government people predict that Turkish membership will take ten or fifteen years and that the terms of membership are quite open.³⁶⁶ They so circumvent any clear impact assessment on budget policies and identity of the European Union, i.e. namely those uncertainties which opponents or more neutral politicians and commentators regularly refer to. The opposition of CDU/CSU and FDP accused Commissioner Verheugen of a pro Turkish bias and that he had played to the gallery during the whole procedure.³⁶⁷ Opposition leader Merkel even thought of launching a public campaign to collect signatures on the Turkish question,³⁶⁸ but gave it up due to resistance within her own party. This idea was in line with a call for a referendum on Turkish membership in parts of the Christian democrats, namely the CSU in Bavaria.³⁶⁹ The uncertainties in assessing the situation in Turkey and uncertainties of the consequences of a yes or no to open negotiations on Turkey are also widely reflected in German media. Quite a number of articles express concerns and argue that the European Union would need a long period of consolidation and pushing through the ratification of the European Constitution before the huge project of Turkey's EU-membership can be accomplished.³⁷⁰ There is also a growing concern that the debate on Turkey

mit Bundesaußenminister Fischer zu USA, Irak und EU-Beitritt der Türkei, in: Berliner Zeitung, 14.10.2004.

³⁶⁶ Cf. Nur noch leise Gegenstimmen, in: Frankfurter Allgemeine Zeitung, 07.10.2004, p.3; Fischer: Beitritt – Merkel und Stoiber: Partnerschaft, in: Frankfurter Allgemeine Zeitung, 07.10.2004, p.3.

³⁶⁷ Cf. Schröder lobt Karamanlis, in: Frankfurter Allgemeine Zeitung, 27.09.2004, p.5; Schäuble: Die Messe ist noch nicht gelesen, in: Die Welt, 06.10.2004; Kritik am "Vorpreschen" von Verheugen, in: tagesschau, 24.09.2004,

http://www.tagesschau.de/aktuell/meldungen/0,1185,OID3647004_TYP4,00.html.

³⁶⁸ Cf. Merkel lässt alles offen: Der Vorstoß aus der CSU für eine Unterschriftenaktionen gegen den EU-Beitritt der Türkei bietet viel Spielraum für taktische Züge der CDU-Vorsitzenden, in: Frankfurter Allgemeine Zeitung, 12.10.2004, p.3.

³⁶⁹ Cf. So eine Art Deutschlandhaß in Teilen der Linken, in: Frankfurter Allgemeine Zeitung, 27.10.2004, p.2.

³⁷⁰ A collection of different positions on the question is presented in: Leggewie, Claus (ed.): Die Türkei und Europa, Frankfurt a.M., 2004; Türkei: Der Traum von der EU, in: Der Spiegel, 04. 10.2004; The german tabloid newspaper BILD runs a pro-Turkey campaign, cf. Gehört die Türkei in die EU?, in: BILD, 02.10.2004.

³⁶⁰ Cf. Nur noch leise Gegenstimmen, in: Frankfurter Allgemeine Zeitung, 07.10.2004, p.3; Schröder für türkische Vollmitgliedschaft in der EU, in: Süddeutsche Zeitung, 22.02.2004.

³⁶¹ Cf. Jetzt muss mit der Türkei verhandelt werden, in: Süddeutsche Zeitung, 03.06.2004, p.2.

³⁶² Cf. Deutsch muss man lernen, in: Die Zeit, 30.09.2004.

³⁶³ Cf. FDP für offene Türkei-Verhandlung, in: Frankfurter Allgemeine Zeitung, 26.10.04, p. 2.

³⁶⁴ Cf. Agence Europe No. 8787, 17.09.2004, p. 5; Agence Europe No. 8790, 22.09.2004, p.3f.

³⁶⁵ Cf. Minister Fischer cited in: Schröders Ostpolitik, in: Frankfurter Allgemeine Zeitung, 24.02.2004, p. 1; Interview

would be counterproductive for positive referenda on the European Constitution in some EU member states, namely in France. Many opinion leaders point at the sensitivities of dealing with the Turkish question for the future German society in general. Recent public opinion polls show that 55% are in favour and 45% against Turkish EU membership.³⁷¹

Greece

Greece can be easily considered as the EU-25 country most concerned by the future enlargement of the Union, since all remaining candidate countries belong to its immediate neighborhood respectively sphere of interest.

Bulgaria and Romania

The inclusion of Bulgaria and (the reliability of economic stability achieved being the major obstacle) of Romania to the European Union is a stated goal of Greek foreign policy. EU-participation is considered to be a crucial element of regional stability and Greece has consistently offered its assistance to both Sofia and Bucharest to promote their European candidatures to keep the 2007 deadline. Economic aspects are preeminent: immigration to Greece, especially from Romania, is important; transfrontier trade as well as outward foreign investment is both at high levels and growing; building energy and transport infrastructure is a priority; sensitive Greek investments (e.g. telecom in Romania, projected pipeline through Bulgaria) would gain in stability.

Croatia

Although Croatia is of no close interest to Greece, Zagreb has pursued consistent policy of seeking Athens' favorable stance to its candidature with success, notwithstanding the closeness of Greece to Serbia.

Turkey

Turkey is the foreign-policy issue par excellence for Greece. With the accession of Cyprus effective since May 1st, 2004, Greece has been fully supportive of Ankara's accession perspectives. The Conservative Government of C. Karamanlis has built even closer ties with the Erdogan administration

than those enjoyed under Simitis and Papandreou, while the Helsinki 1999 Summit arrangement was waived de facto – an arrangement which set as a precondition for accession negotiations to start with Turkey the (peaceful) resolution of any dispute between Greece and Turkey, or the submission of them to the International Court of Justice in the Hague or to such a juridical mechanism). But an abrupt deterioration of the situation prevailing in the Aegean during the fall of 2004 has brought renewed uncertainty to the Greek position, although the Government gives no indication of changing its strategic decision not to block the Turkish candidacy.

Western Balkans

Greece has been pushing energetically for the Western Balkans – especially so Serbia, but also Albania and the Former Yugoslav Republic of Macedonia – not to be left out of the European construction. The matter was brought to Summit level under the Greek Presidency, while it has been regularly supported ever since. The reasons are more reasons of political stability in the Balkans, which are considered to pass to an era of normality by being tied to Europe.

The recognition, just after the American elections, of the Former Yugoslav Republic of Macedonia by the USA under the FYROM's constitutional name ("Republic of Macedonia") has abruptly changed the Greek position concerning this part of the Western Balkans. Given the persistent sensibilities in Greek public opinion over the "Macedonia" issue, the whole political spectrum turned against the accession perspectives of the FYROM to the EU (also to NATO). There were calls for a "veto" to be opposed to such accession, but it would seem more probable that there will be efforts for the EU to stick to continuing recognition as "FYROM" until an overall solution agreeable to both Athens and Skopje is reached.

Hungary

Bulgaria and Romania

Hungary supports both of these countries' accession by the target date (1 January 2007) in case they fulfil the criteria for a EU-membership. Hungary has specific interests concerning the EU-integration of Romania, because a significant number of ethnic Hungarians lives on its territory. Hungary

³⁷¹ Infratest Dimap Oktober 2004, in: Der Spiegel, 04.10.2004, p.25.

regards the European integration process as the best opportunity for an unification the entire Hungarian nation in a peaceful way without changing the existing state borders. This goal can be achieved best when Romania joins the EU and the Schengen area.

Croatia

Hungary does not only support, but has even made a lot of efforts in promoting Croatia's accession to the Union. The official Hungarian position is that the accession negotiations with Zagreb must be launched at the beginning of 2005, leading to full membership as soon as possible. Of course, the fulfilment of the membership criteria is seen as required in this case as well. Beyond the traditionally good relationship between the two countries Hungary has two special geopolitical interests in Croatia's accession. First, situated in the direct neighbourhood of the Balkans, Hungary considers the enlargement of the EU in this direction as a guarantee of strengthened security in the region. Second, Croatia has a very long coast, which is the closest to Hungary. As Hungary is a midland, access to the sea without any obstacles would induce economic and trade benefits for Hungary. In the Hungarian view Croatia is well advanced in fulfilling the membership criteria, so the EU must support its efforts.

Turkey

As regards Turkey, Hungary does not have any special interests in its accession to the EU but the official Hungarian point of view emphasizes that the EU should not apply a double standard. Thus, if Turkey meets the political criterion for a membership the accession negotiations must be initiated with Ankara. Concerning Turkey's integration into the Union Hungary is looking forward to the upcoming report of the European Commission on Turkey's progress towards integration. After its publication the official Hungarian position will be more concrete.

Western Balkans

The European Council in July 2003 offered a membership perspective for the region which is strongly supported by the Hungarian Government. One has to bear in mind however, that there are very big differences between the countries of the Western Balkans in economic as well as in political terms. For that reason a differentiated approach must be

applied with regard to a EU-membership of these states. In general, Hungary has specific interests in including all these countries in the European integration process as mentioned above in the case of Croatia.

Ireland

The Irish Department of Foreign Affairs states that Ireland's position with regard to enlargement of the EU, is that it strongly supports enlargement in "enhancing, as it will, democracy and stability throughout the continent of Europe, while providing important economic opportunities".

Bulgaria and Romania

During the Irish Presidency, the Irish Government took the position that it would "pursue accession negotiations with Bulgaria and Romania based on the same principles that have guided the accession negotiations to date, with a view to a target date of 2007 for their accession".

Croatia

The Irish government formally approved the application for accession from Croatia during its Presidency.

The government's position on Croatia is one of benign neutrality. During the Irish Presidency the government was pleased to meet with Croatian leaders who increased their visibility through their resident Embassy and increased media coverage.

The opposition party Fine Gael has generally taken a very positive view toward enlargement of the EU. Otherwise the topic of Croatia within the opposition parties has remained outside the primary discourse of party manifestos.

With regard to Croatia and the rest of the Western Balkan countries Irish civil society groups have spent a minimal amount of time addressing the region.

Irish property investors have been reported by the Irish Times to be heading to Dubrovnik in great numbers. This corresponds to an increase in the number of Irish public who have been to Croatia. A growing knowledge of the country on this level might explain why Croatian membership has been generally a non-issue in the public.

Turkey

The Irish government has taken a reserved optimistic stance, supporting the Union's commitment to accession negotiations, if the European Council in December 2004 decides that the Copenhagen criteria have been met. At the Joint Committee of Foreign Affairs on October 7, 2004, the Irish Minister of Foreign Affairs, Mr. Dermot Ahern stated the government would examine the Commission's recommendations closely and was certain the Turkish government would do likewise, to make sure the necessary provisions were in place to allow for a positive outcome from the European Council's decision. There is a lively and well informed debate in the Parliament's Joint Committee on European Affairs in the run-up to the European Council.

The majority of the leading opposition parties (Fine Gael, Labour and Greens) have not deviated from the Government's position. Sinn Fein opposes the accession of Turkey currently on the basis that it has not yet met the Copenhagen requirements with respect to human rights, citing the military occupation of Cyprus and the Kurdish issue.

As yet, neither civil society nor public opinion have undertaken a public debate on the issue of Turkey, but the Kurdish issue is likely to ignite a debate.

Western Balkans

During the Irish Presidency the government emphasised the importance of the Western Balkans as a priority, building on the work of the Greek (EU-Western Balkans Summit in Thessaloniki) and Italian Presidencies. This created a continuity between the Presidencies and was designed to show a united approach by all Member States. Implementation by the Western Balkans countries of their commitments, would encourage the EU to abide by its own commitments in terms of development and support.

Opposition party Fine Gael tend to cite the case of Macedonia as an example of the disadvantage of the so-called 'Triple Lock' procedure which is required to allow Irish Defence Forces to be used in missions without a UN mandate. This is linked more generally to a viewpoint that Ireland should take a more proactive involvement in CFSP.

Other opposition party Sinn Fein, however, has been very concerned about Irish involvement in the Partnership for Peace initiative in the Balkans due to its NATO component. They

have called for Irish withdrawal from the Partnership for Peace.

Italy

Italy is one of the major supporters of Romanian, Bulgarian and Croatian membership in the EU, as well as of the stabilisation process and future membership of other Western Balkan countries.

Both economic and political reasons are at the origin of this stance. Italy is one of Croatia's main commercial partners, maintains strong economic links with Romania and has growing economic interests in Bulgaria. The government is therefore persuaded that these countries' entry into the EU could bring positive economic advantages to Italy. On the other hand, Italy's support is also motivated by fears that the EU's expansion to the north and east could weaken its southern dimension. It is also worth noting that, as for previous enlargements, there are widespread fears that the entry of new members would reduce structural funds now destined to the current member states. Therefore the government, while supporting membership talks, is always concerned about the consequences of enlargement on regional and cohesion policies. The government's specific concerns about Croatia involve transfrontier cooperation and the promotion of agreements improving free movement of people and goods, both economically and logistically. Italy is still seeking an agreement with Croatia to compensate Italian refugees for the goods expropriated after the Second World War.

Referring more generally to the Western Balkans, Foreign Minister Frattini³⁷² reiterated the government's position by saying that "dealing with the consequences of instability would be infinitely more expensive than encouraging stabilisation". In particular, Frattini warned that incomplete stabilisation of the region could give rise to a "renewed expansion of organised crime, and other forms of threats to the security of Europe's peoples", including the dangerous development of trafficking in human beings and drugs. In this context, the government considers the final goal of EU membership an important incentive for the stabilisation process and a major guarantee against instability. According to Frattini, Italy's priorities in the region include the signing of readmission agreements for refugees, reform

³⁷² For details see his speech to the Italian Parliament on 11/06/2003

of economic institutions, democratisation and the fight against corruption.

The government's stance enjoys a wide consensus in the Parliament and also reflects public opinion's support for enlargement and in general for the integration process.

Finally, the Italian government is a strong supporter of Turkey's accession to the EU. Following the report published by the Commission at the beginning of October, Prime Minister Silvio Berlusconi reiterated the proposal, already put forward in Copenhagen in 2002, to set a clear date for the opening of membership negotiations with Turkey. This position is shared by opposition leaders (only the governing party *Lega Nord* declared itself against Turkey's membership) and is in line with the Italian tradition of deep ties and wide co-operation with the Mediterranean region. There are also political and economic reasons. Turkey is one of Italy's main commercial partners in the Mediterranean region and an important destination for its foreign investments. Moreover, Turkey's entry into the EU is seen as a positive reinforcement of the Union's southern dimension as a counterbalance to the recent enlargements to the north and east. Finally, the current government's support for the Turkish candidature is in line with the particularly close alliance it is pursuing with the US.

As seen previously, Italian public opinion is generally in favour of the enlargement process. Nevertheless as regards Turkey, some concerns have been raised about its Muslim tradition, its size and its impact on EU policies. Even if openly expressed only by the governing party *Lega Nord* and by some Catholic sectors, these fears appear to be rather widespread. Partially answering some of them, Foreign Minister Frattini stated that the Union should remain open to any state, accepting its culture and values and making no distinction on the basis of religion.³⁷³

Latvia

Concerning further enlargement of the European Union, Latvia supports inviting other European countries to join the EU if and when they meet the Copenhagen criteria.

This goes for Bulgaria and Romania, Croatia, Turkey and countries of the Western Balkans. Latvia also does not object to the idea that countries of the former USSR seek admission into the EU when they can meet the

³⁷³ For details see his interview in *Il Corriere della Sera*, 20/12/2002

membership criteria. Of essence is the ability of each candidate country to subscribe fully to the values of the EU and to fulfil all the membership requirements. For these reasons, Latvia actively supports the EU Neighbourhood policy, and directs its interest and assistance especially toward Belarus, Ukraine, Moldova and Georgia. Latvia sees the EU-Neighbourhood policy as a long-term commitment, because the changes that need to be made in some of the countries that have expressed interest in joining the EU are momentous and time-consuming. Furthermore, Latvia, as a new member of the EU, wants the EU to remain a stable and well-functioning organization and therefore, the timing of further enlargement would also depend upon how well and how quickly the EU will have coped with the most recent enlargement.

Lithuania

The government of Lithuania supports the further EU enlargement process towards Bulgaria, Romania, and Croatia. The future membership of Turkey is also supported and the opinion of European Commission about the progress of Turkey in the area of political reforms was accepted, however, it was mentioned that some negative developments are still seen, so Turkey must continue with the reforms and consolidation process in order to become full EU member state.³⁷⁴ The position of government on the Western Balkans was not clearly expressed. However, from the general position of Lithuania it is possible to deduct that if democratisation processes would be successful in these countries Lithuania would have nothing against the inclusion of them into the EU.

The population of Lithuania is also open to the EU enlargement. According to the opinion poll made by Market and Opinion Research Centre "Vilmorus" on July 8-11, 2004 two thirds (62.6%) of the population of Lithuania support the further EU enlargement, even to the Ukraine. For, example, for the quick membership of Ukraine are 36.9%, Turkey – 31.8%, Croatia – 31.7%, Moldova – 24%, even Georgia – 20.3%.³⁷⁵ This, from one side can be explained in the relation to the recent Lithuanian membership in the EU and the

³⁷⁴ "Lietuva remia rekomendacijas dėl Turkijos" [Lithuania supports the recommendations on Turkey], BNS, October 6, 2004

³⁷⁵ "Dauguma Lietuvos gyventojų pritaria tolesnei ES plėtrai" [Most Lithuanians support further EU enlargement], ELTA, July 27, 2004, <http://www.delfi.lt/archive/index.php?id=4832003>

empathy with the non-members, from the other, this shows not very deep understanding about the processes in the EU.

Luxemburg

Bulgaria and Romania

Luxembourg's public opinion is rather reluctant over-extending the European Union. Romania and Luxembourg are linked with a cultural accord.

Croatia

The admission of Croatia is not yet on the agenda.

Turkey

The Turkish government was not very amused with 1997 Luxembourg presidency since at his time there was no progress made towards a Turkish membership. In the meantime things have changed. In the public opinion a possible Turkish membership is by no means accepted. The official government position is that open end and open result negotiations could be started in a foreseeable future.

Western Balkans

Luxembourg problems with the forced return refugees from Serbia Montenegro and Kosovo does not allow a discussion on a possible membership of Western Balkan countries.

Malta

Malta favours the continued enlargement of the EU. Bulgaria and Romania are already well advanced in implementation of the *acquis communautaire* and thus expected to join in the next few years. Malta also welcomes the candidatures of Croatia and Turkey and the prospect of a future accession date for the Western Balkans. Throughout only one yardstick should be kept, that of all applicants meeting the Copenhagen criteria in order to qualify for membership. Superficial time frames should be avoided so as to avoid raising expectations too high, but political support and economic assistance provided to help applicants adopt the EU's *acquis communautaire* in the shortest time frame possible.

Netherlands

Bulgaria and Romania

On Bulgaria and Romania the government is attaching great value to the annual progress reports of the European Commission of October 2004. If the commission would deem the progress insufficient than the negotiations should be finalised at a later stage.³⁷⁶ In general there is a critical press in the Netherlands on the next enlargement and special concern is voiced on the progress in Romania on matters of corruption and administrative capacity and on the slow pace of reforms in general.³⁷⁷ Recently a spokesperson of the liberal MEPs urged for a closer and more critical monitoring of the Romanian accession process, because they expect that Romania will not be able to solve the problems of corruption, rule of law, torture by the police and freedom of media before 2005.³⁷⁸

Croatia

The Netherlands government has been supporting the candidature of Croatia on the condition of cooperation with the International Criminal Tribunal for former Yugoslavia (ICTY). After the statement of Del Ponte in April 2004, that Croatia is complying with all criteria concerning cooperation with the tribunal the Netherlands government started to finalise the ratification procedure of the Stabilisation and Association Agreement, which had been halted.³⁷⁹

Turkey

The Netherlands in its capacity as President of the European Union will aim to reach an agreement on Turkey during the European Council in December 2004, which will be supported by all parties involved.³⁸⁰ The Dutch government wants to start the negotiations with Turkey if the country complies with the Copenhagen criteria. The European Commission's progress report will be decisive in this respect. This more or less technocratic

³⁷⁶ De staat van de Europese Unie (*The state of the European Union*), p. 51.

³⁷⁷ Rob Boudewijn and Mendeltje van Keulen, 'Roemenië: het te korte decennium tot 2007' *Internationale Spectator* LVIII nr.3 (March 2004) 139-142.

³⁷⁸ 'Toetreding van Roemenië in 2005 onverantwoord' (8 October 2004) (vvd.maaktwerkvanederland.nl/nieuws)

³⁷⁹ De staat van de Europese Unie (*The state of the European Union*), p. 52.

³⁸⁰ *Ibidem*.

approach to the issue can be interpreted as an attempt to de-politicise the final decision on Turkey.³⁸¹

Western Balkans

The government supports the Stabilisation and Association Process (SAP) as the format for relations between the EU and the Western Balkans in which countries will be judged on their merits. The final integration of the Western Balkans will in their view lead to stability in the region and as such enhance European security as a whole.³⁸² With regard to the countries of the Western Balkans it is noted that the tackling of structural problems is lacking. Of special concern is the delay in the implementation of decisions (specially in legislation and rule of law), which is hampering SAP. Also social-economic circumstances are of concern and corruption remains a substantial problem. The fighting of organised crime needs improvement as does the cooperation with the ICTY. In the opinion of the government cooperation with these countries in the field of Justice and Home Affairs is a major priority. The enhanced regional cooperation in areas as infrastructure, trade, transport, energy and environment is stressed as one of the positive developments. Specially mentioned in this respect is the by the Netherlands funded Regional Environmental Reconstruction Programme for South Eastern Europe. Other positive developments marked by the government are the increase in trade volume between the EU and Western Balkans in recent years and the increase in access to EU's internal market. And in general the improved relations between the countries of the region. Important to the government is the individual approach of Stabilisation and Association Agreements through which countries themselves can influence their progress towards the EU by implementing necessary reforms.³⁸³

Poland

Bulgaria and Romania

The general stance of the Polish government towards future enlargements of the EU was expressed by the Minister of Foreign Affairs,

³⁸¹ 'The Dutch European Union presidency. Dutch doubts', p.13.

³⁸² Ibidem.

³⁸³ De staat van de Europese Unie (*The state of the European Union*), p.53.

Włodzimierz Cimoszewicz in his address of 23 September 2004. According to the Minister "Europe should not be perceived exclusively in its geographic aspect. We are not just dealing with a single continent – but rather with a group of states sharing the same values and wanting to work for common goals. Poland wants the EU enlargement to continue and be treated as a priority in the future. The European Union must send out a strong message that is open to further integration – on condition, that the states wanting to join meet the criteria of membership".³⁸⁴ As regards the membership of Bulgaria and Romania according to the statement by the Foreign Minister Poland expects their accession in 2007.

Croatia

Poland welcomes the granting of a candidate country status to Croatia and the decision to open the membership negotiations with this country early next year. Mr. Jozef Oleksy, the Marshal of the Polish Parliament's lower house declared that "Poland supports Croatia's aspirations to membership both in NATO and in the European Union".³⁸⁵

Turkey

As regards Poland's support for Turkish membership Poland backs the aspirations of Turkey and the efforts undertaken by the government in Ankara to meet the membership criteria and welcomes the great deal of fundamental reforms designed to harmonise domestic law with the Union's acquis.³⁸⁶ Poland is ready to undertake a dynamic campaign supporting the accession of Turkey to the EU and then Ukraine as partners of "pluralistic, open and new Europe" as declared by President Aleksander Kwasniewski.³⁸⁷ President Kwasniewski insisted that the process of enlargement should not finish with the entry of Turkey, whom Poland wishes to support in the negotiations with the EU.³⁸⁸ As declared by Jarosław Pietras, the Minister for European Affairs: "The Government of Poland will support the efforts of Turkey as in

³⁸⁴ Address by the Minister of Foreign Affairs, Włodzimierz Cimoszewicz, at dinner given by the Foreign Policy Association in the framework of the World Leaders Forum, on „The enlargement of the EU and the processes in the Union, including the Constitutional Treaty”, 23 September 2004.

³⁸⁵ Polish Press Agency, PAP, 28 September 2004.

³⁸⁶ Ibidem

³⁸⁷ International Herald Tribune, 3 September 2004

³⁸⁸ PAP, 6 October 2004

principle we are not against European aspirations of Ankara".³⁸⁹ The Minister added that "the decision meeting Turkey's aspirations for membership in the EU is at the same time an encouragement for further significant efforts to be undertaken by this country, which still has a lot things to do".³⁹⁰ This concerns a question of a building up the sense of some confidence that Turkey and EU member states share certain values. This confidence cannot be created only by formal activities" - adds the Minister. In his opinion, the European Commission assessed the progress in Turkey in a relatively objective way, and stressed that this progress was possible thanks to the fact that Turkey has certain perspective of membership in the European Union. Mr Pietras added also that "Turkish enlargement of the EU will be incomparable with any previous one, because the discussion between member states over this candidate's membership will be particularly difficult. Careful consideration of this issue is absolutely justifiable. This is not however a sign that there is no positive position in Poland about Turkey's membership".³⁹¹ In the opinion of Mr Pietras "during the period of accession negotiations, which is not going to be short, we must build up the conviction that aspirations of Turkey and the will to fulfil the membership criteria are permanent and independent of current political situation".³⁹²

In the opinion of Andrzej Lepper, the leader of Self-Defence "Turkey should not enter to the Union separately, but in a bloc with Ukraine".³⁹³

The Primate of Poland, Cardinal J. Glemp adopted a more careful position expressing his belief that "that voices of opponents of the accession of Turkey to the European Union are being expressed after profound analysis". He adds that "Turkey is obliged to wait some time for a adjustment to the EU standards."³⁹⁴ and that "Turkey is strongly divergent from Europe, by its character, not only religious, but also with respect to citizens' mentality".³⁹⁵

Portugal

Despite a general awareness that Portugal is one of the countries with less to gain from the current enlargement process (both

economically and politically), there is a vast consensus across the political spectrum in favour of continuing the enlargement process to current candidates. Apart from Bulgaria and Romania, the accession of South-eastern countries is seen as a natural step in the full unification of the European continent. The accession of Croatia, in particular, should be seen as a catalyst for the political and economic reform of the remaining former Yugoslav republics, as well a sign of success of the EU's stabilisation strategy for the Western Balkans.

Turkish accession to the EU is also backed by most political actors. The government has recently stated that it will support Turkey's bid at the December 2004 European Council, based on the Commission's positive assessment and on the impact that the launching of accession negotiations will have for the continuation of political and economic reforms in the country. However, Foreign Minister Antonio Monteiro acknowledges that Turkey's accession negotiations will be a difficult process and that Ankara should not expect to join the Union before 2013.

Likewise, the Socialist Party has also underlined the enormous opportunity that Turkey's membership represents for the EU and its role in the world, while acknowledging the long process of reform that the country still needs to undertake in order to join the Union. Other political forces, such as the Left Bloc, stress the importance of Turkish accession as an argument against the idea that the EU is a sort of "Christian club". The Communist Party has underlined the obstacles that Turkey needs to overcome before being in a condition to join the EU, mainly at the level of human rights. The situation of Cyprus could also be a stumbling block for Turkey's aspirations. A few voices have stated their opposition to Turkey's accession on either geographic or religious grounds, but these are far from corresponding to any widespread trend of opinion.

Slovakia

Slovakia supports the continuation of the enlargement process to the Western Balkans and is in favor of a relatively fast inclusion of Romania, Bulgaria and Croatia. The question of opening accession talks with Turkey did spark a heated domestic debate and will be subject to a parliamentary discussion before the government adopts a position prior to the European Council in December. Yet, while most political parties are cautious, only the

³⁸⁹ Rzeczpospolita, 6 October 2004

³⁹⁰ Europap, 6 October 2004

³⁹¹ ibidem

³⁹² ibidem

³⁹³ PAP, 6 October 2004

³⁹⁴ Pap, 6 October 2004

³⁹⁵ ibidem

Christian Democratic Movement openly rejects the idea of Turkey's membership in the EU. Hence, as long as the majority of other member states agree on a formula to open accession talks with Turkey, Slovakia is very likely to support such a position.

Hubert Gorbach³⁹⁶, the Vice Chancellor and Transport Minister, has undertaken several visits to Serbia and Montenegro in order to enforce a bilateral dialogue on infrastructural issues, particular on long-term strategies for railway, road and ship networks.³⁹⁷

Slovenia

Bulgaria and Romania

As a member state of the EU, Slovenia will continue to support a successful conclusion of the accession negotiations with Bulgaria and Romania. Slovenia supports their accession to the EU on 1 January 2007, subject to the condition that both countries meet the criteria for EU membership.³⁹⁸

Croatia

Croatia's accession to the EU simultaneously represents a very important foreign policy issue for Slovenia. Slovenia supports Croatia's EU membership and has been satisfied with the opinion of the European Commission on the Croatian application for membership in the EU.³⁹⁹

However, various sea-and land-border incidents between Slovenia and Croatia, which have been occurring in the past few years, and notably in the Summer of 2004, appear to have aggravated the diplomatic relations between the countries. Following the incident on 23 September 2004 at the border crossing Sečovelje, where 12 members of the Slovenian People's Party (with the party's president, Janez Podobnik) were detained by the Croatian Police, Slovenia withheld her support to Croatian accession to the EU. This decision by the Government, made during the pre-

election period, was subsequently supported by the National Assembly's Committee on Foreign Policy.⁴⁰⁰

The Slovenian Foreign Minister has informed ambassadors of the EU member states in Slovenia and the EU institutions about the Government's position on the incident and its subsequent decision.⁴⁰¹ As part of Slovenia's diplomatic endeavours to inform the EU on the reasons for her decision, a letter was sent to the President of the European Parliament by the President of the National Assembly.⁴⁰²

Turkey

The Slovenian decision about when it will be appropriate to begin negotiations on the accession of Turkey to the EU will be based on the Commission's evaluation that Turkey has met the Copenhagen criteria.⁴⁰³ The Slovenian Foreign Minister, Ivo Vajgl, has made this clear in a statement to the Slovenian Press Agency. According to him, like any candidate country, Turkey has to fulfil all 31 chapters from the Accession Treaty and other conditions for membership, such as respect for human rights and minority protection. He has stressed the need for Turkey to adopt a criminal law based on European norms. According to Vajgl, it is not likely that Turkey will become an EU member very soon, but it is crucial for such a country that is strategically so important for European security to have a clear European perspective. In his answer to a journalist's question as to whether the fact that Turkey is a big Muslim state presents a difficulty in Turkey's path towards the EU, Vajgl's answer was clear: the question of religion should not be a problem.⁴⁰⁴

⁴⁰⁰ Slovenian Press Agency STA: "Slovenija po incidentu odreja brezpogojno podporo približevanju Hrvaške EU" ["Slovenia after the incident unconditionally withholds its support to Croatian accession to the EU"], 23 September 2004.

⁴⁰¹ Slovenian Press Agency STA: "Vajgl seznanil veleposlanike držav EU z odzivom Slovenije na incident na meji s Hrvaško" ["Vajgl informs ambassadors of the member states of the EU about the Slovenian reaction to the incident at the border with Croatia"], 24 September 2004.

⁴⁰² Slovenian Press Agency STA: "Horvat glede incidenta na slovensko-hrvaški meji pisal Borrellu" ["Horvat writes to Borell regarding the incident at the Slovenian-Croatian border"], 23 September 2004.

⁴⁰³ *Ibid.*

⁴⁰⁴ "Slovenija podpira vstop Turčije v EU ob izpolnitvi pogojev" ["Slovenia supports Turkey's accession, subject to the fulfilment of conditions"], Slovenian Press Agency (STA) in daily paper Dnevnik, 23 September 2004. Available at: <http://www.dnevnik.si/clanek.asp?id=95917> (26 September 2004)

³⁹⁶ Vice-Chancellor and Minister for Transport, Hubert Gorbach (Freedom Party)

³⁹⁷ *Ibid.*

³⁹⁸ Based on the data in the publication of The Government Service for European Affairs, prepared by its Department for Co-operation: "Prednostne naloge Republike Slovenije za delo v Svetu Evropske unije v letu 2004" ["Preferential tasks of Slovenia in the Council of European Union in the year 2004"], May 2004, Ljubljana, p. 4. Available at: [http://www2.gov.si/svez/svez-web.NSF/0/68B2F1366F3825CFC1256E93003084A6/\\$file/Prednostne+naloge.pdf](http://www2.gov.si/svez/svez-web.NSF/0/68B2F1366F3825CFC1256E93003084A6/$file/Prednostne+naloge.pdf) (26 September 2004).

³⁹⁹ *Ibid.*

Western Balkans

Slovenia has a vital interest in maintaining security and economic and political stability of the Western Balkans. As a member of the EU, Slovenia has an opportunity to help determine the EU approach to the Western Balkans. Slovenia will continue to endeavour to look for solutions to the pressing issues, with a view to helping the countries in the region complete the processes of transition and democratisation, as well as their integration into the EU. Slovenia wishes to see the timeframe for the accession of the Western Balkan countries to the EU, although some EU member states seem to be rather reluctant towards an increased speed of further enlargements.

Slovenia will engage itself within the framework of the Stabilisation and Association procedure, European partnership, the Stability Pact and other mechanisms, which help accelerate the process of transition and integration of the region. Slovenia believes that it is necessary for every state and its progress to be evaluated individually. Slovenia's additional diplomatic and political engagement in the region will open new possibilities in the economic field and contribute to the stabilisation of the region. Based on her own experience with the accession process, Slovenia is willing to help mediate in the accession negotiations and help the countries in their preparation for EU membership.⁴⁰⁵

Spain

Eastern Enlargement has always enjoyed a high degree of support from Spain's citizens (among the highest in Europe). The Socialist government has welcomed the decisions taken at the last European Council (June 2004) in relation with the candidacy of Croatia and the boost given to the rest of the Western Balkans, as well as to the forthcoming accession of Bulgaria and Romania.

As regards Turkey's membership of the EU, Spain actively supports its candidacy. According to the 6th wave of the Elcano Royal Institute's Barometer (fieldwork of May 2004) public opinion is in favour of Turkey's entry, with 56% support. Among Spain's reasons to support Turkey's candidacy is that it would reinforce the EU's Mediterranean dimension.

⁴⁰⁵ "Prednostne naloge Republike Slovenije za delo v Svetu Evropske unije v letu 2004" ["Preferential tasks of Slovenia in the Council of European Union in the year 2004"], May 2004, Ljubljana, pp. 57-58.

The entry of Eastern and Central European countries in 2004 has boosted Germany's influence within EU.⁴⁰⁶

There is also real sympathy and understanding in Spain of Turkey's case. Perhaps this is one of the causes of the public support given to Turkey. However, a deeper and wider debate on the impact of this new enlargement has been largely absent from Spanish society. It is expected that from now until December there will be a more active and profound debate in Spain.

Sweden

All significant political actors are in favour of EU enlargement; the current eastward enlargement has been a long-standing and well-known priority for Swedish political actors of all kinds, evident in government declarations, the work program of the Swedish Council Presidency (spring 2001) and party programs across the political spectrum. Hence, it is generally deemed important that enlargement continues to include the designated countries of Bulgaria and Romania.⁴⁰⁷ This position also has a strong backing in Swedish public opinion, as several of the recent *Eurobarometer* surveys show, although support for enlargement has dropped somewhat (54% for enlargement, 37% against, if looking at the *Eurobarometer 61* of spring 2004,⁴⁰⁸ which can probably be explained by the fierce debate regarding transitional arrangement for the free movement of labour from the new member states (in the end not adopted). Since enlargement is perceived as a positive factor for European peace and security as well as economic development, the inclusion of the Balkan countries in the long-term perspective that they fulfil the relevant criteria is rather natural.

The question of Turkey is similar, although here we need to note certain hesitancy in some corners of Swedish public opinion. The political parties have all recently expressed that they are in favour of Turkish membership when the country is ready, and have generally also expressed satisfaction with the recommendation of the Commission to begin membership negotiations next year. The Prime

⁴⁰⁶ Chislett, W., 'Turkey's Membership of the European Union: A Rose or a Thorn?', WP Nr. 17/2004, (<http://www.realinstitutoelcano.org/documentos/101.asp>).

⁴⁰⁷ For instance, the Prime Minister has noted the progress made by both countries and expect them to enter according to schedule in 2007, see www.regeringen.se/sb/d/4446/a/31207

⁴⁰⁸ See www.europa.eu.int/comm/public_opinion

Minister, to take one, expressed happiness with the recommendation, noting that the Turkish reform process now has advanced far enough to merit such a proposal, while also stating that "despite important progress, there is a long way to go."⁴⁰⁹ Also the Moderate Party, a key opposition party, welcomes the decision regarding Turkey, arguing that it is of benefit to European security.⁴¹⁰ A few actors, such as the June List and the Left Party, have argued that it is still too early for Turkey to begin negotiations, but stress that the principal issue of Turkish membership remains in the affirmative.⁴¹¹

UK

EU expansion is, as a rule, not unpopular in Britain. The British Government tends to support EU enlargement – given the satisfaction of entry requirements – since a country within the EU is more stable, more diplomatically accessible, and a more profitable economic partner than one outside. For the many eurosceptics in the UK, expansion is desirable because it is seen to necessitate a shrinking common ground, and an associated dilution of the EU's competences. Usually these lines of reasoning apply, irrespective of the country standing to accede. However, Turkey is seen by many as fundamentally different to other candidate countries. For this reason, its potential accession attracts scrutiny where the candidacies of Bulgaria, Romania, Croatia and the other Western Balkans do not.

Like most other EU member states, the UK considers the possible accession of Turkey one of the most important single issues facing the EU. There has been keen media interest in the issue, although coverage has not been as broad as that for the EU Constitution; unsurprising perhaps, given a prospective accession timetable running at least until 2015. Media reporting on the subject in the UK has stressed the controversy over Turkey's membership elsewhere in Europe. There is in Britain's newspapers general support of Turkey's joining.

The UK Government is particularly enthusiastic in welcoming Turkish accession. "Britain wants to see Turkey in the European Union, Britain supports Turkey's membership of the European Union, we have been proud to champion that over the past few years" said

Tony Blair at a press conference with Recep Tayyip Erdogan in Ankara in May of this year. While almost all EU member states advocate Turkey's accession, the UK's support might be considered firmer than most, the Government finding no apparent objection from its Opposition. Jonathan Evans, the Conservative Leader in the European Parliament seemed to desire Turkey's accession less, but to support it all the same. "It is right that Turkey, as a reliable Western ally, secular democracy and market economy, should be given the opportunity to bind herself more closely to Europe [by beginning accession talks]."

The reasons for support of Turkey's accession are commonly cited, and shared between the Government, sections of the public, and media outlets such as the Daily Telegraph: "Civilian authority over the coup-prone military has been reasserted; the death penalty has been abolished; the notorious state security courts have been scrapped; torture is less widespread; there are greater safeguards for freedom of the press; Kurdish language and cultural rights are being recognised; and Turkey has exerted pressure on Turkish Cypriots to approve a UN peace plan for the divided island." The accession process itself, which showcases the EU's 'soft power' is, even, a source of pride: "And if the EU can make Islamists adopt democratic values, then it will have shown that its 'soft power' is as important as America's military 'hard power'." Conversely, to deny membership to a country waiting for 40 years could put present and future progress in Turkey at risk. "Absorbing Turkey, maybe in a decade's time, will be an enormous challenge, but not nearly as enormous as the risk of cutting it adrift", wrote the *Financial Times*.

The 'European project' is seldom championed in the UK, and few in this country would be as protective of the EU's values as Giscard d'Estaing, who proclaimed that since Turkey had "a different culture, a different approach and a different way of life", its accession would signal "the end of the EU". The British have a less strict view of what being European means, and Turkey is less alien – thanks largely to British summer holidays and Turkish communities in the UK – than its geographic distance would suggest.

Concerns over Turkey's religion might be more keenly felt than they are articulated, yet the extent to which such feeling is attributable to anything other than the current international situation is debatable. In a Union already so heterogeneous, it is hard to argue that Turkey's accession would be qualitatively

⁴⁰⁹ See www.regeringen.se/sb/d/4446/a/31207

⁴¹⁰ See www.moderaterna.se

⁴¹¹ See www.junilistan.se; www.vansterpartiet.se

different from any other. The main reasons for concern are that Turkey is poor, and it is large – predicted to be the most populous member state should it join in 2015. The Express tabloid newspaper is polemic in its presentation of the economics: "Letting Turkey join the European Union would cost £18.4billion a year in subsidies. ... This is the equivalent of £160 a year for every fourperson household in the EU."

But a more emotive issue relating to Turkey's relative size and wealth - and the main sticking point for many in Britain, who feel they have received insufficient assurance - is the threat of mass immigration. Frequently cited in response is that similar fears over previous enlargements have so far proved unfounded, and that Turkish citizens would not immediately be granted free movement of labour upon accession. However, such concerns remain. There is general understanding in the UK that similar concerns are felt in other countries, such as France and Germany, whose sizeable Muslim minorities might attract future waves of immigration, and that in such countries political support for Turkish accession to the EU is fragile.

4. Which positions does your country have on the European Neighbourhood policy as outlined by the Commission in May 2004? With reference to:

- overall concept (policy approach distinct from article 49 TEU)
- geographical scope
- added value compared to Partnership and Cooperation Agreements or Association Agreements
- instruments
- models for part membership
- strategic partnership with Russia

Austria

European Neighbourhood Policy

overall concept

The Austrian government views the outlined policy as a good foundation for promoting stability, democracy and prosperity in the neighbourhood of the EU.⁴¹²

geographical scope

Moreover, it welcomes the recent inclusion of the countries of the Southern Caucasus as a significant step forward for the Union's engagement in this region.⁴¹³

added value compared to Partnership and Cooperation Agreements or Association Agreements

The IDM (Institute for the Danube Region and Central Europe) points out that there is a clearly defined path for the countries taking part to approach the legal framework of the EU.⁴¹⁴ The government notes that the ENP is supposed not to supersede, but to integrate existing instruments vis-à-vis the partner countries, notably Partnership and Cooperation Agreements and Association Agreements into a coherent policy, while fully acknowledging the necessity of differentiation. Furthermore, there is additional emphasis on regional cooperation between partner countries.⁴¹⁵

instruments

The IDM⁴¹⁶ regards the individual action plans as a positive development, offering the concentration on the peculiarities of all the different states involved in the programme.

models for part membership

The IDM points out that the different models allow individualised strategies for those countries that will not be able to become full members of the EU.⁴¹⁷ The Austrian government views the first action plans as a decisive test case for the credibility and

transparency of the enlarged Union towards its neighbours.⁴¹⁸

strategic partnership with Russia

The government notes that the concept of the four spaces sets an ambitious frame for the relationship between the EU and Russia.⁴¹⁹ There seems to be a general consensus that closer ties with Russia will be a strategic challenge.

Belgium

European Neighbourhood Policy

overall concept

Belgium was in favour of integrating the Southern Caucasus region in the ENP since this region will become a neighbouring region of the EU if Turkey should become a Member State. The ENP should be directed towards all countries of the Barcelona process,⁴²⁰ including Israel. Libya should also be a partner in this policy. Russia should be included in the ENP via a reinforcement of the strategic partnership between the EU and Russia.

The concept of ENP is not contradictory to but rather complementary with the "Wider Middle East" initiative. The latter is a process aimed at eliminating the root causes of terrorism and the instruments of the ENP can be used in this context.

Concerning the problem of differentiation (whether by country or sub-regions), Belgium thinks there already exists a differentiation that will be developed on the basis of the execution of the Partnership- and Cooperation agreements or other existing partnerships. Anyhow, a common pillar is foreseen for every country. Belgium is against a differentiation based on sub-regions since « cela risquerait de renforcer les velléités qu'ont certains de lier la PEV avec le processus de l'élargissement de l'UE ».

Belgium wants to be careful when setting the long-term objectives of the ENP. A further enlargement of the EU is not the question here. The strategic plan should clearly fit in the framework of the action plans and the objectives should be based on what is already written down in the existing agreements.

⁴¹² *ibid.*

⁴¹³ *ibid.*

⁴¹⁴ *ibid.*

⁴¹⁵ *ibid.*

⁴¹⁶ *ibid.*

⁴¹⁷ *ibid.*

⁴¹⁸ *ibid.*

⁴¹⁹ *ibid.*

⁴²⁰ Except for Turkey

added value compared to Partnership and Cooperation Agreements or Association Agreements

It is necessary that the instruments which are developed in the framework of the ENP are flexible.

Belgium thinks it is not a good idea that the financial instrument of the ENP not only includes the countries of the ENP (meaning the countries now covered by MEDA and TACIS) but also Russia and the Balkan countries. It is necessary to make a clear distinction between the process of enlargement and the neighbourhood policy. In order to realise this, there should either be a distinct budget for the Balkans or the total budget of the external policy of the Union should be fused.

The Belgian government agrees with the timing and mechanisms of the ENP: action plans with a time period of 3 to 5 years, mid-term review after two years, and all action plans to be approved by association or cooperation councils.

Belgium is a proponent of the conditionality principle as it already is defined in the existing agreements. This dynamic conditionality should be positive and be taken up in all modules. Belgium supports the British proposal, which states that in order to move on from one threshold to the other, the partner countries should have fulfilled all modules of the threshold in question and fulfil all political criteria. This way, it will no longer be possible to go ahead in one domain (for instance economic reforms) while not progressing in the other modules.

In the field of cross-border cooperation, Belgium thinks conditionality should no longer be applicable: it would be contradictory on the one hand wanting to develop, to the Union's own advantage, a policy which aims at stability and safety along its borders and on the other hand to submit it to certain criteria that third partners should fulfil.

instruments

The IDM⁴²¹ regards the individual action plans as a positive development, offering the concentration on the peculiarities of all the different states involved in the programme.

strategic partnership with Russia

The strategic partnership with Russia should be further developed. Louis Michel, former

⁴²¹ *ibid.*

Belgian Foreign Affairs Minister, thought that the Union should not have a confronting attitude towards Russia. Europe and Russia have an enormous potential of common interests. A better identification of each other's interests will make it easier to create a win-win situation. And more: "History can serve as a lesson for the future, but cannot paralyse us in virtual fears and suggest imaginary dangers based on feelings from the past."⁴²²

Cyprus

We wish to reiterate here that a Cypriot public debate on the ENP has not yet begun. An exception should be emphasised as regards the South and Eastern Mediterranean countries involved in the Barcelona Process, as well as Russia, with which Cyprus has long enjoyed special relations. What we submit, therefore, is the perceptions of government officials, some analysts and informed members of the civil society.

overall concept

Cyprus espouses the overall objective of the ENP as regards strengthening stability, security, and well-being in the EU's neighbouring countries. In any event, Cyprus recognises the distinctness of the ENP from the EU's membership policy.

geographical scope

Cyprus endorses the ENP's current geographical scope, namely the EU's immediate neighbours to the East, Russia, Southern Caucasus States (Armenia, Azerbaijan and Georgia), as well as the Mediterranean neighbours who participate in the Barcelona Process. The Cypriot opinion seems to favour proven successful cooperation with the current ENP states before contemplating the policy's geographic extension.

added value compared to Partnership and Cooperation Agreements or Association Agreements

The Cypriot opinion we have canvassed endorses the view that ENP enhances stability and well-being in the EU's neighbourhood, while also disseminating the Union's principles and values and strengthening crucial cultural dialogue. ENP is a dynamic process which, by

⁴²² Speech by Louis Michel at the opening of the diplomatic conference in Prague, 2 March 2004, own translation

using soft-power tools, serves, among other things, the Union's role as a global actor.

models for part membership

Cypriot opinion canvassed supports the notion that the ENP should be developed by identifying various models for particular states or groups of states. In this manner the degree of engagement in each particular case would be enhanced. It also supports the notion of more generous financial instruments towards the ENP states, in view of the enormous political, strategic, and socio-economic significance of this policy.

strategic partnership with Russia

In view of Cyprus' traditionally close bilateral ties with Russia, Cypriot opinion fully supports the ENP's concept of strategic partnership with Russia. In fact, Cypriot opinion would definitely favour the further strengthening of this partnership within the framework of the *four common spaces*, as agreed upon in the St. Petersburg Summit in May 2003.

Czech Republic

European Neighbourhood Policy

overall concept

Wider Europe will be one of the priorities of the EC in the area of external relations and will determine the EU policy towards neighbouring countries in the long-term perspective. The CR has with great interest begun to take part in the discussion about the concept of a "Wider Europe/ European Neighbourhood Policy (ENP)", which the EC started already in 2002. The CR supports mutually beneficial cooperation on the external border of the Union. This border should widen the area of stability, security, prosperity and democracy, and the CR is willing to contribute to these ends.

geographical scope

Given the geographical location of the CR, it has an interest in strengthening the EU Neighbourhood Policy, especially with the countries of Eastern Europe. The CR welcomes the incorporation of the countries of the Southern Caucasus (Georgia, Armenia, and Azerbaijan) into the ENP. The CR repeated its support for the inclusion of these

countries into the ENP at the session of the General Affairs and External Relations Council (GAERC) in January 2004.

The CR supports the creation of Action Plans for all the countries of the Mediterranean with a valid Association Agreement, i.e. including Egypt and Lebanon. The CR emphasises the importance of differentiation between the regions of the Mediterranean and Eastern Europe with regard to differences in their political and socio-cultural reality.

added value compared to Partnership and Cooperation Agreements or Association Agreements

As far as Ukraine and Moldova and their integration ambitions are concerned, the CR agrees with the opinion of the EC that at the moment the Partnership and Cooperation Agreements are a sufficient base for relations. However, after a successful implementation of the Action Plans, the CR is not against a possible revision of the contractual relations. The CR also supported the creation of a "shadow" Action Plan for Belarus, but this has not materialized (the EC will further concentrate on the support of civil society).

instruments

In the period 2004-2006, the ENP will be financed from the financial resources of the existing programmes, namely TACIS (Eastern Europe) and MEDA (Mediterranean). The EC in its Communication with respect to the financial outlook for the period 2007-2013 from the 10th February 2004 mentions the creation of a new financial instrument which will be concentrated on cross-border and transnational cooperation, and which will complement existing programmes. However, on 14th July 2004, the EC published a new draft of the Communication in which it considers the merger of all these instruments, i.e. to include all the financial aid to the ENP countries in a newly created European and Neighbourhood Policy Instrument (ENPI). However, Germany and United Kingdom are against this merger. The CR has so far not taken a final decision in this respect. This will be formulated with regard to its strategic interests, which are in this concept the relations with countries of Eastern Europe.

models for part membership

The CR supports cooperation in the area of four spaces. The CR also supports the creation of a single Action Plan for all of the spaces.

strategic partnership with Russia

The CR supports the strategic partnership with Russia, which does not seek to be included in the ENP concept. The CR welcomes the efforts to strengthen the dialogue and cooperation between the EU and the Russian Federation (RF) in clearly defined areas, namely in the fight against terrorism (with emphasis on preventive measures), in questions of the non-proliferation of weapons of mass destruction, in conflict resolution, and in the area of civil defence. The CR is in favour of the maintenance of the existing formats of the EU-RF cooperation. It is important that the EU also cooperates with the RF with the aim of strengthening security, stability and democracy in the “common neighbourhood” (cooperation in conflict resolution in Moldova and the southern Caucasus), which is a key priority for the EU.

Denmark

European Neighbourhood Policy

overall concept

The Danish government has endorsed the overall concept of the European Neighbourhood Policy (ENP) and the distinction drawn between article 49 of the TEU and the ENP. In order to enter membership negotiations, the candidate country must be “European” and endorse and uphold the principles of liberty, democracy, respect for human rights and fundamental freedoms, and respect for the rule of law, as enshrined in article 6 (1) TEU. The Danish government does not wish to engage in discussions over the “natural” or final borders of Europe, but it seems obvious that partner countries in Northern Africa and the Middle East, because of their geographical location, are not considered potential members of the EU. Whether other partner countries in the EU’s neighbourhood are to be considered “European” is an ongoing discussion in Denmark; and this debate is unlikely to be settled as long as everyone agrees that the partner countries do not qualify in relation to the criteria set forth in article 6 (1) TEU. To the

extent that the principles enshrined in article 6 (1) TEU may inspire partner countries in the wider EU neighbourhood, it would be counter-productive to settle on immutable admission criteria, i.e. countries can move politically, not physically.

The Danish government is keen to ensure that the external focus of the EU is geographically balanced and would like the Union to look more to the East. That is part of the reason why the Danish government has launched its own Neighbourhood-programme – targeting the new Eastern and South Eastern European neighbours – as a supplement to the ENP. The Danish government would like to see this bilateral initiative complemented by a new coherent and balanced neighbourhood-policy in the EU.

geographical scope

After the inclusion of Georgia, Armenia and Azerbaijan in the ENP as of June 2004, the Danish government has expressed satisfaction with the scope of the ENP. The Danish government finds the inclusion of these new partners important in helping to establish a balanced priority between the Eastern and the Southern dimension in the ENP.

added value compared to Partnership and Cooperation Agreements or Association Agreements

The Danish government places great emphasis on the Action Plans, which form the very core of the ENP. The Action Plan is a *political* document, building on existing agreements, but providing the partnerships with a firmer commitment and a stronger foundation for an effective dialogue. The Action Plans should look forward, providing a framework for the smooth implementation of existing agreements.

instruments

The Danish government is in favour of using the leverage of financial assistance to help promote and consolidate reform in partner countries. In line with this thinking, the Danish government actively supports the relatively hard line towards Belarus laid out in the Commission’s strategy paper on the ENP. This should not, however, be taken to imply that only partners with a progressive reform agenda and a strong commitment to good governance are eligible for economic assistance. The partner countries that are facing the largest

challenges in terms of good governance must have external assistance, but it must be given within the framework of a firm political dialogue. Where possible, external assistance could also target civil society in the partner countries.

The Danish government would like to strengthen the effect of the financial instruments by adding high-level political clout and intensifying coordination. One possibility would be the creation of a new European Commissioner for democracy, good governance and respect for human rights in the new and enlarged European Commission. This new Commissioner would be mandated to put the combined financial means of the Union to effective use – in close cooperation with other Commissioners with external responsibilities such as trade, investment and assistance, and under the lead of a new EU Minister for Foreign Affairs.

models for part membership

The ENP is not a new enlargement process, and the Danish government is keen to focus current efforts on making the most of the ENP and the Action Plans so as to strengthen co-operation and promote the development of an undivided and democratic Europe. The partner countries will be offered economic integration and closer political co-operation, including favourable terms of trade, co-operation on transnational crime, Justice and Home Affairs, etc. The offer of intensified co-operation with the EU is followed by clearly specified demands on the partner countries, relating to political and economic reforms. These demands are mutually agreed between the parties and thus adapted to the specific circumstances of the country in question. Failure to achieve progress on this reform agenda will have negative consequences for co-operation with the EU. The ENP is thus not a static model for co-operation, but rather a framework for a continuous, committing dialogue.

strategic partnership with Russia

The Danish government supports the EU's concept of Russia as a strategic partner. The future developments in Russia and in Russian relations with the West are considered pivotal for future developments in the whole Baltic Sea region. The Danish government is especially concerned about the Kaliningrad-region. Furthermore, there is concern over possible setbacks in Russian progress towards

democracy and stability. It is feared that political setbacks in Russia could compromise the progress achieved in relation to Belarus, Ukraine and Moldova.

Estonia

The European Neighbourhood Policy is of „utmost importance“ to the Estonian government.⁴²³ Estonia welcomes the overall concept as well as the allocation of funds under Agenda 2007 and the plans to develop a new European Neighbourhood Instrument.

Due to its geographical location in Europe's Eastern periphery as well as its historically burdened relations with Russia, Estonia has a special interest in improved relations with the „new“ neighbors. The intensification of contacts is regarded as a key to stability projection beyond EU's borders. Thus, Foreign Minister Kristiina Ojuland has suggested that economic integration, the intensification of political and cultural relations, and the development of cross-border and regional co-operation has the potential to „prevent any possible development of economic and political conflicts between the European Union and its new neighbours.“⁴²⁴

Estonia's strong support to the European Neighbourhood Policy is also related to the country's search for an active foreign policy niche. The new framework allows Estonia to gain more visibility and influence by presenting itself as an „expert“ of the East and serving as a „gateway“ between the East and the West. This argument has been part of the public discourse for several years and is clearly evident from statements made by key officials. According to the Foreign Minister, „(d)evolving relations with new neighbours is the endeavor where the historical experience and the know-how of new Member States are particularly useful.“ Emphasizing Estonia's readiness to export its transition and reform know-how, the Foreign Minister claims that „Estonia is prepared to continue supporting (CIS countries) in their endeavors to carry out democratic and market economy reforms.“ Specific areas of Estonia's assistance include the Information and Communication Technologies sector, as well as the sphere of e-government.⁴²⁵

⁴²³ Address by the Minister of Foreign Affairs Kristiina Ojuland at the event "Dialogue with a new Member State: Estonia" in Vienna. 28 September 2004, for details see www.vm.ee.

⁴²⁴ Ibid.

⁴²⁵ All quotes in this paragraph from Ibid.

In terms of geographical scope, Western NIS are a priority. The Foreign Ministry continues to emphasize that Estonia already has substantial experience with carrying out bilateral development cooperation with several CIS countries. Ukraine and Moldova feature especially prominently in official statements. In light of its extensive multi-annual action plan for assisting Georgia, the government is particularly satisfied that Southern Caucasus has finally been encompassed in the European Neighbourhood Policy.⁴²⁶ According to the Foreign Minister, „Georgia has demonstrated its commitment to national renewal, and this principled political approach must be supported in every way possible.“⁴²⁷

There is not much information available on Estonian positions regarding the concrete content or proposed instruments of the European Neighborhood Policy. It is clear, however, that Estonia will support increased financing and improved instruments of cross-border cooperation, as this will provide new opportunities for Estonia's border regions which, since the „closing“ of the border with Russia, have become socio-economic problem areas characterized by high levels of unemployment, low incomes and significant out migration.

The document laying out the Government's European Union policy 2004-2006 also gives some sense of Estonia's priorities under ENP, which include „promoting co-operation in environmental issues in order to prevent transboundary pollution,“ enhancing nuclear safety, fighting organised crime, preventing the spread of transboundary diseases, and promoting closer communication in the field of culture.⁴²⁸ The existing documents also reveal strong support to the principles of *conditionality* and *differentiation* - the government emphasizes that the formulation of concrete action plans under the Neighborhood Policy must be based upon a differentiated approach towards every state.

No comments are currently available on added value of ENP compared to Partnership and Cooperation Agreements or Association Agreements, although it is likely that the government welcomes the effort to ensure greater coherence among the various policies and instruments directed towards the EU's neighbors and the attempt to provide new

incentives for internal reform. Discussion of various models for part membership, possible integration into EEA, and the concept of the four spaces has been similarly underdeveloped.

In line with official rhetoric prioritizing the Neighborhood Policy, civil society organizations have also become more active in developing programs devoted to development and reform in countries to the East.⁴²⁹

strategic partnership with Russia

The EU's strategic partnership with Russia is regarded as extremely important by all major political players in Estonia. It is hoped that subsuming Baltic-Russian relations in the wider EU-Russia relationship forces Russia to abandon its post-imperial manners and treat the Baltics as 'normal' countries. Not surprisingly, Estonian positions call for a tougher stance on Russia, consistent with the argument that new members have a more 'realistic' and 'less naïve' approach to Russia compared to the old member states.⁴³⁰ Thus, Estonia is supportive of the EU's partnership-building attempts (including the Four Common Spaces approach) but remains critical of achievements to date. Foreign Minister Kristiina Ojuland notes that „the increasingly intensive cooperation between the European Union and Russia has not been as successful as expected, and more serious efforts are necessary.“⁴³¹ Furthermore, „the European Union has not been very successful in convincing Russia that the completion of its democratic and market economy reforms is a precondition for more successful economic integration with the European Union.“⁴³²

Most importantly, Estonia objects to the tendency of holding Russia to different, lower standards. The Government's EU Policy for 2004-2006 emphasizes that the partnership with Russia must be based on common values.⁴³³ It argues that Member States should

⁴²⁹ See, for instance, the East-East programme of the Open Estonia Foundation (OEF), as well as the Idavärav (East Gate) initiative launched by OEF and Estonian European Movement.

⁴³⁰ Comments by Estonian ex-Foreign Minister Toomas Hendrik Iivess at the conference „The New North of Europe“, Finnish Institute of International Affairs, Helsinki, 8 October 2002.

⁴³¹ Address by the Minister of Foreign Affairs Kristiina Ojuland at the event „Dialogue with a new Member State: Estonia“ in Vienna. 28 September 2004, for more details see www.vm.ee.

⁴³² Ibid.

⁴³³ „The Estonian Government's European Union Policy for 2004-2006,“ p. 38. Approved by the Government on April 22, 2004. Available at the webpage of the Government's European Union Secretariat at www.eib.ee

⁴²⁶ Ibid.

⁴²⁷ Ibid.

⁴²⁸ „The Estonian Government's European Union Policy for 2004-2006,“ p. 37. Approved by the Government on April 22, 2004. Available at the webpage of the Government's European Union Secretariat at www.eib.ee

form common EU positions on all key issues of the relations between the EU and Russia. In addition to issues concerning economic cooperation, attention should be focused on the development of the rule of law and democracy, ensuring human rights, including in the Northern Caucasus, and securing the EU external border and the related immigration and refugee policy. The Estonian position clearly implies a certain conditionality, and the Foreign Minister warns that „common values and democratic standards should not be sacrificed for economic gains.“⁴³⁴

Estonian concerns about the nature of the EU-Russia partnership were aggravated by the tensions surrounding the extension of the Partnership and Cooperation Agreement (PCA) to new member states. In early 2004, Russia presented the EU with a list of 14 demands to be met for the PCA to be extended. Alarming for Estonia and Latvia, the treatment of the Russian minority in their countries was once again raised as an issue. Estonian media lamented this as another instance of Russian bullying tactics in a series of propaganda attacks aimed at tarnishing Estonia's international image. According to the Foreign Minister, "it is impermissible that Moscow makes demands on its partners in areas where it has not done its own homework."⁴³⁵ There were concerns that the EU might treat the conditions presented by Russia as legitimate demands, sacrificing the interests and dignity of the small Baltic newcomers for the sake of broader economic and political gains. While the extended agreement has now been signed, the Russian Duma seems to intentionally delay ratification. In response, Estonia insists on the "unconditional ratification of the protocol."⁴³⁶

Finland

The Finnish government supports the overall idea of the new European Neighbourhood Policy (ENP), but has not yet formulated more concrete positions on it. The following preliminary remarks are based on discussions with officials of the Finnish Foreign Ministry.

overall concept

Finland shares the view that a new policy is needed for those new EU neighbours that are not seen as potential members, and expects that the ENP will clarify the EU's relations with these countries. The basic dilemma of the ENP seems to be that, on the one hand, the EU should not create too high expectations among the neighbours, but on the other hand, it should be able to offer strong enough incentives to be able to promote reforms. Finland agrees that the possibility of membership is not an issue now, but it might become topical for some countries in the future if they were to make considerable progress. A major problem for developing the ENP is that the EU has not decided at the moment how far it is prepared to go: is it willing to consider the membership option for some neighbours in the future or, if not, what exactly would alternative models of integration be.

geographical scope

The most important neighbour of the EU to Finland is obviously Russia. However, Finland accepts that EU relations with Russia follow a "separate policy track" and are not pursued as part of the ENP. Finland is most concerned about EU policies towards North-West Russia, but realises that in order to receive understanding and support to its own concerns, it also needs to make a contribution to other neighbouring areas in the East as well as South. The Finnish initiative of the Northern Dimension (ND) was created for the very purpose of directing the EU's attention to North-West Russia, and the ENP has been seen in Finland as a possible competitor or even threat to the ND. The relation of the ND to the ENP, as well as the future of the ND after the current Action Plan (2004-2006)⁴³⁷ is concluded, are currently open. Apart from Russia, Finland has some special interest in the other eastern neighbours, notably Ukraine, Moldova and Belarus.⁴³⁸ Finnish officials stress the need to differentiate between the neighbours.

⁴³⁴ Address by the Minister of Foreign Affairs Kristiina Ojula at the event "Dialogue with a new Member State: Estonia" in Vienna. 28 September 2004, for further details see www.vm.ee.

⁴³⁵ Foreign Minister Kristiina Ojula, "Kuidas edasi Venemaaga?" *Eesti Päevaleht*, August 4, 2004

⁴³⁶ Address by the Minister of Foreign Affairs Kristiina Ojula at the event "Dialogue with a new Member State: Estonia" in Vienna. 28 September 2004, for further details see www.vm.ee.

⁴³⁷ The Second Northern Dimension Action Plan (2004-2006)
http://europa.eu.int/comm/external_relations/north_dim/nd_ap/ap2.pdf

⁴³⁸ As an indication of increasing interest, the Foreign Affairs Committee of the Finnish Parliament commissioned a report from the FIIA on the Eastern dimension of the ENP, see Hiski Haukkala and Arkady Moshes, *Beyond "Big Bang": The Challenges of the EU's Neighbourhood Policy in the East* (FIIA Report 9/2004, Helsinki: The Finnish Institute of International Affairs).

added value compared to Partnership and Cooperation Agreements or Association Agreements

The ENP can be seen as a step forward in the relations between the Union and its neighbours, as it clarifies the goals of the PCAs and brings them under a common framework. The new financial instrument of the ENP – the European Neighbourhood and Partnership Instrument (ENPI) – is also to be seen as an improvement on earlier financing programmes.

instruments

The new financing instrument ENPI is probably the most important new contribution of the European Neighbourhood Policy. Finland welcomes the simplification of the funding system and the application process. The main priority of Finland is cross-border cooperation, where it supports equal involvement of local actors on both sides in the administration of projects.

In terms of monitoring the success of ENP policies, the EU is setting benchmarks rather than applying conditionality. Setting benchmarks can be useful as guidance but difficult as a measure of success because of ambiguous criteria and problems of interpretation.

models for part membership

The prospect of full membership (which is currently not on offer) is obviously the strongest incentive for successful cooperation. A possible part membership is likely to have less of an effect on the neighbouring states' reform policies.

Finland supports the development of EU-Russian relations on the basis of the concept of the four spaces.

strategic partnership with Russia

Finland sees the strategic partnership with Russia as one of its central concerns related to the ENP. However, repeating the above, Finland accepts the Russian position that EU relations with Russia are treated as a separate matter, not as part of the framework of the ENP. Although pursuing good bilateral relations with Russia remains important for Finland, it also emphasises the need for a more coherent common EU policy. Finland often proclaims a special role in developing the

EU's Russia policy because of its historical ties with and expertise on the eastern neighbour.

Germany

German Government and opposition in Germany very much support the overall concept of an active European neighbourhood policy of the European Union as outlined by the Commission in March 2003 and May 2004.⁴³⁹ They appreciate the ENP as an alternative to a straight way towards EU-membership even if in some cases as the Ukraine or perhaps also Moldova membership shall not be ruled out forever. However, it would be untimely to address the membership question in the foreseeable future. The motivation to give more substance and to intensify relations with the neighbourhood is also due to a general enlargement fatigue. Moreover it seems unlikely that neighbouring countries would be able to fulfil membership criteria in a foreseeable future and whether membership itself would be the best strategy for the development of democratic or at least decent authoritarian countries which have a functioning statehood and where governance as well as welfare is improving. So, the aims and also the instruments proposed in the ENP framework are welcomed. By and large, in Germany more attention is paid to the countries east of the European Union than towards the Mediterranean, perhaps with the exception of Israel and Palestine.

Germany has strong bilateral relations with most of the newly independent states (NIS) including Georgia, Armenia and Aserbaidjan. Among the NIS, relations with Russia stand out. The German government, in particular Chancellor Schröder, regards a strategic partnership of the EU with Russia as a corner stone of the EU's foreign and security policy. This is demonstrated through the regular summits of the three heads of state and government of France, Russia and Germany. While this "summitry" is heavily criticised by opposition parties and also in some parts of the SPD and also parts of the Green party, Chancellor Schröder has rejected any criticism as far as his strong support for President Putin

⁴³⁹ Chancellor Schröder in a speech to the German Bundestag, for further details see: <http://www.bundestag.de/bic/plenarprotokolle/pp/2004/index.html#04>; Gerd Müller (spokesman on European affairs of Bavarian CSU), for further details see: <http://www.gerd-mueller.de> „Die Erweiterung der EU – die große Herausforderung des Kontinents – Chance und Risiko zugleich. Neue Kooperationsform – neuer EWR-Ost notwendig“

and acceptance of Putin's increasingly authoritarian rule is concerned.⁴⁴⁰ The spokesman on foreign policy of the CDU, Friedbert Pflüger, even signed a letter of a number of European intellectuals and politicians addressed to the Western heads of state and government in which they argue that the current strategy towards Russia has not stopped democracy from being undermined.⁴⁴¹

So far, the summit of the three had mainly addressed issues like fight against international terrorism, combating of organised crime, the situation in Iraq and Afghanistan. All with little concrete follow-up.⁴⁴²

Bilateral relations with the Ukraine are of lower profile albeit. The German government does not support the Ukraine's ambition of joining the EU but wants to leave this question aside. Although Germany takes a reluctant position on the membership question the Foreign Ministry is in close consultation with the Polish government on a joint approach towards the Ukraine as part of the ENP. However it stresses that essential preconditions have not been met over the last years which led to some disappointment of many politicians, policy makers and business people. The outcome of the Presidential elections at the end of October will be very important for the further course of the Ukraine in Europe.⁴⁴³

In comparison the Mediterranean region receives less attention. However, there is an increasing awareness of the importance of long-term, cooperative and stable relations with the countries along the Mediterranean rim. In politics and even more so in the media, these issues mostly concern the Israel-Palestinian conflict and questions of soft security and illegal migration. Proposals by the German minister of the Interior, Schily, to build up camps for illegal migrants in North of Africa has caused some opposition in Germany and in particular in the Green party.⁴⁴⁴ As the German business community is very interested

⁴⁴⁰ For further details see: <http://russlandonline.ru/schuleossetien/morenews.php?iditem=56>, <http://www.nzz.ch/2004/09/09/al/page-article9UG6R.html>, <http://www.ftd.de/pw/in/1094280031163.html?nv=rs>

⁴⁴¹ „Offener Brief. Politiker und Intellektuelle stellen Putin an den Pranger“, available at <http://www.spiegel.de/politik/ausland/0,1518,320569,00.html>

⁴⁴² For further details see <http://www.spiegel.de/politik/ausland/0,1518,315885,00.html>

⁴⁴³ Cf. Mateusz Falkowski, Kai-Olaf Lang: Gemeinsame Aufgabe. Deutschland, Polen und die Ukraine im sich wandelnden Europa, Warschau, 2004.

⁴⁴⁴ Cf. Grüne gegen Flüchtlingslager. Beck: Schily's Vorschlag erinnert an Unions-Propaganda, in: Berliner Zeitung, 21.07.2004, p.5.

in intensifying links with the Arab world, they fully support an active European neighbourhood policy.⁴⁴⁵

There has not been any detailed thinking and proposals on the financing of ENP and the design of the new financial instrument for ENP. Because European neighbourhood policy is also discussed as an alternative to membership, there is some very general mentioning of a revitalisation or extension of the European economic area or of creating a special Eastern EEA. One of the weak points of the ENP is the principle "every thing but institutions", which is often addressed in academic and political institutions.⁴⁴⁶

Greece

Greece is generally favorable to the ENP, but rather on a "four-spaces" footing. Close ties with Russia are considered essential, while cultivating ties with the Caucasus countries are also favored. Still, for Greece the Balkan dimension is the substratum of any interest further to the East.

Hungary

European Neighbourhood Policy

overall concept

The most powerful instrument in the EU's hand to promote and influence changes in its neighbourhood has been the perspective of membership. The European Neighbourhood Policy (ENP) is intended to become another instrument offering a variety of forms of cooperation and keeping partner countries on track with democratisation and reform, offering assistance but not membership perspectives. The ENP relates to short and medium term measures but does not serve as a substitute for a more long-term strategic vision. Such a vision is necessary to guide the EU in defining more concrete political goals vis-à-vis the neighbouring regions, and its steps should be

⁴⁴⁵ Cf. Michael Rogowski (president of the BDI – German Industry Association) in a speech during the conference "NEFTA III" in Tozeur, Tunisia, 5-8 mai 2004.

⁴⁴⁶ Cf. Eckart D. Stratenschulte: Die Politik der ‚neuen Nachbarschaft‘ und die Europäische Union, in: integration 1-2/2004, p. 95-100.; for further details see also Mittagsgespräch mit Angelica Schwall-Düren: Die neue Nachbarschaftspolitik der Europäischen Union – Alternative zur Erweiterung?, September 29,2004, Institut für Europäische Politik, Berlin, <http://www.iep-berlin.de/mittagsgespraech/mig-2004/mig-04-schwall-dueren.htm>

forged in line with that vision. Hungary held the view that Action Plans should be comprehensive and contain clearly defined priorities facilitating objective evaluation. Close cooperation will ensure that the goals and priorities of the Action Plans are jointly supported by the EU and the partners. Regular feed-back on the partners' performance and certification of the results achieved should also be an integral element of implementation. Differentiation should be the guiding principle of monitoring and evaluation, in order to guarantee that genuine efforts and performance bring about real progress concerning the quality of relations.

geographical scope

The ENP covers very different regions and states as regards the level of their present relations with the EU, their state of development and their aspirations. Hungary intends to play an active role in the formulation and implementation of the ENP and holds the view that the Eastern dimension of the ENP should be further strengthened. (Relations with the Mediterranean partners are more developed and institutionalised, than the TACIS assistance, including that for Russia. In 2000-2003 it allocated less than 60 cent of MEDA assistance!) From the Hungarian perspective the EU should offer a credible long-term perspective for Ukraine which is justified and necessitated by the size and the significance of the country. Maintaining Ukraine's European orientation and persuading Kyiv to implement real reforms is a crucial common interest. Hungary highly appreciated that the ENP addressed Belarus, thus sending an important message to its people: the EU lends a hand to the people and the civil society, and stands ready to promote genuine democratisation. Hungary also supported the extension of the ENP's geographical scope to the Southern Caucasus, which would contribute to the promotion of stability in the region.

added value compared to Partnership and Cooperation Agreements or Association Agreements

In the case of the Mediterranean Partners the ENP can build on the Barcelona Process and intensify it on the basis of the jointly agreed Action Plans. The Action Plans can contribute to a better mutual understanding of security concerns. The ENP offers an enhanced political dialogue, the perspective of moving

beyond cooperation to a significant degree of integration (including improved access to the Internal Market and the possibility of progressive participation in key aspects of EU policies and programmes, increased financial support and the further deepening of trade and economic relations). The successful implementation of the concrete measures of the Action Plans by the partner countries will significantly advance the approximation of their legislation, norms and standards to those of the EU, and will also build solid foundations for further economic integration based on a pragmatic step-by-step approach.

instruments

According to plans new financial resources will be allocated for the ENP from 2007 onwards. Hungary attaches utmost importance to providing appropriate financial means for the implementation of Action Plans of 2004 - 2006 too, because it will be seen by the partner countries as a litmus test of the EU's determination, and thus of the credibility of the entire ENP.

models for part membership

Although the ENP opens up a new model of partnership, economic integration and cooperation perspectives, the present offer as outlined in the Strategy does include an association or part membership. The ENP confirms the possibility of concluding new contractual arrangements in the future, but their advisability and scope will be considered later, upon evaluating the implementation of the Action Plans and the overall development of relations. Enlarging the European Economic Area might also be considered in the long run, but this would preferably presuppose the convergence of the partners' level of economic development.

In 2003 the EU and Russia decided to develop their strategic relationship further through the creation of the four common spaces (common economic space, common space of freedom, security and justice, common space of external security, common space of research and education, including cultural aspects). The four spaces constitute a context that is separate from the ENP reflecting the fact that Russia, as a matter of policy, does not consider itself to be subject to the ENP. In the Hungarian view the concept of the four spaces seem to be an adequate framework for further intensifying the relations between the EU and Russia.

strategic partnership with Russia

Hungary is interested in maintaining balanced and constantly developing relations between the EU and Russia. As a result of enlargement, the significance of EU-Russian cooperation has further increased, especially in the context of global challenges and the common neighbourhood. Hungary considers the present framework under the Partnership and Cooperation Agreement to be appropriate for improving the efficiency of the dialogue and cooperation. Short and medium term priorities of EU-Russian cooperation should be clearly defined, bearing in mind long-term common interests. Furthermore, Hungary strongly supports the creation of the mentioned four common spaces, which will constitute a significant and qualitative step forward.

Ireland

European Neighbourhood Policy

overall concept

Ireland fully supports the Union's Neighbourhood Policy which it recognises as an approach designed to develop co-operation with neighbourhood countries and deepen bilateral relations to the mutual benefit of the Union and its growing range of neighbours. With the objective of ensuring a zone of political stability and economic growth in the states bordering on the new frontiers of the Union.

As a strong supporter of EU enlargement Ireland accepts the wide-ranging implications of the accession of new Member States which have borders and historic relationships in their regions, for example those of Cyprus and Malta in the Middle East, Mediterranean and North Africa.

The EU, through its Neighbourhood Policy, offers close co-operation across the spectrum of its relations from political dialogue to economic integration. Neighbourhood Policy is seen as distinct from enlargement, neither preparing for enlargement nor ruling it out. It does not currently offer the perspective of EU membership for the new neighbours but this can not be ruled out in the future.

geographical scope

Each successive enlargement of the Union extends the scope of neighbourhood policy.

The initial scope of the policy was designed to address the situation in the Ukraine, Moldova and Belarus. It was then extended to the Southern Mediterranean Partners with Association Agreements. The General Affairs Council meeting of 14 June 2004 discussed relations with Belarus, the Ukraine and Moldova and with Jordan, Morocco, Israel, the Palestinian Authority, and Libya. The three countries of the Southern Caucasus (Armenia, Azerbaijan, Georgia) were added during the Irish Presidency. Neighbourhood policy is recognised as covering a number of other countries – Algeria, Egypt, Lebanon, Syria and Tunisia .

The scheduled enlargement to Bulgaria, Romania and Croatia will have significant implications for neighbourhood policy, notably in the Caucasus and Black Sea regions.

added value compared to Partnership and Cooperation Agreements or Association Agreements

The debate on the Neighbourhood Policy is an important aspect of political response to the implications EU enlargement. Partnership and Co-operation Agreements and more formal Association Agreements remain important instruments but the demands of the new neighbourhood but the evolving policy will demand a range of options to meet specific circumstances.

Particular issues arise in respect of the regional dimension within countries and between them. Development of the concept of Euro-regions represent an important way of increasing cross-border trade, facilitating border traffic and improving living conditions in border areas. The provision of a coherent policy framework based on conditionality and differentiation is welcome

instruments

The basic element of the Neighbourhood Policy is the Action Plan to be agreed jointly with the neighbouring countries concerned. Each plan, although based on common principles, must take into account the specific circumstances of the partner, in particular the national reform processes and relations with the EU. Recognition of the need for clear differentiation between countries and that a one size fits all policy approach is not appropriate has been an important consideration. Priority must be given to provisions for monitoring the implementation of

the Action Plans which will fully involve the Member States through the Council.

The Commission's proposal for a European Neighbourhood and Partnership Instrument is welcome. This instrument is designed to replace existing geographical and thematic programmes in providing financial support measures on both sides of the Union's external border, covering regional projects involving several partner countries. The two step approach of first coordinating the various financial instruments within the existing legislative and financial framework and then drawing them together in the New Neighbourhood instrument with a unified budgetary framework suggests that a difference can be made if the new financial perspectives under the EU budget are adequate.

models for part membership

Given that Neighbourhood Policy is not a prelude to EU accession it will develop along different routes for each partner country, taking into account size, level of economic development, political system, regional relationships etc. Relationships will be built on existing contractual arrangements but with opportunities for expanding the options. The policy can open the way to progressively increased participation in major EU policies and programmes.

Building the long-term relationship with the EU should be based on real situations and challenges with appropriate steps to deal with issues such as the sources of insecurity in border regions (smuggling, crime, trafficking), cross-border trade links, movement of people (visa arrangements etc.). The fragility of the Union's new borderlands must be recognised.

Some models already exist such as the network of free trade agreements or declarations of co-operation between the EEA countries and some of the countries covered by the policy as well as co-operation through various other channels such as the Barents co-operation

EEA membership and the extension of the concept of the four spaces are recognised as important aspects of a flexible set of policy options.

strategic partnership with Russia

The Partnership and Co-operation Agreement with the Russian Federation and the identification of four 'common spaces' between the EU and Russia – economic; freedom,

security and justice; external security; research, education and culture – represent a most important element of the Union's overall external policy. Working out the substance of the common spaces is a huge challenge. Russia is seen as a key partner for the Union and this is fully recognised by Ireland

The significant progress made at the EU-Russia Summit in May 2004, under the Irish Presidency, including confirmation of Russia's accession to the WTO and progress towards Russian ratification of the Kyoto Protocol underlines the scope and substance of the partnership. Russia is seen to occupy a special position within the political framework of the programme but there are concerns that it does not countenance Moldova, the Ukraine and Belarus as legitimate concerns for the EU and some of these countries which are dependent on Russia seem to be following a twin-track approach, keeping their options open for alternative regional initiatives such as the Common Eurasian Economic Space which was established in 2003. It is understood that Russia will not be part of the process of drafting the Neighbourhood Action Plans and the exact nature of its relationship will remain to be defined. It remains to be seen how the EU will conduct its new neighbourhood policy in partnership with Russia if Russia perceives them to be in collision.

Italy

The Italian government assesses the launch of the European Neighbourhood Policy (ENP) positively but has not yet expressed clear positions on specific aspects of it.

Including the EU's eastern and southern neighbours in a single policy framework is considered of the utmost importance and a major improvement. Moreover, the ENP is expected to allow for a badly needed reorganization of the EU's external relations and its financial instruments. The negotiations on Action Plans with targeted countries are expected to make it possible to revive and update relations with some neighbours, especially Belarus and Ukraine. Finally, the government does not consider participation in the neighbourhood policy an alternative or a precondition for entry into the EU.

Lithuania

Lithuanian government looks very positively at the European Neighbourhood Policy. The priority is the prospects of the Ukraine, and it is

urged not only to have some partnership mechanisms, but also to give the hope of the membership in the EU to this country.⁴⁴⁷

Lithuania is also active in including and paying big attention to the South Caucasus states. According to Minister of Foreign Affairs A. Valionis, if we want see these states choosing the closer relations with Europe, they should have the membership perspectives. The main integration instrument for the countries that have chosen the path of the European integration could be the European Neighbourhood policy.⁴⁴⁸

Such attention and initiative about the Eastern neighbours is connected with the fact the Lithuania has a long EU border with Russia and Belarus. So, it has the interest as well as the wish to contribute to the active cooperation with the EU eastern neighbours. That is the reason why the EU and Russia's strategic partnership and cooperation is of great concern. Lithuania's goal is that the decisions on the EU –Russia cooperation would be consistent with interests of the country.

Luxemburg

The position of Luxembourg government concerning these points is in no way different from the position of its neighbours (France, Germany, Benelux - partners). Generally spoken Luxembourg government rallies the majority position decided in the EU-25. These points are no subject of controversial public and political debate in Luxembourg

Malta

Implementation of the EU's Neighbourhood Policy has become a top priority of Malta's foreign policy agenda. Malta is currently conducting a foreign strategic overview in order to identify its foreign policy objectives as a member of the European Union.

Malta's foreign minister, Michael Frendo, has already stipulated that assisting the EU in its Mediterranean policies will be a top priority. Malta is currently identifying policy positions that will facilitate its task of helping to articulate the EU's Euro-Mediterranean Partnership and Neighbourhood Policy. Since becoming a member of the EU in May 2004, Malta has

actively been dispelling misperceptions in some non-EU Mediterranean member states that Malta may abandon its Mediterranean dimension.

Malta's admission into the EU positions it very well to play a leading role in implementation of the EU's Neighbourhood Policy. Malta is prepared to offer its foreign policy services directly to the EU's in its efforts to communicate and implement Neighbourhood Policy objectives in the Mediterranean area.

Non-EU states continue to be attracted to moving closer to the EU and will support the Neighbourhood Policy if they believe that it will result in a quasi-membership type of relationship. A Neighbourhood Policy that seeks such an outcome must therefore be mapped out as soon as possible. Malta believes this should include building a closer relationship between the EU and the Maghreb sub region of the Mediterranean.

As a consistent supporter of the Euro-Mediterranean Partnership since its launching in November 1995, Malta believes that the Neighbourhood Policy must be seen as adding value to the principles enshrined in the Barcelona Declaration of 1995. It is essential that it is not perceived at any point as diluting the commitment the EU made towards the Mediterranean over the past decade. Rather, it should be tied more closely to the EU's development policy plus outgoing EU Commission President Romano Prodi's vision of extending 'everything but institutions' to the Mediterranean states.

Malta will continue to reiterate the indivisibility of security in Europe and the Mediterranean. This is the foundation stone upon which all Euro-Mediterranean relations, political, economic and cultural, should be negotiated. The interdependent nature of post-Cold War security also points towards the need to link Euro-Mediterranean security to the debate on the model of transatlantic security.

Other questions that are currently being discussed by Malta's foreign policy elite include the need to conduct a strategic review of the EU's Neighbourhood Policy and the United States' Broader Middle East Initiative (BMEI). What are the main differences and main commonalities that exist between these two strategic packages. What impact is implementation of these strategic visions likely to have on the nature of transatlantic relations and what impact will they have on the Mediterranean area? Is a co-operative or competitive scenario likely to emerge in the different sub regions of the Mediterranean as a

⁴⁴⁷ "Ukrainai reikia aiškios ES perspektyvos" [Ukraine needs the clear perspective on the EU], ELTA, June 29, 2004, <http://www.delfi.lt/archive/index.php?id=4661817>

⁴⁴⁸ A.Valionis pabrėžė tolesnės ES plėtros svarbą, BNS, October 19

result of Euro-American out reach programmes towards the Mediterranean in the next decade? Malta is aware that perceptions of the roles the EU and the USA are seeking to play in the Mediterranean play off each other. While the EU is often criticised for lacking credibility when it comes to implementing its policy positions its negative ratings often improve when matched against what the United States has been seeking to achieve in recent years through its BMEI. Thus the EU has an opportunity to emerge as the more positive of the two actors in the Mediterranean but this can only be sustained if neighbourhood policy goals are seriously carried out.

Malta is also a firm advocate of promoting sub regional co-operation across the Euro-Mediterranean area. One should investigate the feasibility of encouraging more sub regional co-operation between Europe and the Mediterranean. The 10 + 10 formula that envisages bringing together newly admitted EU member states with their Euro-Mediterranean partnership counterparts is a modality that should be further supported. While the EU's neighbourhood policy is correct to promote the principal of differentiation it should not do so at the expense of furthering sub regional co-operation across the Mediterranean.

The EU should actively seek to transpose the objectives of the Lisbon Agenda (Competition) and the Bologna Process (Education) in its future relations with the Mediterranean. Strengthening of these two pillars is essential if a improvement in the livelihood of Mediterranean citizens is to unfold over the next two decades.

Netherlands

overall concept

The Netherlands government attaches great value to sustainable relations with the neighbouring countries of the enlarged European Union. It has played an active role in the debates on the development of the European Neighbourhood Policy. One of its main positions is that improving and intensifying the relationship with neighbouring countries does not imply an EU Membership perspective, but should be treated as a different and distinct policy.⁴⁴⁹

⁴⁴⁹ Ibidem, p. 43.

geographical scope

In principle the government supports the proposals of the European Commission if it comes to the geographical scope of its new neighbourhood policy, but at the same time states that the Russian Federation deserves a distinct approach with respect to its size and geopolitical importance.⁴⁵⁰

added value compared to Partnership and Cooperation Agreements or Association Agreements

The added value of the new neighbourhood policy are the Action Plans developed in collaboration with neighbouring countries aimed at enhancing the implementation of the existing Partnership and Co-operation Agreements. The Netherlands government supports a fast development of these Action Plans in order to ensure implementation of these plans on a short term. If these plans will be adopted for three years their period will coincide with the ending of the Partnership and Cooperation Agreements.⁴⁵¹

instruments

The government support the attempt of the commission to create a more coherent and standardized financial instrument for its new neighbourhood policy, which will be one of the six financial instruments of the foreign policy of the European Union. Preferably the instrument should consist of two components: one for cooperation on effective border management and one for cooperation in all other areas of the neighbourhood policy. The position of the government will be closely linked to its position on the new financial perspectives. With regard to existing instruments to Dutch government supports the opening up of the twinning instrument within the MEDA and TACIS programmes for neighbouring countries. Twinning has proven its success as an instrument for harmonisation processes. This will correspond with the aim of the neighbourhood policy to allow a certain access to EU's internal market on the condition of political, administrative and economic reforms. This will require neighbouring countries to harmonize with European values of democratisation, rule of law, market economy and European law and regulations.⁴⁵²

⁴⁵⁰ Ibidem, p. 44.

⁴⁵¹ De staat van de Europese Unie (*The state of the European Union*), p. 55.

⁴⁵² Ibidem, p.49.

models for part membership

In general the government subscribes the commission's policy of differentiation with regard to individual countries as indicated in the neighbourhood policy. In this respect it also supports the development of four common spaces with Russia as agreed upon in the EU-Russia Summit in Saint Petersburg in May 2003.⁴⁵³

Poland

There is no wide public debate on the European Neighbourhood policy (ENP) in Poland. Therefore one can hardly speak on the public opinion attitude towards that project. The description presented beneath concerns therefore the government attitude, which is very "diplomatic" and therefore rather is guessed than quoted and the opinion of the experts from Polish NGOs and think-thanks.

overall concept

Polish government announced its non-paper on Eastern dimension of the EU in January 2003. This concept was based on the idea to create a special neighbourhood policy towards Ukraine, Belarus and Moldova with the final goal to open the doors for those three countries for their participation in the European integration process according to art. 49 TEU. The main recommendation in the Polish proposal was to differentiate the policy of the EU towards its new eastern neighbours taking into considerations the specific conditions and aspirations existing in each country. Each state should be therefore treated separately in a due way characteristic for and adapted to local circumstances.

The new European Neighbourhood policy as outlined by the Commission in May 2004 is an idea comprising the countries so different to one another as Morocco and Ukraine, Syria and Belarus, etc. and proposing a single model of new neighbourhood policy towards all those countries. It is obvious that this very principle remains in a deep contradiction with the Polish proposal. The Polish government has never presented officially its critical assessment of the ENP still it is clear that the idea to have the neighbourhood policy of the EU based on the same principles for Ukraine and for Morocco cannot be welcomed enthusiastically in Poland. It is rather perceived as a tool to close the doors to the EU for Ukraine, Belarus, and Moldavia by placing them in the same group as

Middle East and Maghreb countries than a policy really aimed to bring them closer to Europe. This is at least the opinion of the majority of Polish experts dealing with the issue in question.

The announcement of the ENP was a wrong message that was sent to Kiev and Kishyniau as well as to the democratic forces of Belarus. Putting those countries together with the Mediterranean neighbours of the EU that due to geographical reasons are excluded from the possibility to apply for the EU membership means to send to those peoples a message that whatever the efforts for democratisation, market economy and the achievements of the European values in public life they may do their place is outside the EU just like Morocco, Lebanon, Tunisia etc. This very act has strengthened the undemocratic forces in Ukraine, pushed the country towards Russia and weakened pro-Western orientation. It has created the feeling of being abandoned in Belarusian democratic opposition and had a bad impact on Moldova too. The general political character of the message cannot be compensated by the technical amendments namely the individual country Action Plans that allow for differentiation according to the conditions and needs in a given country.

geographical scope

As it has been pointed out above the geographical scope of ENP is not the core issue for Poland. The entire proposal is not considered from the point of view of its territorial extension and there is no debate as to the countries that should be or should not be included into the ENP area. What really matters is the fact that the European countries (Ukraine, Belarus, Moldova) that have the right to apply to the EU on the base of article 49 have been put in the same category of the neighbours as the African or Middle East states that will never be a part of the EU. On the other hand the extension of the European interest to the Caucasian states as recommended by the Commission can be only supported by Poland.

added value compared to Partnership and Cooperation Agreements or Association Agreements

Added value as pointed out in the Commission document are to the large extent a political rhetoric. In Eastern Europe it rather weakened the will to co-operate by reducing the hope for achievement of the final goal (membership)

⁴⁵³ Ibidem, p.55-57.

than enhanced it. On the other hand the promised new financial instruments after 2007 can be useful to deal with practical problems provided the resources offered to their disposal will be sufficient and the distribution of money well administrated (simple procedures of application still the spending of money subordinated to strict monitoring and thus well protected against corruption).

instruments

The instruments of ENP offer some room for amendment of the entire project. Since it exists there were some possibilities to differentiate the EU approach to a given country according to the existing local conditions. Some experts point out however that Country Action Plans should be strengthened by annual Target Plans as it is in the case of NATO Action Plans. The Targets Plan determining the goals that should be achieved in a given year by a country wishing to move closer to the Union should be prepared annually by the EU and the interested state and the progress of the cooperation should be monitored and assessed on annual base as well. This would allow to inspire a given neighbour to intensive efforts in implementation of the necessary reforms and make the entire process easier to be correctly managed. That is especially necessary for the countries like Ukraine and Moldova that have already express their will to be fully integrated into the European Union.

models for part membership

Any model based on definitive and final exclusion of Ukraine, Belarus and Moldova from the right to participate in the European integration process with the possibility for full membership if the countries in questions fulfil conditions for one is unacceptable for Poland. All Polish political forces are united in a deep conviction that the doors for those countries to the full EU membership should remain opened. However, it is impossible to point out any time horizon for the completion of that process now. That unity has been already demonstrated by Polish deputies to the European Parliament where the representatives of all the options support the open door policy towards Ukraine. The policy "everything but institution" should not be applied to the three countries mentioned above. As far as Ukraine and Moldova are concerned now (and Belarus when the internal situation of the country allows) any part membership or integration into the EEA can be treated only as steps on the way to full

membership and not as a final goal of the neighbourhood policy of the EU towards those countries. The concept of four spaces refers to Russia and will be described in the next paragraph.

strategic partnership with Russia

On the strategic partnership with Russia even governmental officials, while officially positive, ask whether the EU policy towards Russia should be based on values (democracy, human rights, free media, the rule of law) or on business (gas and oil). The experts' opinion is very sceptic. Autocratic countries are bad champions of democracy, human rights, and international law and this is the case of Russia. To speak about a common space of freedom security and justice with Russia is a pure wishful thinking. The same may be said on strategic partnership and co-operation in the field of external security, too. Russia is promoting a competitive, to the European one, pattern of the post-communist transformation which has been clearly demonstrated in Belarus, Serbia of Milošević and Slovakia of Mečiar, supporting those authoritarian regimes as well as inspiring destabilisation in the Caucasus (Georgia – South Osetia and Abkhazia, and Nagorno Karabakh) and in Moldova (Transnistria, Gagausia). The Russian role in the Balkans was as well rather disturbing than helpful, that was demonstrated in the best way by Pristina incident during the Kosovo war in 1999. It is not a coincidence that the undemocratic forces in Ukraine and Moldova seek for support from Moscow. The European Union is therefore, no matter intentionally or not, still rather competing with Russia for the future model of development of the countries situated eastward from the EU and westward from Russia than co-operating with it.

Any policy based on respecting the "justified Russian interest" in post-soviet area under the pretext of "not provoking Russia" or the de facto recognition of Russian zone of influence in the Western CIS countries for the sake of the EU-Russia partnership cannot count on the support from Poland.

The co-operation on practical issues: nuclear safety in the North-West Russia, illegal immigration, transnational organized crime, epidemic threats (AIDS, tuberculosis), environmental threats, etc. is indispensable however one should not have too much illusions as to the effectiveness of such a co-operation.

The energy dialog should take into considerations the interests of the new members and other transit countries between the EU and Russia. The overdependence of Central and Eastern Europe on Russian energetic raw materials supplies (70-100% of supplies) constitutes a threat for security of those countries and the differentiation of the sources of the supplies should be one of the goals of the EU policy. Russia the budget of which depends in 40 per cent on the incomes from gas and oil export to the EU cannot blackmail the EU with cutting off the supplies now, still the construction of the Baltic gas pipeline omitting the transit Central and Eastern European countries and supplying Nordic states, Germany and Britain directly from Russia will give Moscow the tool for political pressure on the former USRR satellites and republics.

Cultural, scientific educational and research co-operation with Russia provokes no controversy in Poland and is accepted as normal, natural and desirable way of developments of mutual relations with a neighbouring country.

Portugal

The European debate in Portugal has focused very little on the proposed European neighbourhood policy and what it implies for the Union's external action. Both the government and political parties across the spectrum are keen to stress the importance of striking a balance between East and South when defining the Union's links with its neighbours. Therefore, in the sense that the neighbourhood policy is an all-inclusive approach, there seems to be wide support for its implementation. To ensure the maintenance of the Mediterranean as a top priority of the Union's neighbourly relations, Portugal has worked closely with other EU Member States with similar approaches, namely France, Spain, Italy, Greece and Malta.

There is also a concern in some sectors, including the Ministry for Foreign Affairs, that the launching of the neighbourhood policy could imply a waterdown of the Euro-Mediterranean Partnership framework and of what was achieved in the ten years since the Barcelona Conference. In this sense, the new policy should not be a substitute for other frameworks (namely multilateral ones) but should rather reinforce them in a complementary manner.

A more general comment on the overall concept is that despite its good intentions, the European Neighbourhood Policy lacks an embracing approach that could turn it into a coherent and efficient instrument. Doubts are also raised in what concerns the available financial needs, especially in view of the discussion on the next Community budgets. Without proper resources, such an ambitious project could easily become totally irrelevant.

Slovakia

The European Neighborhood policy has not really been a subject of a domestic political debate. However, Ukraine constitutes - in addition to the Western Balkans - Slovakia's key foreign policy priority. The country is willing to engage in Ukraine (either through official political channels or through its program of official assistance that involves mostly NGO activities). Especially should the pro-western forces win the upcoming presidential contest in Ukraine, the Action plan in the context of the ENP could be a good stepping-stone to building gradually much closer ties between the Union and Ukraine.

Slovenia

overall concept

Slovenia supports the initiative "Wider Europe – New Neighbourhood" and believes that it is necessary for the EU to strengthen the political dialog and different forms of economic and cultural co-operation with the new neighbours, bearing in mind the particularities of every country.⁴⁵⁴

geographical scope

Slovenia will support the resumption of the peace process in the Middle East, and would advocate an active role of the EU. Due to differences between individual "new neighbours" of the enlarged Union, Slovenia advocates an individual approach towards a single country.⁴⁵⁵

The Slovenian Government also support the inclusion of the countries in the Southern Caucasus into the European Neighbourhood

⁴⁵⁴ "Prednostne naloge Slovenije za delo v Svetu Evropske unije v letu 2004" ["Preferential tasks of Slovenia in the Council of European Union in the year 2004"], May 2004, Ljubljana, p. 58.

⁴⁵⁵ *Ibid.*

policy. Simultaneously, Slovenia intends to pay the necessary attention to the countries that are part of the so-called wider Europe (e.g. Moldova and Belarus).⁴⁵⁶

Besides being a Central-European country, Slovenia also has a Mediterranean component, which is reflected in its foreign policy. In the future, Slovenia intends to participate actively in the activities of the Euro-Mediterranean Partnership (EMP), and supports the deepening of the dialog between the EU and its Mediterranean partners. Accordingly, the Slovenian Government support the strengthening of the inter-parliamentarian co-operation within the framework of the MEP.⁴⁵⁷

added value compared to Partnership and Cooperation Agreements or Association Agreements

The Slovenian Government estimate that it is necessary to develop further economic, cultural and social partnership (including foundation of the Euro-Mediterranean foundation for dialog between cultures) with the countries of the region.⁴⁵⁸

As the presiding state of the Organisation for Security and Co-operation in Europe (OSCE) in the year 2005, Slovenia intends to co-operate with the EU presiding member state and gradually take up the role of the OSCE Reporter to the EU. The EU member states harmonise their opinions towards important subjects also within the framework of OSCE. Slovenia sees an opportunity actively and consistently to add to the enhancement of peace, security and political stability especially in the regions of Eastern Europe and Central Asia, which are becoming the centre of the OSCE activities.⁴⁵⁹

Respect for human rights, human security and de-mining are becoming Slovenian foreign policy priorities. Accordingly, the Government are set to enhance the efforts to raise the mentioned profile also within the EU.⁴⁶⁰

Slovenia will also aim to improve implementation of the documents as adopted by the European Council regarding the "new threats" – i.e. the EU strategies on the combat against the expansion of weapons of mass

destruction and the EU declaration on the fight against terrorism.⁴⁶¹

strategic partnership with Russia

The Slovenian Government will endeavour to strengthen political and economic co-operation of the EU with its partners. In this context, the strengthening of relations with the Russian Federation is understood as being of extreme importance for international security and stability. Such an intensified strategic partnership is in Slovenia's interest, for it serves as a factor of stability, peace and development in the European region and in the world.⁴⁶² According to the former Slovenian Foreign Minister, Dimitrij Rupel:

It would be geopolitically unwise for the EU to make the Russian Federation feel isolated. Russia's future role in Europe is very important. Undoubtedly, it is in the interests of all Europeans to guarantee peace and stability in the region, and to ensure the democratic and economic progress. The size of the Russian Federation, however, raises serious doubts with regard to its full EU membership. Given the size of its territory and population (of more than 150 million), a question may be asked as to who would join whom: will Russia join the EU or vice versa?⁴⁶³

Spain

Spain has welcomed the Commission's Communication *European Neighbourhood Policy* (ENP), although it is interested in developing some aspects more than others, depending on specific Spanish interests. First, Spain has its own priorities as regards external action, and the Mediterranean area is one of them. This region, with a particular focus on the Maghreb, is of strategic importance to

⁴⁵⁶ *Ibid.*

⁴⁵⁷ *Ibid.*

⁴⁵⁸ *Ibid.*

⁴⁵⁹ "Prednostne naloge Slovenije za delo v Svetu Evropske unije v letu 2004" ["Preferential tasks of Slovenia in the Council of European Union in the year 2004"], May 2004, Ljubljana, p. 59.

⁴⁶⁰ *Ibid.*

⁴⁶¹ *Ibid.*

⁴⁶² "Prednostne naloge Slovenije za delo v Svetu Evropske unije v letu 2004" ["Preferential tasks of Slovenia for the work in the Council of European Union in the year 2004"], May 2004, Ljubljana, p. 58.

⁴⁶³ "Prihodnje meje Evrope" ["The future borders of Europe"], speech of the former Minister for Foreign Affairs, Dimitrij Rupel, at the conference on "After Copenhagen, an ever bigger and closer Union", Copenhagen, 23 March 2003. Available at: <http://www.gov.si/mzz/govori/03032401.html> (26 September 2004).

Spain in economic, social, political and security terms.

In this respect, during its 2002 European Presidency, Spain boosted the Barcelona Process that had been launched in 1995 with four main objectives: (1) establishing an area of peace and stability; (2) creating an area of shared prosperity; (3) developing human resources; and (4) promoting understanding between cultures and exchanges between civil societies. The year 2005 is the tenth anniversary of the Barcelona Declaration, which set up the Euro-Mediterranean association. The Barcelona process still remains Spain's strategy for the region.⁴⁶⁴

However, it is accepted that the results of the process have not proved to be as positive as hoped. In this context, the European Neighbourhood Policy is welcomed by the Spanish government. It is believed that the lessons learnt over the last decade, together with the experience gained from the enlargement of the European Union, have inspired this new policy with the aim of making it a more effective tool with which to implement the objectives of the Barcelona Declaration.

According to analysts, one of the main difficulties in the Barcelona process was its generalized approach to the region. The new initiative admits the principle of differentiating between countries to allow the EU to work with those governments which genuinely want to tackle their domestic reforms, not on the basis of a one-size-fits-all model, but on a tailor-made action plan agreed to by both sides. The incentive offered by the EU to the countries that are willing to strengthen the legitimacy of their political systems, to adopt measures to ensure good governance and to liberalise their economies is free access to the Union's internal market.

The added value of the European Neighbourhood Policy is the possibility of moving beyond cooperation to a significant degree of integration, a new way to enlargement but without the option of being part of Europe's Institutions. This new initiative is considered to be an ambitious step in reinvigorating the EU's relations, and consequently Spain's, with the Mediterranean. The European Neighbourhood Policy should contribute to achieving the objectives of the Strategic Partnership for the Mediterranean and the Middle East (Spain advocated the specific mention of the Mediterranean area)

⁴⁶⁴ Declarations of Bernardino León, Spanish Under Secretary of State for Foreign Affairs, at the seminar held at El Escorial on 'The New World (Dis)order', July 2004, <http://www.realinstitutoelcano.org/analisis/567.asp>

recently accepted in the European Council of Brussels (June 2004). The Spanish Prime Minister stressed the importance of this new partnership to promote the welfare not only of the area's citizens, but also of those of Europe and especially Spain. If the situation on the southern shores of the Mediterranean continues to be volatile, lacking democracy but with high levels of poverty, Europe and Spain are likely to be affected by serious problems such as terrorism, illegal immigration and illegal trafficking. The improvement of economic, social and political conditions, the fight against terrorism and the control of migration flows are fundamental objectives and serious challenges for Spain in the Mediterranean Area. The European Neighbourhood Policy will be a crucial tool for EU and its member countries in their effort to contribute to the prosperity of the region and its stability and progress.

Sweden

While not being greatly discussed in public opinion (yet?), the neighbourhood policy has received some limited public attention by the government. It would be too early, however, to say that there is an established policy regarding these matters in government; rather, reactions connect to established general positions in this issue-area.

strategic partnership with Russia

Relations with Russia stand out as a key foreign policy preference for the EU, according to the government and opposition parties alike) and in that light the neighbourhood policy, as a further means of institutionalisation, offers a promising way forward. The Swedish political elite generally share the logic of interdependence and inclusion that characterizes the Commission's proposal.

UK

On the European Neighbourhood Policy (ENP), there is no general discussion. The *Financial Times* referred briefly to the ENP around the time of its conception in May 2004, citing the Ukraine as a test ground for the new policy: "Ukraine, which prizes the idea of eventual membership of the EU, is unenthusiastic about the alternative on offer: a European Neighbourhood Policy to extend economic and other assistance."

The Foreign and Commonwealth Office (FCO) claims responsibility for the development of the ENP, and must therefore be assumed to support the policy, at least in theory. "At the UK's initiative, the EU has developed a European Neighbourhood Policy... intended to promote reforms in the EU's new neighbours. After the current wave of enlargement, the new periphery will become increasingly important for the EU's internal and external security. The ENP provides a real opportunity for the EU to redefine its relationship with these countries.

The Government is working closely with the Commission and other Member States to sort out the detail [of Action Plans for specific countries]. For the Action Plans to be effective, the Government believes it necessary to build into each of them real conditionality, based on benchmarks for reform linked to credible incentives."

The FCO has also stated (in March) that it considers the ENP should "give us new opportunities to build partnerships for reform in the [Arab world]."

5. What are the positions on the Commission's reform project Agenda 2007?

With reference to:

- financial framework 2007-2013
 - own resources ceiling at 1.24% of GNI (equals 1,27% of GNP) of EU
 - main priorities of expenditure
 - reduction of expenditure on agriculture
- increase in the field of security and immigration policy
- reform of regional and cohesion policy (3rd report on economic and social cohesion)
- probable coalition partners

Austria

financial framework 2007-2013

own resources ceiling

The government favours the top-down approach with an expenditure level of 1% of EU-GNI.⁴⁶⁵ It does not agree with a continuous rise of expenditure evoked by the enlargement rounds. The Head of the Federal Economic Chamber, Christoph Leitl, expressed understanding for the government's position, arguing that this would be a legitimate starting position for negotiations, particularly in the light of the EU urging its members to reduce their own national budget spending.⁴⁶⁶

The Green Party in contrast favours a rise of the ceiling in order to consolidate the accession of the new Member States.

main priorities of expenditure

The Federal Economic Chamber stresses the fact that the main priority must be the implementation of the Lisbon agenda, namely to increase the Union's competitiveness by facilitating and enhancing innovation, R&D and reinforcing the use of information technologies. Hence, the new Cohesion-Objective should prioritize investment in infrastructure, research and training institutions in the new Member States.⁴⁶⁷

The Federation of Austrian Industry welcomes the Commission's proposal of a major overhaul of the budget for the trans-European transport and energy networks (TEN).⁴⁶⁸ The proposed regulation and budget focuses on a number of projects and authorises aid of up to 50% of the costs of cross-border projects as an incentive in exceptional cases. In view of the expected extensive increase of traffic between the member states by 2020, the initiative and projects will help to sustain economic growth and the reduction of carbon dioxide. Due to the central geographical positioning of Austria, fortified by the enlargement, the Federation of Austrian Industry views such projects on European air traffic and rail management systems as highly important.

The Chamber of Labour agrees with the intention of the Commission to implement the Lisbon strategy. Europe is struggling with high unemployment rates, downwards trends in

private consumption and slowing economic growth rates. Therefore, the proposal should focus on investments in the field of employment-sensitive infrastructural projects and public services, e.g. health care, as well as tax harmonisation.⁴⁶⁹

reduction of expenditure on agriculture

The government respects the Agreement of the European Council in Brussels in October 2002.⁴⁷⁰ The Chamber of Labour also argues that the structural changes should aim towards implementing the Lisbon goals, however points out the actual coverage of the action plan was not enough.⁴⁷¹ IDM argues that this could cause the acceleration of the decline of national agricultural sectors.⁴⁷²

Herbert Bösch, MEP of the Social Democratic Party, criticises the CAP system arguing that it neglects the small farmers by misallocating resources, concentrating on the big market players, therefore hampering competition, harming developing countries and consumers. He refers to the sugar industry and live animal stock (beef) and demands cuts in export subsidies in order to facilitate a fairer and more competitive market, but also to eradicate the current trade distortions for developing countries.⁴⁷³

increase in the field of security and immigration policy

Considering Austria's geographic role in Central Europe, the government's priorities will be external border control, migration, asylum issues as well as crime and terror prevention. However, they can only be implemented after reaching agreement on the level of total expenditure.⁴⁷⁴

reform of regional and cohesion policy

The government postulates that first there should be a consensus on the level of total expenditure. Funds should be focused on member states with the lowest GDP per capita. Nevertheless, the government views the sum suggested by the Commission of € 336 billion for the period 2007 - 2013 as too high.⁴⁷⁵

⁴⁶⁵ *ibid.*

⁴⁶⁶ *ibid.*

⁴⁶⁷ *ibid.*

⁴⁶⁸ *ibid.*

⁴⁶⁹ *ibid.*

⁴⁷⁰ *ibid.*

⁴⁷¹ *ibid.*

⁴⁷² *ibid.*

⁴⁷³ *ibid.*

⁴⁷⁴ 08.09.2004, for more information see www.spe.at

⁴⁷⁵ *ibid.*

According to the Green Party, structural funds should be redesigned to better accommodate the need of small organisations, and therefore eliminate the need of national co-financing or pre-financing.⁴⁷⁶

The announced simplification of programme planning and implementation as well as a stronger involvement of the Social Partners is welcomed by the Economic Chamber of Commerce, as well as the "phasing in/ phasing out" of former Objective 1 Regions.⁴⁷⁷ Moreover, the upgrading of the Community Initiative INTERREG to a separate objective is certainly viewed as a positive step. The Economic Chamber of Commerce suggests using INTERREG more intensively to promote cross-border co-operations for SMEs. It also puts forward the idea of setting up a specific border region programme for regions in current Member States, which border the new Member States.

probable coalition partners

The natural partners are other net contributors to the EU budget like France, Germany, The Netherlands, Sweden and UK who share the interest to halt the increases in expenditure.

Belgium

financial framework 2007-2013

own resources ceiling

The Belgian government is against the freezing of the expenses on the level of 1% as proposed by six Member States. The help for the new Member States to restructure their economies, open their markets and modernise their administration and their justice on the one hand and the new duties and competencies of the Union such as the cooperation in the sphere of justice, police, migration and asylum, the competitiveness of the industries, labour market, research and innovation, foreign policy, defence policy on the other hand make it impossible to deal with all these new challenges and at the same time limit the spending at the current level.

However, this does not mean that Belgium is pleading for a maximalist expenditure policy, only because of the principle. The proposals approved by the Commission are too high and

⁴⁷⁶ *ibid.*

⁴⁷⁷ *ibid.* The enlargement process will mainly affect Burgenland, which will be phased out of the Objective 1 Regions in the next financial period.

too generous. The current Commission proposal makes the annual financial contribution of Belgium rise with one and a half or two billion euro within a couple of years.⁴⁷⁸

This would bring the Belgian budget to a deficit.

The Union should first determine its priorities and only afterwards what financial means are therefore necessary.

main priorities of expenditure

In a debate in the Belgian Parliament, Guy Verhofstadt expressed his views as follows: "Finances should be fixed in function of perspectives. Where do we want to go with the Union and what is financially needed to obtain this goal? This should not be a purely political debate, but should be objectified as much as possible in order to make a right decision."⁴⁷⁹

During a conversation with the designated Commission president Barroso, Verhofstadt warned him about the "building block" method that the Dutch presidency defends.

reduction of expenditure on agriculture

The official position is that the amount foreseen for agriculture is the result of an earlier discussion at the level of the European Council and should therefore not be changed.

increase in the field of security and immigration policy

Increase in the field of security and immigration policy is acceptable.

reform of regional and cohesion policy

For Belgium, it is very important to have the possibility to fix objective 2 regions. Consequently, a decrease of the amount foreseen for objective 2 is not acceptable.

probable coalition partners

Benelux has always been the obvious forum for coalitions for Belgium. But in his speech on 30 August, new Minister of Foreign Affairs Karel De Gucht (VLD) points out that the

⁴⁷⁸ Speech by Guy Verhofstadt at the Institute for European Studies, Challenges for the European Union, VUB, Brussels, 10 February 2004. <http://www.premier.fgov.be/fr/premier/speeches/2004/1608.html>

⁴⁷⁹ De Europese Raad van 17/ 18 June 2004. Verslag namens het federaal adviescomité voor de Europese aangelegenheden, uitgebracht door de heren Mahoux en De Croo, 1 July 2004.

weight of Benelux in the enlarged Europe has changed, and that new coalition partners must be found, especially among (new) small Member States. He pleads for a strong bilateralism in Belgium's European policy. Probably the differences of opinion at the Convention and about the Iraq crisis contribute to this changed perception of the importance of Benelux.

In the discussion about the financial perspectives, the Netherlands was one of the six Member States pleading for the freezing of expenditure at 1% level. This will prevent the Benelux of forming a coalition during the coming negotiations.

Cyprus

reform of regional and cohesion policy

Given the fact that Cyprus is a net contributor to the EU budget, as well as its geographic and territorial idiosyncrasies – such as being an island state away from most member states' markets – the Republic will attempt to make its case for a recognition of its special circumstances, so that it could achieve a more favourable share from the EU's Regional and Cohesion Programmes.

probable coalition partners

The Republic of Cyprus is willing and prepared to participate in coalitions in order to pursue its interests and find support for its positions. Naturally, these coalitions will depend on the nature of the particular cases. As regards the reform of the Regional and Cohesion Policy, Cyprus is trying to identify the emerging coalitions

Czech Republic

financial framework 2007-2013

The CR appreciates the work of the EC on the draft of the next financial perspective. At the same time, the CR is in favour of simplifying the present system of revenues from own resources, its greater transparency and abolition of correction mechanisms.

own resources ceiling

The CR considers the average size of payments to the EU budget on the level of

1.14% of GNI⁴⁸⁰ of the EU while maintaining the existing limit for own resources on the level of 1.24% of GNI of the EU as a good start for the coming negotiations and at the same time as a maximum level which the CR is ready to accept. It is, however, important that a negative impact on the absolute level of revenues does not occur. The CR emphasises the importance of connecting the discussion about the ceiling of the financial perspective with reforms of European policies and economic prosperity of the enlarged EU.

main priorities of expenditure

The CR supports the increased attention being paid to ensuring growth and fulfilment of the Lisbon goals by means of strengthening science, research and innovations, increasing employment and quality of education. The CR is interested in the EU budget being not only an instrument for redistribution of resources, but it should also support goals with a real added value. The CR is interested in the European Development Fund staying outside the EU budget.

reduction of expenditure on agriculture

The CR accentuates the importance of rural development and strengthening of the extra-production function of agriculture. Most Czech economists perceive very critically the present Common Agricultural Policy (CAP) and believe that the CAP should be radically reformed (or even abolished) and that a significant reduction of expenditures on agriculture is absolutely necessary.

increase in the field of security and immigration policy

A clear official view of the CR has not been elaborated in this respect yet. However, an affirmative answer is likely. The CR supports the emphasis of the Union on the common immigration policy and on ensuring an area of security and justice for all citizens of the EU.

reform of regional and cohesion policy

The CR emphasises the importance of the cohesion policy and its preferential orientation on countries and regions which lag behind the most. The CR will not support the shift of resources assigned for the cohesion policy to other chapters and subchapters of the budget.

⁴⁸⁰ Gross National Income

probable coalition partners

It can be expected that ad hoc coalitions will emerge depending on which particular issue will be discussed. However, the CR has certainly many common interests with other countries of the so-called Visegrád group (Slovakia, Hungary and Poland) and should be able to form a common position with them in many fields.

Denmark

financial framework 2007-2013

own resources ceiling

As a net contributor, the Danish Government favours financial prudence and restraint. All across Europe, national governments are struggling to keep expenditure within the limits of modest budget increments. The same type of discipline should be applied at the European level. The Danish Government is thus keen to avoid excessive budget increases, but it simultaneously accepts that a “budget freeze” at 1% of GDP is unrealistic, given the immense challenges facing the EU. The Government consequently refrained from signing the joint letter of the financially more conservative Members (i.e. the letter signed by Sweden, the Netherlands, Germany, the UK, France, and Austria).

The Danish Government wishes to give priority to the themes of the Lisbon Strategy, including education and research. The Government is also keen on redirecting social and cohesion funds towards the countries and regions that are most in need. Also, the Danish Government is keen to limit agricultural spending, and is committed to maintaining the planned decrease in agricultural expenditure from 0.42% of EU GDP to 0.34% by 2013.

The Danish Government supports an increase in financial allocations to External Relations and Justice and Home Affairs, including the security, immigration, and asylum policies.

reform of regional and cohesion policy

The Danish Ministry of Foreign Affairs⁴⁸¹ has presented a summary of the Commission’s 3rd report on Economic and Social Cohesion, including a brief statement on the position of the Danish Government. Overall, the Danish Government will work to ensure that the

⁴⁸¹ For details see www.um.dk

available funds are channelled towards the countries and regions that are most in need of external assistance. The enlargement has aggravated the economic differentials inside the Union, and it is consequently necessary to focus and concentrate the financial assistance. The Danish Government does not wish to see an augmentation of the costs beyond the level for 2006. It will, however, work for a redistribution of funding towards the new member states. The Danish Government will seek to improve the coordination between the regional and cohesion policy and the broader strategic development priorities of the EU, including the Lisbon Strategy for growth and sustainable development in the EU.

probable coalition partners

Judging from discussions in the press, Denmark has a number of strong allies on these issues, including the coalition of net contributors, who oppose an increase in the overall GDP level allocation to the EU (Sweden, Italy, Finland, Germany, France, the United Kingdom, the Netherlands and Austria). At the same time, however, the Danish Government does accept the fact that the admission of new – less advanced – economies does come at a price. Chances are that as the negotiations get underway, the minimalist coalition will reveal substantial dividing lines, opening up for a new coalition favouring a limited and highly targeted budget increase (as opposed to a general increment across the board).

Estonia

Discussions of the financial framework for 2007-2013 have been held mostly inside government structures; public attention to the issue has been very limited. In a speech to the Estonian Parliament on the main guidelines of Estonian foreign policy, Foreign Minister Kristiina Ojuland stated that the „European Commission’s budgetary proposals for the years 2007 – 2013 create a good foundation for making Europe more contemporary and competitive, while leaving room for the more effective utilisation of expenditures.“⁴⁸² Overall, Estonia approves of the proposed structure of expenditures and supports increases in priority areas. At the same time,

⁴⁸²Main Guidelines of Estonia’s Foreign Policy, Address by the Minister of Foreign Affairs of the Republic of Estonia Kristiina Ojuland to the *Riigikogu* on behalf of the Government of Estonia, 8 June 2004.

there are a number of concerns. Above all, Estonia remains opposed to new taxes or further harmonization of tax systems and the idea of applying a general correction mechanism for net contributors paying above a certain threshold. Estonia also calls for a more decisive „phasing out“ of structural aid for recipient regions in the old member states.

own resources ceiling

The proposed lowering of the own resources ceiling to 1.24% of GNI of the EU is regarded as insufficient: the government argues that there is room for further reduction. Some officials speak favorably of joining the „1% club“ (proposal by France, Germany, Sweden, Netherlands, UK, and Austria to stabilize expenditure around current expenditure levels, not exceeding 1,0% of GNI). At an informal EcoFin meeting in the Hague on September 10, 2004, the Estonian Minister of Finance, Taavi Veskimägi, expressed support for a lower ceiling, stating that in the government's opinion, the EU budget should be „as small, transparent and simple as possible.“ The Minister admitted that further reductions are not possible without radical reforms but expressed a readiness to discuss own resources below 1% of the GNI of the EU.⁴⁸³ Despite these statements, the official position regarding joining the „1% club“ remains cautious and it is likely that the government will support a compromise ceiling falling somewhere between 1% and 1.24% of GNI. In the government's opinion, the extent to which the ceiling can be reduced will also depend on the decisiveness of „phasing out“ of structural aid to „old“ recipients, the reform of correction mechanisms and the continuation of CAP reform.⁴⁸⁴

In this context it is also important to restate Estonia's strong opposition to any reforms that require further harmonization of tax systems. Estonia does not support the idea of complementing member state contributions with new taxes payable by EU citizens and/or enterprises (e.g. a tax based on value added tax, income tax or energy tax). The government claims that imposition of such a tax would require further harmonisation of the tax systems and its application would be

⁴⁸³ Estonian Ministry of Finance Press Release, September 13, 2004. „Veskimägi: Euroopa Liidu järgmine finantsperspektiiv peab põhinema arengut edendaval konkurentsil, liit peab olema avatud muutustele.“

⁴⁸⁴ Interview with Pille Pruunsild, Advisor, Department of EU and International Affairs, Ministry of Finance, on October 22, 2004.

complicated.⁴⁸⁵ The Ministry of Finance has expressed opposition to Commission's proposals „Common Consolidated EU Corporate Tax Base“ and „Home State Taxation for Small and Medium-sized Enterprises.“ The Minister of Finance has even remarked that linking the discussion of the financial perspective to additional topics, such as taxation, might derail the entire process.⁴⁸⁶ In this context, the criticisms of Estonia's tax system voiced by French Finance Minister Nicolas Sarkozy – in particular, his attempt to link taxation and structural assistance - have elicited a strong reaction. Finance Minister Taavi Veskimägi has dismissed the ideas as populist and short-sighted, arguing that tax competition in the EU enhances the Union's global competitiveness.⁴⁸⁷

main priorities of expenditure

In terms of expenditure, Estonian priorities for the EU financial framework for 2007-2013 include the attainment of Lisbon objectives, a fair and effective cohesion policy, effective financing of education, research and development, and the development of the European Neighbourhood policy. The government finds that EU priorities for the financial perspective are, overall, in line with Estonia's domestic priorities and the financial perspective enables Estonia to „amplify“ the implementation of these priorities.⁴⁸⁸ Not surprisingly, the Estonian government emphasizes cohesion and solidarity among member states, arguing that „one of the greatest challenges in drawing up the EU common budget for 2007 to 2013 is creating effective financing conditions to involve the new Member States in achieving the economic and political goals of the EU.“⁴⁸⁹ Thus, the new budget should take into account all aspects related to the enlargement, including the need

⁴⁸⁵ The Estonian Government's European Union Policy for 2004-2006,” p. 22. Approved by the Government on April 22, 2004. Available at the webpage of the Government's European Union Secretariat at www.eib.ee

⁴⁸⁶ Ministry of Finance Press Release, September 13, 2004. www.fin.ee

⁴⁸⁷ Aivar Reinap „Prantsuse minister jätkaks Eesti ELi abirahata.“ *Postimees*, September 7, 2004.

⁴⁸⁸ A letter of explanation attached to the Government's decision on „Positions regarding EU financial perspective 2007-2013.“ (Seletuskiri valitsuskabineti nõupidamise protokollilise otsuse „Lähteseisukohad EL 2007.-2013.a finantsperspektiivi kohta“ juurde).

⁴⁸⁹ „The Estonian Government's European Union Policy for 2004-2006,” p. 22. Approved by the Government on April 22, 2004. Available at the webpage of the Government's European Union Secretariat at www.eib.ee

to reduce the difference between the levels of development in old and new member states.⁴⁹⁰

Regarding the expenditure on agriculture, the Estonian government supports the idea of further decrease of the share of the CAP in the EU budget, arguing that „the budget must adjust to the actual priorities of the European Union and not to historical priorities.“⁴⁹¹

Estonia finds the current CAP to be competitiveness-inhibiting and supports the reduction of the market distortive impact and the direction of resources from direct aid to rural development. The government also supports the gradual evening out of the levels of agricultural support in the different EU regions. It is also considered important that CAP continues to be financed primarily from the EU Common Budget, as increasing the share of national budgets in financing agriculture and rural development could create unfair competition.⁴⁹²

reform of regional and cohesion policy

Regional and cohesion policy is a priority for Estonia and the government insists on the allocation of “necessary and sufficient funds from the EU common budget in order to attain the EU’s regional policy goals.“⁴⁹³ The Commission’s proposal to allocate 0.41% of EU’s GNI to regional policy is regarded as a „bare minimum,“ in light of increased regional disparities following enlargement.⁴⁹⁴ Structural aid should be directed to the least developed countries and regions, i.e. above all to the new Member States. Estonia supports a short phasing out period for the regions influenced by the statistical effect and the idea of maintaining the maximum level of budgetary appropriations of structural funds gained by a member state at the level of a maximum of 4% of the GDP of the member states.⁴⁹⁵ However, it is also noted that linking support to GDP favors richer member states and the per capita amounts remain unbalanced. The phasing out scheme proposed by the Commission is regarded as too generous

towards old recipients, resulting in only a 34% reduction of aid during seven years compared to the level they would receive if enlargement had not occurred.⁴⁹⁶

increase in the field of security and immigration policy

Security and immigration policy – as well as external relations - are also regarded as priorities and all major policy players in Estonia welcome the increase of expenditure in these areas. In light of its geographical location, the most important issues for Estonia include external borders, Schengen, the EU’s relationship with Russia and the European Neighborhood Policy. Estonia supports initiatives aimed at strengthening the control of external borders and immigration policy. The government declares its interest „in the European Union assuming a supporting and co-ordinating role in border management“ and argues that „the financial burden related to border control should be shared according to the principle of solidarity.“⁴⁹⁷ However, the government remains cautious about the idea of joint border guard units because of concerns that this will undermine sovereignty. The government also emphasizes the need to render the Schengen compensation mechanisms (co-operation between the police, customs authorities and judicial bodies) more effective. The financial burden related to the introduction of new technologies relevant to these objectives should be shared at EU level.

probable coalition partners

Probable coalition partners to support Estonia’s position vary from issue to issue. Although Estonia in many ways shares the views of France, Germany, Sweden, Netherlands, UK, and Austria on the ceiling for expenditures, it has so far refrained from joining such coalitions, waiting for more concrete reform proposals in key areas.

⁴⁹⁰ Ibid, p.22.

⁴⁹¹ Ibid, p. 23.

⁴⁹² Ibid, p.29.

⁴⁹³ Ibid, p.22.

⁴⁹⁴ Background material for the discussion of the financial perspective in the Estonian Parliament, prepared by Pille Pruunsild, Ministry of Finance, August 31, 2004. („EL 2007.-2013.a. finantsperspektiivi arutelu Riigikogu Euroopa Liidu Asjade Komisjonis 03. septembril 2004.a.“ Taustamaterjal).

⁴⁹⁵ „The Estonian Government’s European Union Policy for 2004-2006,“ p. 23. Approved by the Government on April 22, 2004. Available at the webpage of the Government’s European Union Secretariat at www.eib.ee

⁴⁹⁶ Background material for the discussion of the financial perspective in the Estonian Parliament, prepared by Pille Pruunsild, Ministry of Finance, August 31, 2004. („EL 2007.-2013.a. finantsperspektiivi arutelu Riigikogu Euroopa Liidu Asjade Komisjonis 03. septembril 2004.a.“ Taustamaterjal).

⁴⁹⁷ Ibid, p 33.

Finland

financial framework 2007-2013

The Finnish Government has not yet decided its final position on the financial framework for 2007-2013. What follow are preliminary assessments of the Government's eventual position based on the Government's press releases⁴⁹⁸ and ministerial statements.⁴⁹⁹

own resources ceiling

Finland proposes a budget ceiling of 1,1% of the Union GNP. In order to make more financial resources available, the EU should streamline its funding-related bureaucracy and introduce more fiscal discipline into EU programmes. Fiscal responsibility together with fiscal openness should similarly be promoted to achieve better value for monetary contributions. Generally the funding arrangements of the Union should be simplified and the contribution concessions of certain Member States, such as the UK, abolished.

main priorities of expenditure

The primary concern for Finland is the continuation of regional funding to the country's scarcely populated northern and eastern regions. On the Union scale, the Finnish Government would prioritise regional cohesion and Union-wide competitiveness. Emphasis on knowledge and innovation aspects of competitiveness should feature in the employment strategy of the EU. Finland also encourages projects such as eEurope alongside other efforts to promote research and development.

More funding should be dedicated for the European Neighbourhood Policy and also for the Northern Dimension. Finland would also suggest more resources for justice and home affairs.

reduction of expenditure on agriculture

To compensate for reduced expenditure on agriculture, Finland would like to allocate greater efforts towards the development of innovative entrepreneurship in the rural areas so as to create new jobs. To this end, the

⁴⁹⁸ See especially the Government statement on the Commission press release of 10 February 2004 on the EU's financial framework, available in Finnish at www.vm.fi/tiedostot/pdf/ffi/63166.pdf

⁴⁹⁹ See especially *Helsingin Sanomat* newspaper, comments on Agenda 2007 by the Coordinate Minister for Finance Ulla-Maj Wideroos, 25 September 2004

Finnish Government proposes to increase the resources aimed at diversification of rural livelihood by 20% from the Commission offering.

reform of regional and cohesion policy

The current Finnish position is to maintain the existing level of funding and to develop the content of regional and cohesion policy.

probable coalition partners

Given some uncertain aspects of the Finnish position, it is premature to indicate probable like-minded partners.

Germany

German politicians and policy makers expect tough negotiations and bargaining over the next financial framework. While the government has made its general position very clear, the opposition is not yet taking sides or presenting its own positions in a definite way. Already in December 2003 Chancellor Schröder proposed together with five other heads of government (Austria, France, Sweden, the Netherlands and the UK) to limit the own resources' ceiling to 1,0% GNI.⁵⁰⁰ The budget for the EU-25 shall only increase in absolute terms which equals the present level of the actual budget in 2002. If the proposal of the Commission would be accepted the German net contribution would nearly double.⁵⁰¹ That was why in particular Finance Minister Eichel furiously rejected Commissioner Schreyer's proposals.⁵⁰² The reaction of opposition leader Merkel to the letter of the six net payer and in particular the position of Chancellor Schröder referred more to the bullying way in which he acted than its

⁵⁰⁰ „Letter of the Six“, Joint letter of the head of governments of Austria, France, Germany, Netherlands, Sweden and UK to the President of the EU-Commission Romano Prodi, for details see <http://www.bundesregierung.de/artikel-413.577056/Gemeinsames-Schreiben-Deutschl.htm> and “Schröder gegen höhere Beitragszahlungen” available at <http://www.spiegel.de/politik/ausland/0,1518,314183,00.html>

⁵⁰¹ For further details see: www.spiegel.de/wirtschaft/0,1518,324330,00.html and an abstract of a study of the French Institute of International Relations (IFRI) available at: http://www.ifri.org/files/europe/Resume_conclusif.pdf

⁵⁰² “Eichel und Schreyer beharken sich” available at <http://www.faz.net/s/Rub99C3EECA60D84C08AD6B3E60C4EA807F/Doc~EF89DDB48A1694E96A7392B9706D2E397~ATpl~Ecommon~Scontent.html>

substance. In particular Bavaria is very critical of the high net payer position of Germany and also the priorities on which money is spent. The government insists that within the limits of 1,0% GNI the EU could cope with both growth of membership and extension of tasks and competencies as in the field of foreign policy and internal security. Although there are no clear indications where to save or concentrate money in the budget a weak point of the government's position is that the Chancellor agreed in October 2002 to a relatively high level of expenditure in agriculture under pressure from France. It is widely expected that this agreement will not be questioned in the course of negotiations on the Agenda 2007. As a consequence any proposals on reducing expenditure will have to focus on regional policy. The German government supports a concentration of funds to the poorest regions. It argued against a classification based on national wealth, considering that the Eastern Länder are still poor enough not to meet the 75% threshold. This would however mean that regions which have benefited from objective 2 so far, like the Ruhrgebiet in Northrhine-Westphalia will lose subsidies. This is all the more a sensitive issue as there will be elections in Northrhine-Westphalia in spring 2005 which are generally interpreted as a signal for the outcome of the general elections in autumn 2006. In the Ruhrgebiet as in many regions in the Eastern Länder there are high unemployment rates between 10 and 20%⁵⁰³ so that the reduction in spending from regional funds which was used for training of unemployed and establishment of the so called second non-competitive labour market is of high political importance. A new debate is developing on the priorities that should be covered by structural policy. There is some uncertainty about the consequences of introducing the Lisbon goals under the heading of structural policy and putting it alongside the original aim of reducing the relative social and economic disparities between member states. The Greens which have an electorate that is often not directly affected by measures financed from structural policy often argue in favour of a bottom-up approach so that the EU gets all the money it needs to fulfil its tasks.⁵⁰⁴

⁵⁰³ For details see http://www.pub.arbeitsamt.de/hst/services/statistik/000000/html/start/gif/b_karte_aloq.shtml

⁵⁰⁴ Rainer Steenblock, Ines Hartwig: Die Agenda 2007: Solidarität, Nachhaltigkeit und Innovation, in: Integration, 1-2/04, Mai 2004, Baden-Baden.; for further details see also Mittagsgespräch mit Rainer Steenblock: Finanzen und Strukturpolitik in der erweiterten Union – Eine erste Bewertung der Kommissionsvorschläge. February 9, 2004,

The government's approach is quite naturally one of top-down that one knows how big the cake is and only distribute what's there. The Länder as vocal players in favour of the status quo with regard to absolute transfers for their regions define interests independent of the governing parties. The German Länder, represented by the *Europaministerkonferenz*,⁵⁰⁵ were concerned with the future of regional and cohesion policy already in December 2003 but did not come to a decision. Different interests have emerged because of the ongoing difficult economic situation in Eastern Germany which require different strategies in the Länder. Especially the Eastern Länder have to deal with the "statistical effect" caused by the enlargement process. They joined the group "regions affected by the statistical effect" whose major demand is the long-term phasing out of actual Objective-1-Regions.⁵⁰⁶ A very difficult process of consultation and bargaining with federal government on these issues is imminent. As had been the case in the past, it will be very difficult for Germany to come up with a consistent and clear position in EU negotiations. Moreover the government tries to forge a coalition of the six net payers and expects the Barroso Commission to modify or even change Ms. Schreyer's proposal. It is not convinced that the negotiations on the financial framework can be completed before the first half of 2006.

Coalition partners of the government in other member states are of course the so called net payers. This was also stated in the joint letter of Blair, Schröder, Chirac, Schüssel, Balkenende and Persson. The government is very much in favour of the introduction of the general correction mechanism and tries to win over France for this position. Already in the second half of the nineties former Finance Minister Waigl (CSU) proposed a similar procedure for capping payments in order to reduce Germany's net payer position and to have a fairer burden sharing among the net payers, most notably France and the UK. This continues to be in the German interest.

The *Bundesverband der Deutschen Industrie*⁵⁰⁷ has not yet made any statements on the new financial framework but it claims

Institut für Europäische Politik, Berlin, <http://www.iep-berlin.de/mittagsgespraeche/mig-2004/mig-04-steenblock.htm>

⁵⁰⁵ Conference of the Ministers of European Affairs of the German Länder

⁵⁰⁶ For further details see http://europa.eu.int/comm/regional_policy/debate/contri_member_en.htm

⁵⁰⁷ German Industry Association

that the future cohesion policy should focus on the least developed regions and concentrate on few promotion activities.⁵⁰⁸

Greece

financial framework 2007-2013

own resources ceiling

The outcome of the financial framework negotiations for 2007-2013 are of crucial importance to Greece, since the large (and growing) financing the country has been receiving (a) for agricultural prices support and (b) for infrastructure-building and structural adaptation has been a major factor of the Greek economy growth from the early Nineties onwards. Thus, of essence for Greece are both safeguarding of the Community Budget and anchoring of the own resources ceiling at 1.24% of GDP (even higher goals have been mentioned in public debate, e.g. by ex-Foreign Minister Pangalos) so as to ensure something resembling a financial compensation of a quasi-federal system and keeping in force the present areas of expenditure eligibility. Even now, the restrictions in support levels and/or in financing conditions for main crops of Greek interest (tobacco, cotton, also olive oil) are being resented.

reform of regional and cohesion policy

More importantly, the rules of the (present) 3rd report on economic and social cohesion were considered too restrictive as they are leading to EU funding of agreed actions being blocked (as the mid-term review seems to show); now that the "re-writing" of Greece's deficit-and-debt data puts into jeopardy the financing of actions from the Cohesion Fund, fears are growing that the economy will have to be weaned away from its levels of EU support soon enough. This is not playing well in public opinion, nor in political debate.

probable coalition partners

The way in which Spain and Poland have been pushing for Structural Fund financing has been

⁵⁰⁸ For further details see: German Industry Association: BDI-BDA Stellungnahme zum Dritten Bericht der EU-Kommission über den wirtschaftlichen und sozialen Zusammenhalt, Berlin, May 2004 and German Industry Association: Die Zukunft der EU-Strukturfonds nach 2006. Erste Eckpunkte der deutschen Wirtschaft, Berlin, November 2003

noticed, but the Greek Government⁵⁰⁹ seems wary to proceed to any form of front-building. This goes both for the 3rd report on economic and social cohesion and for the perspectives of a 4th report on economic and social cohesion.

Hungary

financial framework 2007-2013

own resources ceiling

According to the Hungarian official position a sufficient amount of resources must be available for the EU budget in order to achieve the new ambitious goals of the Union. It means that the own resources ceiling has to reach at least 1.24% of EU GNP as proposed by the Commission in February 2004. The recommendation of several countries to cap the ceiling at 1% is totally unacceptable for Hungary. Strengthening the budgetary discipline is a Hungarian interest as well, but it can be achieved better by concentrating the resources on the commonly agreed key priorities than by reducing the national contributions. It would be highly counterproductive if the insufficient quantity of resources endangered the achievement of the most important aims the EU set itself.

main priorities of expenditure

The key priorities of expenditure set by the Commission as well as the amount of money allocated for them are acceptable for Hungary. From the Hungarian perspective the proposed package is well balanced, supports solidarity and cohesion within the EU, as well as its competitiveness. The main merit of the draft is that it considers some new tasks of the EU and dares to propose a reform of the common agricultural policy by further strengthening the rural development aspect.

reduction of expenditure on agriculture

According to the Hungarian position the agricultural budget, that has been frozen at the Copenhagen summit (December 2002), must be maintained and the agreement must be respected. Regarding the available resources, however, Hungary is interested in having a

⁵⁰⁹ An ex-MEP, Mr. Folias holds the portfolio for the Structural Funds at the Ministry of National Economy; a middle-level Brussels man, M. Moussouroulis is Secretary-General with more technical responsibility.

broad access to the funding for rural development.

increase in the field of security and immigration policy

Hungary supports the establishment of an own budgetary heading for the area of freedom, security and justice and appreciates in particular the funding of the control of common external borders. However, the official position emphasizes that this policy should not lead to the creation of new dividing lines along the EU's external borders.

reform of regional and cohesion policy

Hungary would like to maintain the cohesion policy as a common policy and consequently finds its re-nationalisation unacceptable. The new objectives (e.g. convergence, regional competitiveness, transnational cooperations) are suitable for Hungary. Moreover, Hungary favours the application of the Berlin principles laid down in 1999, in other words "more money for the poorer Member States". Hungary considers that the strengthening of cohesion policy is in the interest of the whole EU if it wants to become the most competitive economic entity in the World. Hungary would even be in favour of revising the maximum rate of Union support capped now at 4% of GDP of the recipient country (or at least to introduce a differentiated approach in this regard), however, Budapest accepts this ceiling.

probable coalition partners

There are no pre-determined coalition partners for Hungary. The creation of certain coalitions depends on the issues debated or on the headings of the budget. Of course to learn the coalition-building techniques and to be successful in this "exercise" is crucial for all the new Member States, including Hungary.

Ireland

financial framework 2007-2013

Ireland's ambitions lie in maintaining economic progress and fostering a 'communaulaire' spirit to contribute to the positive development of the EU's newest members. In this vein, it is virtually certain that Ireland will support a ceiling above 1%.

Apart from this Ireland does not have any major concerns in regard to the new financial

framework apart from guarding against a European tax and ensuring some development funding both through community funding and through the rural development budget.

own resources ceiling

A possible concern with the 1.24% ceiling is that Ireland is soon to become a net contributor. However, Ireland would like to support the development of the new member states and is therefore willing to go above the 1% ceiling.

main priorities of expenditure

The main priorities of expenditure in Ireland would be geared towards growth and competitiveness – both at home and abroad – the corner stones of the Lisbon Agenda. This includes general infrastructure development funding, and community and rural development funds.

reduction of expenditure on agriculture

This is a major area of concern for Ireland due largely to its extensive agricultural sector, which has benefited greatly from the CAP and because of the electoral weight of rural communities. However, there are, at present, few expressions of worry, as there is a belief that the CAP will not be further reformed until 2013.

Ireland will have concerns about the rural development budget.

increase in the field of security and immigration policy

During the Irish Presidency, the Irish Government was supportive of the process that led to the elaboration of an EU security strategy. It is noteworthy that Ireland adopted the most liberal regime of the EU 15 in relation to immigration from the new member states.

reform of regional and cohesion policy

In the light of Ireland's recent economic expansion, to which the Structural Funds made a significant contribution, there is an acceptance that poorer regions of the enlarged community should now similarly benefit.

There has been some concern among Irish commentators that as a result of a reduction of EU receipts, financing of development in former Objective 1 areas may falter.

Ireland hopes to continue to receive some Union funding under future programmes and this is an area where Ireland will wish to make an input in decision making. Furthermore, the government will wish to retain existing joint programmes.

probable coalition partners

The three main concerns of the Irish government are likely to be:

- The CAP (only if there is a proposal for change), where the apparent allies for Ireland will probably be limited to several new member states.
- Contributions to the budget:
- Ireland will support contributions of 1% or more and is therefore likely to have allies among the new member states and among those of the 15 who are opposed to the "six".
- A European Tax (which according to the Commission itself is unlikely until 2024). Nearly all the other member states are opposed to a European tax. Ireland is likely to be a member of a broad coalition in this regard.

Ireland will, as in the past, become part of ad-hoc alliances depending on the policy area and is likely to support Commission proposals where its national interests are not seriously threatened.

Italy

The Commission's proposals on the 2007-2013 financial framework are currently being discussed by the relevant committees of the Italian Parliament. Foreign Minister Franco Frattini expressed the government's position on this issue in an intervention on September 15, 2004.

The Minister generally welcomed the Commission's proposals on cohesion policy. He defined the amount foreseen by the Commission for this as "adequate", but expressed concern about a possible reduction in the last phase of the negotiation. The amount allocated to trans-European transportation networks was also in line with the expectations of the government, which strongly suggested an increase in public investments on infrastructure during its presidency term (second semester 2003).

Frattini has placed great emphasis on the need to spend more on immigration policy, border controls and the fight against terrorism.

Referring to the proposal to apply the correction mechanism currently used for the United Kingdom more widely, Frattini acknowledged that it only partially resolves the problem of Italy's balance (Italy is one of the net contributors to the EU budget); consequently, the government is examining the possibility of formulating amendments to the Commission's proposal.

Finally, the government has not yet clarified its position on the controversial matter of a ceiling on own resources. Speaking before Parliament, Frattini said that "we are not today in a position to express ourselves, as we are still in the initial negotiation phase". As already mentioned, Italy is a net contributor to the EU budget, but is also among the biggest recipients of EU cohesion funds. Therefore the government, while supporting a reduction in the ceiling, is against a reduction that would concentrate on cohesion policy. According to Deputy Minister Gianfranco Micciché, any reduction should apply equally to all EU policies. Nevertheless, as pointed out by Frattini, "those countries asking for a reduction in the ceiling have very clearly asserted that savings should be made in cohesion policies at the expense of those countries that have been the main beneficiaries so far". This being the situation, the government could find it difficult to advance its interests in the negotiations, which explains its reluctance to take a clear position in this phase of the talks.

Lithuania

The reform project Agenda 2007 was welcomed and in general positively evaluated. Nevertheless, it is difficult to define the consistent position of the government on this question. Most of the positions are still being defined at the moment. It is possible to find only several items mentioned in regards to the Agenda 2007.

So, Lithuania seeks that the EU financial planning would consider the proper integration of the new members and the fulfilment of the negotiation obligations. Cohesion policy should be directed at the poorest members and foster their economy growth. The big concern is also the question of transit through Kaliningrad and guarantees that the obligations of the agreement would be kept. Finally, Lithuania is very interested that idea about the closure of the Ignalina nuclear power plant would be not

forgotten and it would be included into the financial planning of the EU.⁵¹⁰

Luxemburg

financial framework 2007-2013

own resources ceiling

Luxemburg being classified by the Commission as a net payer to the EU was a big step forward. The new way to calculate the contributions makes Luxemburg one of the biggest net contributors per capita to the EU.

reduction of expenditure on agriculture

Luxemburg agriculture has always been considered as less developed (bad economical, meteorological, natural conditions). Most of the grand duchy's rural areas were classified in Common policy assistance programs areas. The number of Luxemburg farmers, though well subsidized, diminished. With the admission of new member states with a huge agricultural potential the need for a redefinition of common agricultural policy seems unavoidable. Farmers lobbies in Luxemburg do not want to turn agriculture into a mere environment protection activity. They decline a reduction in agriculture expenditure unlike most other political and social groups.

The official Luxemburg position is very clear: it can not accept at all the commission's proposition on the reduction of expenditure to agriculture.

increase in the field of security and immigration policy

Luxemburg government and most of Luxemburg's political parties organizations want an increase of expenditure in the field of security and immigration policy. Being confronted to an ever increasing number of refugees Luxemburg urgently calls for a European immigration policy fighting the real (economic, political religious, etc.) causes of immigration and hence reducing the number of refugees.

reform of regional and cohesion policy

Luxemburg is very interested that the regional and cohesion policy criteria as they have existed until now and the regions eligible for this policy do not change, especially in agricultural terms, otherwise the social and economic balance would be disrupted and would thus increase social and economic problems inside the country.

probable coalition partners

Benelux countries in particular and the actual recipients of these policy could be possible allies in this matter. But it is hard to predict which coalitions prevail since the very particular interest matters more than general political principals.

Malta

Discussion of the EU Commission's Agenda 2007 reform project in Malta remains at an embryonic stage for the moment. As a result a comprehensive debate on issues such as the ceiling at 1,24 per cent of GNP of EU and the main priorities of expenditure have yet to be debated widely. Malta is in favour of an increase of resources in the field of security and immigration policy as discussed below.

Netherlands

financial framework 2007-2013

own resources ceiling

In spring 2004 the government informed parliament on two important areas of Agenda 2007: the Financial Perspectives and the future of the structural policy. Where the budgetary framework is concerned the government aims at keeping the Union's level of expenditure constant in real terms. It wants to take 2006 as a reference for creating a real costs expenditure framework to be implemented from 2007 onwards. In this respect it cooperated actively in drafting the letter from six Member States, calling on the Commission to keep the EU's budget within 1% of the EU's GNI. Scope for new initiatives must be found by replacing outdated policies by new ones that respond better to today's challenges. There certainly is a need for renewal. In this respect the government supports the new priorities of sustainable economic growth

⁵¹⁰ Press release by Ministry of Foreign Affairs "Ministre of Foreign Affairs looks positively at the proposals of the Commission on the EU multi-year budget", July 15, 2004, www.urm.lt.

(enhancing the Lisbon Strategy) and internal and external security, but holds the position that increasing expenditure in these new fields should be balanced with decreasing expenditure in old policy fields. Concerning the common agricultural policy the government wants to maintain the agreed annual ceiling of 43 billion Euro for market measures and direct income support to farmers. It does not agree with the commissions proposal to add on top of that possible support for Bulgaria and Romania. It welcomes a simplification of the rural development policy and the introduction of a standard maintenance and control system. With regard to expenditures on rural development policy the governments is in favour of reducing these even further posing a ceiling of 70 billion Euro for the period 2007-2003 (EU-27). In principle the government is against more flexibility within the Financial Perspectives and against the possibility of readjustments on annual basis. Finally, a satisfactory solution must be found, in the negotiations, for the Netherlands' excessive net contributor position. Concerning the Netherlands' desire to improve its relatively unfavourable net contributor position, the Commission's proposal for a general correction mechanism is a step in the right direction. Whether or not it indeed proves to be so will depend on the final outcome of the negotiations and the degree to which it proves possible to control expenditure at EU level.⁵¹¹

reform of regional and cohesion policy

In the debate about the future of the EU's structural policy, the government considers that the reforms proposed by the Commission do not go nearly far enough. They place insufficient emphasis on transfers of resources to poor Member States and on promoting economic growth. This means that during the negotiations with the other Member States, the Netherlands will try to highlight its position that future structural policy should be directed as much as possible towards the poorer – mainly the newer – Member States. The government urges to follow the principle of solidarity and finds it unacceptable that rich Member States will absorb half of the means.⁵¹²

⁵¹¹ Notitie. De voorstellen van de Europese Commissie inzake de Financiële Perspectieven, Tweede Kamer, vergaderjaar 2003-2004, 21 501-20, nr.259, p. 5-6; 10-12. and De staat van de Europese Unie (*The state of the European Union*), p.14.

⁵¹² Notitie. De voorstellen van de Europese Commissie inzake de Financiële Perspectieven, p.9-10 and De Staat van de Unie, p.14.

probable coalition partners

On the position of keeping the EU's budget within 1% of the EU's GNI the Netherlands is supported by the other net contributors Germany, Austria, France, Sweden and United Kingdom. In general The Netherlands will intensify its consultations with other member states looking for possible coalition partners. Apart from that the cabinet is investing in its relations with new member states in respect to its positions in the upcoming negotiations on the financial perspectives of 2007-2013. Through political contacts and information exchange on administrative level the Dutch discuss their position.⁵¹³

Poland

Agenda 2007 reform project was very carefully read in Poland. There was no significant differentiation between various groups and parties, what probably was related to preoccupation with ongoing accession. In general the Commissions proposal was taken as a reasonable basis for debate in Poland. First reaction took the form of the position by the Government (adopted by the Council of Ministers on 30 April 2004)⁵¹⁴ which was not really questioned by the opposition or other stakeholders. It was presented during the Cohesion Days in Brussels, however, its presentation marked only the beginning of the public debate. On these grounds the Commissions proposal was further discussed among specialists and governmental bodies. On September 8, 2004 a discussion on general framework of the new financial framework took place at the meeting of the Committee for European Integration. It was chaired by the new prime minister Mr Marek Belka. Initial projects of the opinions of the Government on the new proposed regulations published by the European Commission on July 14, 2004, were submitted to the Parliament.

New forum for the public debate on the new financial perspective was created by the Office for European Integration on the internet.⁵¹⁵ The general public was invited to take part in the debate and express opinions on the matter.

The debate is by far not finished yet. One can say that in general there is more similarities in seeing the possible consequences of the

⁵¹³ Notitie. De voorstellen van de Europese Commissie inzake de Financiële Perspectieven, p. 20.

⁵¹⁴ Republic of Poland, Future of the Cohesion Policy of the European Union, April 2004

⁵¹⁵ For details see: <http://www.debata.ukie.gov.pl>

Commission proposal than differences, at least for the time being.

Up to date, main points raised relate to the following issues.

First, the proposal is understood as an attempt to find a balance between long term solidarity principle with Lisbon strategy needs.

Second, shortage of empirical evidence that could support certain assumptions either expressed or hidden in the text. For instance real absorptive capacity of new member states by no means can be assessed today. The assumption that after accession production and trade conditions are equal throughout EU lacks proof.

Third, an important issue discussed is EU budget for the period of 2007-2013. The recent accession and its characteristic feature should favour increase of to-date ceiling rather than reduction to 1.24% of GNI or even less.

Fourth, and probably the most discussed issue relates to the proposed set of priorities and instruments that together are seen as leading towards implementation of two separate systems for two parts of European Union: the old and new Member States. From this point of view different systems for different EU large territories may be counterproductive as far as economic restructuring and development is concerned. No doubt that the issue of instruments adjustment to the needs and problems has to be continued and that it can not ignore the aforementioned dimension.

The latter point was expressed from the very beginning of the debate in Poland by most experts who stress the risk of (steady) marginalisation of cohesion policy restricted *de facto* to selected less developed member states. Different instruments applied to different areas (with support to innovations and competition development restricted to better developed MS) may result in petrifying of existing disparities and possibly to their increase.

For the time being these general issues formed mainstream of the debate. Unoubtedly the progress in work on details of proposed solutions and regulations will yield new issues and remarks.

The most probable coalition partners to support Poland's position and interests can be identified among two groups of Member States: of Central and Eastern Europe and "old" cohesion countries (possibly except for Ireland). One should notice, however, that as far as peculiarities go there are certain differences. It is not likely that those differences for the time being shall affect common general interests.

Portugal

financial framework 2007-2013

own resources ceiling

There is a largely undisputed consensus around the idea that in order to match its ambitions, especially after the 2004 enlargement, the Union must have the adequate resources. This principle is rather incompatible with the proposal of the so-called "Group of 6" for setting the resources ceiling at just 1% of GNP.

The official governmental line is to support the Commission's proposal for own resources ceiling for payment appropriations of 1,24% of Member States' Gross National Income (GNI). While not being enough to accommodate the financial requirements of enlargement, the current proposal is seen as the minimum level of resources needed to fulfil the Treaty objectives (such as cohesion and the Common Agricultural Policy), as well as more recent objectives such as the so-called Lisbon Strategy.

Since the cohesion policy is by far the main priority of expenditure for the Portuguese government, there is some concern about the proposals for its reform. The concentration of expenditure solely on the poorest regions of the EU-25 or, as some countries suggest, on the newer Member States is rejected by the government. The government understands the need for a new distribution of resources, but this new distribution must be done according to objective criteria, namely GDP *per capita*.

Proposals for linking cohesion expenditure with other objectives (such as competitiveness) is also seen with skepticism, according to the logic that different objectives should have separate financial resources.

In order to attain its objectives, the government has tried to work in co-operation with the other member states – Greece and Spain - for whom the principle of cohesion is central, even if their specific priorities are different from the Portuguese ones. There is also an attempt to extend this "alliance" to the new Member States from Central Europe and try to dissipate the image of competition between new and old recipients of cohesion funds.

Slovakia

Slovakia's official main priorities are:

- To lower the number of budgetary chapters of the EU to five;
- It supports the 7-year financial framework;
- It does not support the annual discussion between the EP, the Council and the Commission;
- It supports the keeping of the tool of flexibility in the new financial perspective;
- It supports the budgetary ceiling at 1.24 GDP of the Union;
- It supports the inclusion of the European Solidarity and Rapid Reaction Instrument in the volume of 1 billion euros into the multi-annual framework;
- It supports transparent and simple system of own sources reflecting the prosperity of individual member states.

Slovenia

The Slovenian Government have positively assessed the Communication from the European Commission on the financial framework for 2007-2013. The Commission's Communication is in full consistency with the Slovenian assessment of the challenges for the EU.⁵¹⁶

financial framework 2007-2013

own resources ceiling

The Government support the proposed goals of competitiveness, cohesion, management and protection of natural resources, with the inclusion of funds for environmental protection, the enhancement of the field of freedom, security and justice and the consolidation of the EU as a global partner. With regards to Slovenian interest in the fields of the Lisbon Strategy, cohesion and rural development, Slovenia has judged as appropriate the European Commission's proposal according to which the New Financial Perspective (NFP) would, in the period of seven years, reach on average 1.14% of the GNP of the EU regarding the amount of accorded resources for payments.

Since tax harmonisation is not sufficient in the EU member states, the Slovenian Government

believe the European tax is not the suitable financial source for the EU budget. Given the complicated tax administration, and in the context of simplification of the financing of the EU budget, Slovenia will support the gradual omission of the sources based on the value added tax. Therefore, the Slovenian Government advocate such a modification of the EU-budget-financing system, according to which its resources (income) will consist of the GNP-based sources. Slovenia will also support proposals for the abolition of the instrument of the correction of budgetary imbalance.⁵¹⁷

main priorities of expenditure

The Slovenian Government wish to see the EU-25 key objectives be better reflected in the adjusted structure of the NFP. Accordingly, the Government think that essential changes in the EU, brought about by the enlargement and the outcome of the Treaty establishing a Constitution for Europe and the changes in the international position of the EU, to which EU has responded with the Lisbon Strategy, show that any support of the set goals with suitable financial resources would require the structure of the EU budget expenditure in the NFP to be adjusted accordingly. The Slovenian Government estimate that in the socio-economic field, the priority goals are: a sustainable economic growth, food protection and sustainable development of agriculture, cohesion and further enlargements of the EU. In other fields, priorities should be attached to the goals of freedom and security and the Common Foreign and Security Policy.

Since it appears that the current proposal for the protection of the EU's common external border does not enable the EU to achieve the set goals, the Slovenian Government will endeavour to assure adequate resources for this field of co-operation. With respect to the fact that the Government strongly support a further EU enlargement to South Eastern Europe, the Government will aim for the EU enlargement goals to be reflected in the NFP.⁵¹⁸

reduction of expenditure on agriculture

For Slovenia – as a country with a very undesirable structure and location of agricultural land – rural developmental support

⁵¹⁶ "Prednostne naloge Slovenije za delo v Svetu Evropske unije v letu 2004" ["Preferential tasks of Slovenia in the Council of European Union in the year 2004"], May 2004, Ljubljana, p. 5.

⁵¹⁷ "Prednostne naloge Slovenije za delo v Svetu Evropske unije v letu 2004" ["Preferential tasks of Slovenia in the Council of European Union in the year 2004"], May 2004, Ljubljana, pp. 5-6.

⁵¹⁸ *Ibid.*

and measures thereof are important for the preservation of agricultural production in many areas. Within the Common Agricultural Policy Slovenia will strive for a further enhancement of the rural development policy. Slovenia supports the increase of provisionally earmarked resources for rural development as framed in the NFP.

increase in the field of security and immigration policy

According to the Slovenian Government, the most important aspect of the security and immigration policy is security and efficient management (and control) of the EU's external border. Slovenia attaches special importance and priority to the Slovenian part of the EU's external border (i.e. Slovenian-Croatian border). Slovenia wishes to see, and will strive to achieve, the application of the principle of solidarity to the integrated system of securing the external EU's borders. Accordingly, Slovenia wishes to see the expenses be divided at the EU level and among all member states, rather than born by those member states that lie at the outskirts of the EU. The Government also supports the formation of a European agency for the management of the external EU's borders, with the main objective to co-ordinate the management/control and to help establish an integrated management system. A decision has been adopted by the Slovenian Government for the country to become a candidate for a seat in the Agency.⁵¹⁹

reform of regional and cohesion policy

Slovenia's active participation in the negotiations on new regulations in the field of cohesion policy and in the activities related to the allocation of finances for the cohesion policy, are among priorities of the Slovenian Government for the year 2004. Slovenia has devoted much attention to debates concerning financial and substantive changes of the EU cohesion policy. For Slovenia, two issues are particularly important: the entitlement to the resources of the structural fund after 2006 and, consequently, the issue of the so-called statistical effect. In general, the Government believe that one of the most important aims of the cohesion policy in the NFP should be to attain the goals of the Lisbon Strategy at the

⁵¹⁹ "Prednostne naloge Slovenije za delo v Svetu Evropske unije v letu 2004" ["Preferential tasks of Slovenia in the Council of European Union in the year 2004"], May 2004, Ljubljana, pp. 49-50.

regional level. The decision on the regionalisation of Slovenia into the so-called cohesion regions (or the NUTS-2 level regions) is related with the ongoing negotiations on the NFP.

As Slovenia has a very long border line in comparison to its size, the Government's intention is to strengthen the cross-border co-operation, both within the EU and with partners from the non-members of the EU.⁵²⁰

probable coalition partners

During the work of Convention for the Future of Europe, Slovenia co-operated with the so-called "group of the like-minded small and medium sized member states". This co-operation has proved to be very successful, and according to the former Slovenian Foreign Minister "this [was] a good experience for the future work in the EU, where co-operation in groups and linkage will be necessary, or Slovenia will not achieve as much as it could."⁵²¹

The Editor for European affairs at the Slovenian Press Agency (STA) and a former correspondent from Brussels, Mihela Zupančič, claims that it would be unwise if a small state like Slovenia limited itself only to one coalition in order to increase its influence within the EU. In certain cases, a small state can efficiently participate in close co-operation with big member states; such states should therefore not be *a priori* left aside.⁵²²

However, despite the obvious need to build partnership, the Slovenian Government seem to have failed so far to co-operate very closely and to build trustworthy coalitions with other member states on issues of importance to Slovenia. In other words, no obvious coalition partners seem to exist, and Slovenia is yet to establish itself as a knowledgeable and important coalition partner. More importantly, Slovenia is yet to reorganise its public administration so that it would function with one voice externally and improve co-ordination

⁵²⁰ "Prednostne naloge Slovenije za delo v Svetu Evropske unije v letu 2004" ["Preferential tasks of Slovenia in the Council of European Union in the year 2004"], May 2004, Ljubljana, p. 47.

⁵²¹ Slovenian Press Agency STA: "Slovenski predstavniki zadovoljni ob sprejetju evropske ustave" ["Slovenian representatives pleased with the adoption of the European Constitution"], 19 June 2004.

⁵²² Zupančič, Mihela (2003): 'Manjše države v Evropski uniji – kako do vpliva?' [Smaller states in the EU – how to exercise influence?]. In: Slavko Gaber, Zlatko Šabič and Mitja Žagar, eds, *Prihodnost Evropske unije, Zbornik*. [The future of the European Union], pp. 95-109. Ljubljana: Državni svet Republike Slovenije.

internally, with a view to overcoming the lack of human and other resources.

Spain

Spain will face a wide range of challenges in the negotiations of the next financial framework (2007-13). Spain is at a crossroads, in the middle of a transition period because the balance of financial transfers between Spain and the EU will be closer to budgetary neutrality. Assuming the Spanish economy maintains its level of growth it will be required to contribute more to the EU's budget. On the other hand, some regions of Spain will still need funds for their development.

Spain has several concerns related to the forthcoming financial negotiations. Spain does not agree with the idea of a decrease in the size of the European budget in a larger EU. A reduction in the budget would lead to serious difficulties in meeting the commitments on agricultural payments and would undermine the cohesion policy in both the 10 new Member States and in the current Member States. In the next EU financial perspective Spain will lose its entitlement to funding under the Cohesion Fund, and a number of regions will lose their priority status under Structural Funds. Spain does not deny that the cohesion policy has contributed to its strong growth and to real convergence with the EU, but it argues that it still needs funds to reduce disparities between regions. Likewise, Spain will struggle to maintain the regions of Asturias, Murcia, Castilla-La Mancha and Ceuta and Melilla under Objective 1. These regions are due to be removed from Objective 1 status due to a 'statistical effect' caused by the enlargement process. Spain will defend some phasing-out funds for these regions.

In relation with the Commission's proposals to reform cohesion policy, Spain agrees with the new approach. In accordance with the support it gives to the Lisbon process, Spain believes the Lisbon and Gothenburg priorities should be incorporated into the core priority themes. However, these priorities must be transformed into clearer objectives, and the initiatives that have been successful and had such good results should be continued. As regards the reduction of expenditure on agriculture and the reorientation of the CAP towards rural development, Spain is concerned about the way this could affect different regions and their productivity.

Spain welcomes that the next financial perspective will take into consideration the

EU's commitment to develop new action in the area of citizenship, freedom, security and justice. If the EU wants to become an effective actor and a stronger global partner in international relations, it will need new resources. Spain also defends the balance between needs and budgetary stability.

Sweden

The need for financial reform is generally acknowledged in Sweden. The issue of an overall spending ceiling is one central aspect, where the government and the major opposition parties initially wanted to go further than the Commission proposes. The other issue concerns agricultural reform, where all parties and interest groups point in the same direction, but where for instance the Green party and the Left Party want to go further than the Social Democratic government and the other opposition parties, actually arguing for a return to national agricultural policies.

Since Sweden is a net contributor to the EU budget, it can be expected that in some issues, the main allies of Sweden will be the other net contributors (as was the case in the end games of the 2004 enlargement negotiations, for instance). This may coincide, but probably not completely, with other countries interested in less regulated respectively administered agricultural policy. In this latter category, a geographic factor may become evident, with the other Nordic EU members leaning in the same direction as Sweden.

UK

financial framework 2007-2013

own resources ceiling

The European single market remains the underlying priority of British EU membership. Yet the British are dissatisfied by the Commission's economic proposals for the 2007-2013 period. In their view, an opportunity has been missed, and that rather than being condemned to implement incremental changes to leave a chaotic, opaque system, it would have been preferable to start with a 'clean slate' which clearly defined the objectives of the EU, and accordingly, the requirements of the EU budget.

The British Government, along with the other five net contributors to the EU budget (Austria, France, Germany, the Netherlands and

Sweden) wish to limit EU spending over the coming years to 1.0% of EU Gross National Income (GNI). While the British Government might not expect this target to be achieved, it certainly hopes for a substantial reduction nonetheless, to limit expenditure to levels beneath the 1.15% that the Commission has advocated for 2013. It is to be expected that the British public, were it more aware of the situation, would support the Government in these objectives.

There are two main, closely related economic priorities for the UK in the EU - the reform of the Common Agricultural Policy (CAP), and the protection of the British rebate. While there has been some reform of the CAP, the UK Government considers it to have been insufficient. To the British, the CAP is wasteful, economically distorting, and in need of further substantial reform.

In the period since the introduction of the British rebate at Fontainebleu, the British have contributed twice what the French have to the EU budget, remaining the second largest contributors after the Germans. The UK Government is hostile to any proposed phasing-out of the rebate, which would be extremely difficult to sell to the British electorate. It believes that concerns over expenditure should be met before such mechanisms are renegotiated. The reluctance of the British to reconsider the rebate under current circumstances may inform their lack of enthusiasm for more generalised correction mechanisms.

increase in the field of security and immigration policy

The British Government makes no exception to its generally restrictive view of European expenditure for the field of security and immigration policy. This matter is, in any case, one of considerable political delicacy within the UK.

reform of regional and cohesion policy

In the past, the British Government had been in favour of consolidating regional and cohesion funds with money diverted from reform of the CAP. However, it now takes the position that regional and cohesion funds should be reduced along with the CAP.

It believes that a generally reduced level of spending on regional and cohesion policy would be compatible with appropriate payments to the accession countries.

probable coalition partners

Probable coalition partners for the British in their pursuance of a lower budget ceiling are the five other net payers (Austria, France, Germany, the Netherlands and Sweden) who, with the British, sent a letter to Romano Prodi in December 2003 calling for "painful consolidation" of the EU budget. Over calls to reform the CAP, the British find support from Sweden in particular.

6. What are the most urgent issues or questions to be addressed in the EU-25 in the aftermath of the recent enlargement? Which dynamics in decision- and policy-making do you expect?

Austria

There seems to be consensus that the main issues on the agenda are the coming half-time review of the Lisbon Agenda, negotiations on the financial outlook and the integration of the new Member States in the common market and the monetary union. Moreover, considering the increased focus on security after terrorist attacks around the globe, the EU must define its internal and external security role as well as its role as an international actor. The future dynamics in decision-making will largely depend on the outcome of the ratification process of the Constitution, as well as the overall ability of the EU institutions to cope with the higher number of member states. The Institute for the Danube Region and Central Europe points out that the future decision-making process will see fewer permanent coalitions and less consensus within the member states.⁵²³

Moreover, the Chamber of Commerce argues that delays in the legislative process are expected due to language and translation problems. It also notes that due to the complex decision-making procedures the big member states will increasingly try to agree and make deals in advance.⁵²⁴

Considering the low voter turnout at this year's EP elections, as well as the new size of the EU, there is a consensus between the political actors that one of the most urgent issues will be communicating the Europe to its people, particularly also in the light of the new EU Constitution.

Belgium

In the first place, there is the further enlargement of the EU, i.e. the ongoing negotiations with Bulgaria and Romania and the opportunity of starting negotiations on the Turkish membership. Furthermore there is the ratification process of the Constitutional Treaty and the necessity for a ratification strategy at EU level, as well as the elaboration of a "Human Security Doctrine" concerning the security of individuals in the broader context of ESDP.

Cyprus

On granting Turkey a date to start Accession Negotiations: We cannot presently predict the

relevant decision-making dynamics, since there are groups of states favouring a Yes, a No, a Not Yet, a Never, and a Very Conditional Yes. We are, however, inclined to expect the formation of support for the last-named possibility with an open time-horizon attached. Dealing with the Cyprus problem and the ongoing division of Cyprus: New European Parliament President Borrell's statements of 28 September justify further optimism that the Greek Cypriot No, by 76% of the voters, is becoming understood and appreciated. Initiatives for a comprehensive settlement by the European Parliament, at least, cannot, therefore, be precluded. It is also arguable that the Cyprus Government is receiving increasing support on its legally solid theses regarding the Commission's proposed Regulation concerning trade relations between occupied Cyprus and the EU.

Strengthening and Enhancing ENP: Here too we are guardedly optimistic. We believe that the ENP – being generally well – conceived and serving the mutual and forward-looking interests of both the Union and its Neighbours could enjoy continuous support.

Czech Republic

Among the most urgent issues which the EU has to deal with in the near future are the financial framework for the period 2007-2013 and the ratification of the Constitutional Treaty by all member countries. It is also highly desirable to continue the debates on radical reforms of both the Common Agricultural Policy and Regional Policy of the EU, and a possible modification of the Stability and Growth Pact. It is possible that in 2007 a new wave of enlargement will take place (most probably by only two countries – Romania and Bulgaria). In the same year, or only shortly afterwards, new countries may join the Eurozone (most likely Estonia, Lithuania and Slovenia). In the areas of defense and security, by far the most important task is the fight against terrorism, mainly based on Islamic radicalism.

The dynamics in decision- and policy-making can be negatively influenced by a big number of EU member countries. Decision- and policy-making in EU-25 will certainly be more difficult and cumbersome than in EU-15. The problem of absorbing the new member states will be truly demanding, since the socialisation of these countries into the common political space of the Union proceeds only very slowly. On the other hand, it is these new countries

⁵²³ *ibid.*

⁵²⁴ *ibid.*

which undertook radical economic reforms, and thus have given an impulse to the reform of both the economies of the old member states, and the most ineffective common policies (such as CAP).

Denmark

The Danish Government has endorsed the overall prioritization of the European Commission's work programme.⁵²⁵ The enlargement is the obvious number one priority, especially the smooth and efficient integration of the new member states in the Internal Market. Full market integration will not only strengthen the economic outlook of the new members, but also create new opportunities for economic growth in the old member states. The Danish Government is committed to ensuring the stability, efficiency, and integrity of the common European institutions. The consequences of enlargement must be closely monitored so as to ensure the continued effective functioning of the EU. The Danish Government is wary of any notion of a multi-tiered Europe, where some countries integrate in depth, leaving the rest behind. The common decision-making framework must be maintained.

The stability of the Union and the wider neighbourhood is a clear priority. The enlargement process and the new neighbourhood policies are of crucial importance in this regard. The Danish Government is also keen to strengthen internal security and stability by, inter alia, intensifying anti-terror cooperation inside the Union. The Government sees the EU as the natural focal point for anti-terror cooperation and is keen to strengthen coordination across the different pillars of the EU, and to strengthen the efficiency and effectiveness of the Union as an international actor. Also, the Danish Government is committed to strengthening Justice and Home Affairs in the EU, not least in terms of combating international terrorism, organised crime, and illegal immigration.

Sustainable growth is the third main priority and a major challenge in the era of globalisation and "structural shifts" in the production patterns of the member states. The Danish Government is keen to address the structural factors that weaken Europe's international competitiveness, including the

lack of flexibility of the labour markets, the excessive regulatory burden on European businesses and the insufficient investments in research and innovation. The Government is committed to the goals of the Lisbon Strategy, but acknowledges that the ambitions will be difficult to meet within the timeframe that has been set. It is therefore of the utmost importance that the mid-term evaluation planned for 2005 is well prepared and that governments all over Europe are prepared to intensify their collaborative efforts. A central challenge will be to bring the new member states on board, integrating them into the Lisbon Strategy.

At the most general level, the Danish Government is firmly intent on "getting back to work": the EU must now focus on getting the institutions and the decision-making processes in shape and functioning smoothly. On more than one occasion, the Danish Prime Minister has voiced his determination to move from "summitry" to the hard work of everyday business. The European Union is a long-term integration project, but it is also an instrument of co-operation for the economic and social benefit of the populations. The EU must deliver relevant, tangible results up front and not only in terms of some distant, political vision.

With regard to the likely future decision-making dynamics and alliance patterns, the Danish Government has arguably adopted a rather pragmatic wait-and-see attitude. The political dynamics of EU politics are undergoing dramatic changes in the present years, and the contours of the emerging EU-25 are only gradually beginning to materialize. Future coalition dynamics are likely to be more fluid and unpredictable. A transition phase, where old Members get accustomed to the new lines of co-operation and discord and new Members learn the informal "rules of the game", is to be expected. In the enlarged Union, coalition dynamics are likely to change from issue-area to issue-area and – to some extent – from case to case.

Estonia

The question raises too many issues to be effectively addressed in a few paragraphs. Obviously, the degree of harmony or conflict of interest among the 25 members will be the main factor determining the efficiency of decision-making and the actual need for "flexible integration." In this context, it is important to note that the EU-identity of new member states is still taking shape.

⁵²⁵ See "De vigtigste spørgsmål på EU's dagsorden". Written submission by the Danish Minister of Foreign Affairs, Dr. Per Stig Møller, to the Danish Parliament (www.um.dk).

Preferences are not given, but in many cases quite literally “constructed” in response to international, European and domestic pressures. Ongoing attempts in the new member-states to formulate a coherent vision or “europhilosophy” are significant. Such a vision, ideally, would provide policy-making guidance, make politics more predictable and lend legitimacy in the eyes of the public. The Estonian experience illustrates the difficulties of formulating such a shared understanding of what membership in the EU is about.

Finally, EU decision making has never been a simple affair: in many ways, the end of the constitutional debate will signify a return to “EU politics as normal”, albeit with a somewhat changed agenda, more players, and some new or accentuated dividing lines.

Finland

From the Finnish viewpoint, the most important issues to be addressed in EU-25 after the recent enlargement include the development of the EU’s defence capability, the formulation of Agenda 2007 and the Union budget. Finland has long been opposed to the idea of creating a separate core group of Member States in the field of European defence, because it does not want hierarchies to develop within the Union. Finland has taken a cautious position on defence cooperation because the Finnish military doctrine is still based on the principle of non-alliance. However, Finland is committed to the development of the EU’s crisis management capability, especially in the field of civilian crisis management.⁵²⁶ The Finnish Government also backs the development of the military aspects of crisis management as long as this does not lead to the establishment of a collective defence alliance. Yet debate continues within Finland about the future of the country’s military strategy, with many commentators questioning the meaningfulness of maintaining non-alignment. Of great influence in the discussion is precisely the eventual character of the Union’s defence policy.

Another often debated issue in Finland has been agriculture. With further streamlining of the EU’s agricultural production, Finnish farmers are bound to face a decrease in their number. This prospect has alarmed the Finnish

agricultural lobbies to press the Government not to give in.

In terms of EU-25 at large, transition in many areas is still underway. How the new Member States will change the shape of EU policies is yet to be seen. The referenda to be organised in several Member States on the Constitutional Treaty can obviously have adverse consequences for the actual adoption of the Constitution for Europe. If the Constitution is eventually implemented, it will be interesting to observe its practical impact on the EU’s institutional and political character. In any case, it is likely that the new Member States prove less of a nuisance than has been feared, and the most important dividing lines in the Union will not run between old and new members. From the Finnish perspective, many of the new Member States, especially the Baltic countries, are good partners with whom Finland shares many interests in the EU – for instance, defending equal treatment of the Member States, the position of small countries in EU decision-making, and unity of the EU as opposed to the possible increase of multi-speed integration. Finland also shares with the new Eastern EU members concern about the developments in Russia, and an interest in developing a more coherent and united EU Russian policy.⁵²⁷

Germany

So far the integration of the new members into the EU decision- and policy- making cycle has run smoothly. This is the overall assessment of EU policy makers in Germany. However, the EU-25 is only about to start the learning processes and the forging of new coalitions of interest and subsequently also of voting coalitions. In its EU policy Germany will look for intensive relations with France, Poland and probably Spain as key partners. Also in this regard bargaining over the Agenda 2007 will be a test case. In its bilateral consultations with governments from new and old member states the German government is constantly lobbying for and explaining its restrictive positions on the future EU budget. Financing of the Union is one of three major issues. Second is the ratification of the European Constitution which is regarded as a minimum condition for an effective and legitimate policy making in the

⁵²⁶ See Finnish Security and Defence Policy 2004, report by the Council of State on 24 September 2004, English summary available at http://formin.finland.fi/doc/eng/policies/secdefpo/sdpol_summary_2004.pdf

⁵²⁷ See Kristi Raik and Teemu Palosaari, *New Member States in EU Foreign and Security Policy* (FIIA Report 10/2004, Helsinki: The Finnish Institute of International Affairs, forthcoming in October 2004).

enlarged Union. Among the concrete measures that can be taken even before the entering into force of the Constitution are reforms in the field of CFSP and ESDP. The German government is eager to start establishing, for example, the European diplomatic service as soon as possible. Moreover the improvement of defense capabilities and those for conflict-resolution are imminent. The Lisbon agenda, although prominent on the EU's agenda, is merely reflected in the government's ambitions for a reform of the overly costly social security system (Agenda 2010). Modernisation of the welfare state and the problems of public support for the reforms will be a top concerns in the future. Third issue is the revitalisation of transatlantic relations in the second term of President Bush. The EU will have to address the issues of the new world order and built on its security strategy. Apart from the question of Turkish membership in the EU the issue of enlargement will probably be less prominent than the consolidation and improvement of the current EU system.

Greece

For Greece, the issue of Turkish accession negotiations – with all the foreign policy and regional stability implications it carries – is preeminent. As a close second, the reshaping of the Stability and Growth Pact straitjacket and the reformulation of the constraints of monetary and budgetary policy. From evolutions in these two fronts, there might arise novel approach of Greek public opinion to the EU realities – far more than from any debate over the Constitution's ratification or its enforcement. A drift away from the center of the European construction is visible. The wish that Greece should remain in the "core" part of an "ever closer Union" looks increasingly as just that: wishful thinking.

Hungary

Beyond the issues currently on the agenda and also discussed above, two more questions will certainly emerge as a matter of enlargement – at least in the authors' opinion. One shall be the completion of the ambitious Lisbon goals and in close connection to this the Trans-European Networks (TEN) project. A new dynamism to the TEN should be given as soon as possible in order to integrate the new Member States in physical terms and thus

rendering the EU-25 a far more efficient and competitive economic space. This is all the more important as the recent enlargement was the first where the EU did not expand towards the geographical peripheries of the continent, but towards the central regions of it.

Also topical seems to be the question of minority rights. As one can conclude from recent activities of the new European Parliament – namely, the investigation and the condemnation regarding the atrocities in Serbia against ethnic Hungarians – it seems that the Hungarian MEPs might play a leading role in this respect. They will surely keep on drawing the attention of the whole Union to the importance of respecting and defending the rights of different national and ethnic minorities within the EU as well as in its neighbourhood.

Ireland

There are urgent issues which arise, a) those unconnected with the recent enlargement and b) those connected to it.

In regard to a), we would suggest: the Middle East and Iraq, Transatlantic Relations, Migration, Asylum and Related Problems, the Lisbon Agenda for Growth and Competitiveness, Economic Governance including the Stability and Growth Pact, the Eurosystem, the Financial Perspectives.

The questions to be related to enlargement are: Financing the enlargement of the Union, further enlargement, particularly the Turkish question, the New Neighbourhood Policy, Ratification of the Constitutional Treaty and communicating Europe, institutional effectiveness and the issue of alliance-building and exercising influence in a larger EU.

With regard to the dynamics of decision- and policy-making, assuming ratification of the Constitutional Treaty, care will need to be exercised in regard to the role of the Union Minister for Foreign Affairs in order to avoid institutional tensions. All going well, the expected enhanced effectiveness in EFSP should be realised. There are already indications that decision-making in the Council has not been adversely effected with the Union of 25 members because of the reorganisation of debates and the self-imposed denial of interventions by participants. New alliances or consultative groups of member states are emerging but in decision-making it is likely that the traditional ad-hoc and shifting alliances will continue. The role of the Eurogroup as a broad unifying core in an expanding EU may become crucial. All the more reason why it should resolve its present problems.

Italy

The main problem the new EU-25 will face after enlargement will be the growing obstacles to effective decision making, as procedures foreseen in the Nice Treaty still require the consensus of all member states or wide majorities of them. The accession of 10 new members will obviously make it more difficult to achieve consensus and hence adopt new decisions, which is likely to complicate the functioning of EU institutions. In this regard, ratification of the new Constitutional Treaty becomes an urgent issue as it would allow for a simplification of procedures, a new definition of qualified majority voting and a reduction in the number of policy areas in which veto power applies.

In addition, the recent enlargement raises difficult problems as to the distribution of resources within the EU. The first stages of the negotiations on the new financial framework have already shown the reluctance of net contributors to the EU budget to increase their contributions. At the same time, old and new member states are reluctant to accept any reduction in the budget items of interest to them.

Finally, the accession of new member states is likely to affect the EU policy agenda, in particular foreign policy, leading to a growing effort to deepen co-operation ties with new neighbouring countries.

Lithuania

After membership in the EU Lithuanian foreign policy decision makers understood that the main goals of Lithuania regarding the EU have to be changed. In May, the government presented the guidelines on the New Foreign Policy of Lithuania where Lithuania was defined as the proactive state in the EU especially in the Eastern policy.

The EU is looking for its identity; it is the biggest challenge now for the organisation. Especially important is to avoid the internal division of the EU, so the idea of two-speed Europe should not be supported. Europe must be created together. Another urgent issue is the Neighbourhood policy. The EU has to define clearly the policy towards the new neighbours and to show the advantages of the European integration. Finally, the problem of the transatlantic relations should not be

forgotten. This should be the priority creating the Common Foreign and Security Policy.⁵²⁸

Luxemburg

The most urgent issue in this field to be addressed in the EU-25 in the aftermath of the enlargement is the integration of the new members in the common policies. Giving the new members a chance to accede to the same standards common to the elder members without being slowing down to the development of new common policies. As it is not possible in EU decision and policymaking to stick to the unanimity principle for most policies it should not be a goal to abolish the unanimity rule on all issues. National sovereignty should prevail in core domains of national interest. Larger member states should be prevented from giving the smaller the feeling to be overruled.

Therefore in our view the general dynamics in decision and policy making will rather be slowed down than speeded up. The fear of a number of member states to loose control of their own policy making especially in economic and social domains is most obvious. On the other hand a number of member states "the Euro-group" are bound for a common economic and social policy approach in order to keep the Euro on the track.

Malta

In the few years leading to EU membership and the few months since, Malta has been overwhelmed by an ever-growing number of illegal immigrants. Throughout the summer of 2004 illegal immigrants have been arriving on practically a daily basis on Malta's shoreline. The hundreds of arrivals have placed a heavy strain on Malta's civil and police resources and have forced Malta to seek international support to cope with this security challenge. Lengthy political discussions between Malta's foreign and interior ministries and their respective counterparts from Italy and Libya have taken place in recent months in an effort to manage the increasing problem of illegal migration.

Malta believes that it is essential that the EU addresses more directly security challenges in the Mediterranean as it is in the EU's own interest to promote stability across this adjacent region of Europe. Malta will therefore

⁵²⁸ From the speech by the President at interim Arturas Paulauskas during the conference "New Foreign Policy of Lithuania", May 24, 2004, http://www.urm.lt/data/2/LF51152557_Paulauskokaiba.htm

seek more active engagement of the EU in the Mediterranean through existing external relations mechanisms.

Netherlands

In the opinion of the Dutch government the EU-25 will have to pursue, two seemingly contradictory policy lines: deepening, making the best possible use of the Union's scope for tackling cross-border and shared problems collectively and effectively; and simultaneously applying the principle of subsidiarity, which means leaving to Member States things that are better regulated at national level. It is both feasible and desirable to achieve the further deepening of the Union without making Europe or European government more remote from the EU's citizens.⁵²⁹

Operating effectively in the enlarged Union

In relation to the recent enlargement it will take some time before the EU-25 has 'settled', even leaving out of consideration the application of the new treaty. The 15 'old' Member States must position themselves in the new playing field; new Member States have yet to discover their roles. The EU's enlargement to 25 Member States changes the decision-making process. Within the official frameworks of the Council, there will often be too little time and opportunity to discuss tabled proposals in detail. Decision-making will therefore take place more and more in a range of contacts outside the conference room, both in Brussels and in the European capitals. In this process, Member States will be obliged, more than in the past, to seek partners to support their own positions. Maintaining good bilateral relations will therefore become more important in the enlarged Union. The Netherlands has traditionally played an active and committed role in the Union. If it wants to continue its role in a Union of 25, more effort will be required. Bearing in mind that the relative weight of the Netherlands will decline in a Union of 25. To operate effectively in this changing playing field, the Netherlands will have to place strong emphasis on bilateral relations.⁵³⁰

⁵²⁹ De staat van de Europese Unie (*The state of the European Union*), p.6.

⁵³⁰ Ibidem, p.8-9.

Poland

For Poland two issues currently on the EU agenda seem to be most important – the 2007-2013 financial perspective and the Neighbourhood Policy. Because Poland will be a difficult partner throughout the budgetary debate, just as has been a difficult and opinionated partner when it came to constitutional issues, there exists a high probability that, in order to prove its pro-European credentials, it will adopt a much more constructive stance on most of the other dossiers.

The Polish authorities have been slowly realizing that, in the enlarged EU there will be no fixed coalitions. Coalitions and alliances will largely depend on issues. Such line of thinking is being progressively introduced especially by the most important opposition party – Civic Platform, which described it in detail in its European Programme.⁵³¹ Therefore Poland will create ad hoc coalitions and look for partners who share its position regarding specific issues. Regardless of some stereotypes, it seems that Poland will not be a member of high "blocking" propensity. New member states have not as yet fully reaped the benefits of integration, therefore on most issues they will defend the tendency to deepen cooperation. Watered down formula, reduced to mere free trade area, is not in the interest of any poor newcomer. By the same token, Poland, which is one of the relatively weaker member states, will have to strongly rely on the European institutions, therefore it should become one of the defendants of the community method and community orthodoxy as such. Poland will fight for strengthening of the structural and cohesion policy, robust CFSP and ESDP (especially Eastern Dimension), effective JHA, and due to its important agricultural sector, relatively generous agricultural policy. Poland should also support all the moves aimed at enhancing the EU's competitiveness (Lisbon strategy), provided that they are not used just to cut back spending on cohesion.

Regardless of many fears, the effectiveness of decision-making should not be impaired as much as expected by the current enlargement (even if the Nice system is to be maintained longer than 2009). Of course, taking decisions will take some more time, since it is largely consensual and there has to be an agreement between 25 not 15 states. There might be even more actual recourse to QMV in order to speed

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www.platforma.org/download/dokumenty/program_europ_po.doc

up decision-making. One has to remember, however, as already stated, that the new member states do not bring with themselves any radically new priorities. They will neatly fall in all of the categories which differentiate the current members (be it Atlanticist, protectionist or liberal, poor or richer, Mediterranean or Baltic, etc.). There will be no new divisions and no radically new differences, simply the old coalitions will be somewhat rebalanced and enlarged.

Slovenia

The Slovenian Government have not explicitly specified what the most urgent issues are in the aftermath of the recent enlargement. However, at various occasions the Government's views would seem to suggest that the most pressing issue for Slovenia is the issue of the future EU enlargement, or more precisely, Croatia's accession to the European Union. Slovenia has been upset by Croatia's unilateral declaration of the Economic Area in the Adriatic, and by the detention at the border crossing, by the Croatian Police, of some prominent members of the Slovenian People's Party during the campaign for the general elections. This incident, provoked by the visit of Slovenian politicians to the allegedly disputed territory (because both countries have failed to determine the land and sea border between them), escalated to the Slovenian withdrawal of support for Croatia's accession to the European Union. Although this was a pre-election gesture, it has nevertheless showed where the most urgent issues – from the Slovenian perspective – lie. As Slovenia has experienced pressure, in its bilateral relations with both Italy and Austria, during the negotiations for EU membership (the latter was made conditional, at various periods, upon the fulfilling of certain obligations with respect to the right to buy property in Slovenia (Italy), or to rights of the German-speaking ethnic group in Slovenia (Austria)), Slovenia now seems to apply the same approach to resolving the open questions with Croatia. Because Croatia appears to be hostile to Slovenian foreign direct investment to Croatia, and because the Croatian Government want to resolve the issue of the border by arbitration, rather than bilateral negotiations, it seems safe to suggest that for Slovenia, the most pressing EU-related issues will be somewhat related with its bilateral relations with Croatia.

Spain

First, the member states are involved in a ratification process. There will be referenda in a considerable number of states, and given the results of June's European elections and the position of many leaders about the EU Constitution, it is hard to anticipate anything about the eventual success or failure of the ratification process.

Secondly, and given the recent terrorist attacks in our country, it is vital to bridge the security gap within Europe. The development of an Area of Freedom, Security and Justice is a goal that must be attained in a EU of 25 members. The management of external borders in an integrated way, with the aim of protecting the EU from illegal trafficking of persons, weapons, etc., is a fundamental issue for the European Union. Ensuring security through preventing and fighting crime and terrorism will remain an essential challenge for the EU. Different measures are needed to ensure access to effective justice and close judicial cooperation is required as well as common approaches against crime and terrorism. It is accepted that new threats, that ignore state borders, have emerged. There is a need for the EU to develop a comprehensive approach that links the external and internal dimensions of security and that combines the use of civil and military resources. Given its international position, the EU has a responsibility to play an active role in world affairs. Its engagement is based on the rule of law and effective multilateralism. In this context, the implementation of the European Security Strategy is necessary. This strategy must be translated into effective missions. The EU must develop the CFSP, the ESDP and a new combination of means to enable it to act in this new security environment.⁵³²

Thirdly, it is essential for the EU to become a dynamic knowledge-based economy, with sustainable economic growth and greater social cohesion. This is why the Lisbon Agenda (launched in 2000), completed at the Gothenburg European Council of 2001, must be implemented during the next few years.

In relation with the future dynamics of decision making, there are doubts about the European Union's capacity to successfully manage a Europe with 25 or 27 members. The

⁵³² See the views of the main foreign policy adviser of Prime Minister Zapatero and former COPS Ambassador in the articles 'La política europea de seguridad y defensa', in Política Exterior nr 97, January 2004, and also '¿Para qué una estrategia de seguridad?', in Política Exterior Nr. 101, September 2004.

institutional reforms provided for the European Union Constitutional Treaty must be tested over the coming years. The flexible integration laid down in the EU Constitution could be an option to avoid decision-making paralysis, but it is not without risks. The structure of cooperation in the field of ESDP would be one of the first areas where this new form of integration could be used. The risk of exclusion and the creation of directories are a possibility. This option is rejected by the majority of member states, as well as by their citizens. However, it cannot be excluded.

Sweden

Judging from the current public debate, one cannot refrain from noting that the constitution issue is the most pressing one for the time being, in part of course because it would transform EU in certain ways if it is adopted, in part because the specific issue of referendum or not is a central topic for the time being, actually overshadowing a number of relevant substance issues.

Looking directly at the EU, financial reform and not least the connection to agricultural policy seems to be a major preoccupation, if looking at recent debates in the Riksdag.⁵³³

UK

These are issues, at most, for the elite. There is mild interest in the development of 'enhanced co-operation', and the implications for different interpretations of it. As ever, the British are torn between reluctance to join those who wish to pursue closer integration, and fear of isolation from those who will integrate more closely.

Broader issues which remain open for debate, and which form the subjects of future referenda are ratification of the EU Constitution, and - potentially in the longer term - accession to the European single currency.

⁵³³ For instance see www.riksdagen.se, 2004/05