Area: Europe
ARI 27/2010
Date: 3/2/2010

The Expanding European Union: How to Evaluate the Policy? What Prospects for Spain's Presidency? (ARI)

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Tema: How should we judge the success of the EU's enlargement policy? What can Spain expect to achieve in this field during its EU Presidency in 2010?

Resumen: The EU's 'strategy for enlargement' is essentially reactive: not driven by a grand design on the part of the existing members, but by pressure from countries wanting to join. The criteria for evaluating the success of the policy are two-fold: (1) for the period before membership they are similar to normal criteria for foreign policy; but (2) for the period after accession they are more complex, since each expansion affects the composition and identity of the EU itself.

The last round in 2004 and 2007, when the EU grew from 15 to 27 members, was a considerable success on both sets of criteria. In the current round the EU is dealing with prospective members whose situation and prospects are very different: Turkey, the countries of the Western Balkans and Iceland. The phenomenon of 'enlargement fatigue' should not deter the EU from pursuing its expansion in a rational way.

During its EU Presidency in the first half of 2010 Spain is not expected to achieve a major breakthrough in enlargement policy, but should ensure that steady progress is made in preparations for membership by the countries concerned.

Análisis: For most of its lifetime the EU has been engaged in discussions with prospective members. With successive enlargements, the number of EU member states has quadrupled, its population has trebled and its official languages have increased from four to 23. This is a remarkable tribute to the magnetism of the European method of integration, and despite the problems which it has experienced in recent years over institutional and constitutional reforms, the EU remains attractive to outsiders. At present there are seven declared applicants for EU membership: Turkey (1987), Croatia (2003), Macedonia (2004), Montenegro (2008), Albania, Iceland and Serbia (2009). Others – Bosnia and Kosovo– have the official prospect of membership, and several countries in Eastern Europe (such as the Ukraine) aspire to it.

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What Strategy for Enlargement?
Let us begin by qualifying the notion of 'enlargement strategy'. Although the European Council mentions enlargement in the conclusions of practically all of its summit meetings and the European Commission produces a Strategy Paper on enlargement every year, the EU has no strategy for enlargement in the sense of a deliberate plan for future expansion. It has never invited other countries to join –in fact, it has often discouraged them from applying–. In this respect, the EU has always been reactive, rather than pro-active, in its policy for enlargement: it has expanded under pressure from its neighbours, not through some kind of imperialist ambition.

In 19th century America the expression 'manifest destiny' referred to the belief that the US was destined, even divinely ordained, to expand across the North American continent. European ideologues, even those who envisage the development of the United States of Europe, have rarely considered enlargement as the EU's destiny: on the contrary, since 'widening' is often perceived as an obstacle to 'deepening', enlargement is frequently viewed as a threat to the achievement of the EU's aim of 'ever-closer union'.

What Criteria for Evaluation?
So it would not be rational to evaluate the success of enlargement policy by reference to the number of countries joining, or by the speed of their accession. A more correct approach to evaluating the policy would be two-fold, consisting of a first group of criteria for the period before enlargement –the 'pre-accession' period– and a second group concerning the period after accession, when applicant countries have become members of the EU.

The criteria for the pre-accession period are similar to those applying to foreign policy in general: one can consider enlargement policy successful if it enhances security, stability and prosperity both for the EU and for the countries concerned. But the more important test concerns the period after enlargement, and here one can consider that the criteria for a successful result include the harmonious integration of new members, without disruption of existing members or the functioning of the EU's institutions and policies, and the satisfactory continuation of the EU's development.

This distinction between these criteria for evaluation –before and after accession– is useful and important: it shows, for example, that the common assertion that 'enlargement is the EU's most successful foreign policy' is not correct. For the EU, enlargement policy is foreign policy only to a limited extent. Since each accession affects the EU's identity by modifying its basic membership, it would be more appropriate to describe it as an 'existential' policy.

This also explains a number of key features of the enlargement process, such as the EU's insistence on the acceptance by applicants of all the existing policies and rules (the *acquis*), and its introduction in 1993 of value-based pre-conditions for accession (the Copenhagen criteria). It is sometimes thought that these criteria are a manifestation of the EU's 'civilising mission' to spread its standards to neighbouring countries: but in fact they were introduced not for altruistic reasons, but rather as a precaution to avoid accepting new members who might disrupt the EU's functioning.

In the light of this approach to enlargement policy, let us try to evaluate its present situation and prospects.

Results of the Last Enlargement

The last round of enlargement, which brought in 12 new members in 2004 and 2007, was the most important expansion ever in terms of the number of new member states –though it should not be forgotten that from the point of view of the increase in the EU's population and economy it was less important in relative terms than the enlargement of 1973–. Judged by the criteria defined above, there is no doubt that the last enlargement was a real success: in the pre-accession period it saw the peaceful transition in Central and Eastern Europe from the Communist model to democracy and a mixed economy. Furthermore, the post-accession experience has been largely positive for the EU: the new member states integrated rapidly into the system, the institutions have functioned as well (or as badly) as they did when there were 15 members and the EU's policies have continued to develop.

To put it another way, expansion did not result in paralysis of the decision-making system, as some predicted; the new partners have proved difficult on some issues, but they have not been more obstreperous than the old members. In particular, it was not the new members who killed the Constitutional Treaty and delayed the Lisbon Treaty, but France, the Netherlands and Ireland whose peoples said 'no' in referendums. Although dissatisfaction with EU enlargement is sometimes cited as a reason for the results of those referendums, it was certainly not a main reason, as can be seen from the results of surveys conducted at the time.

Meanwhile, the forecast, common in the 1990s, that the inclusion of the Central and East European countries would increase the tendency for 'differentiated integration' or 'variable geometry' has not proved correct. Rather, the contrary has been the case: most new members have joined the Schengen area, some have already joined the euro zone, and the other new members –unlike certain old members– wish to join the euro despite (or perhaps, because of) the present macroeconomic problems.

The last round of enlargement was not, however, a success on every front. The accession of Cyprus without the hoped-for reconciliation between its Greek and Turkish communities was a disappointment; it brought into the EU a divided island, with too much of the attention of the government in Nicosia devoted to one issue, and the Cyprus dispute adds to the difficulties of Turkey's efforts to join the EU. Another failure of the last enlargement was the premature accession of Bulgaria and Romania with insufficient preparation: having such low standards of governance in the fields of justice and corruption, they create problems as member states not only for themselves but for the EU as a whole.

Prospects for Future Enlargement

Let us now look at the prospects for progress on enlargement duding Spain's six-month Presidency of the EU in 2010. In terms of national interest it is not evident that Spain has much to gain from future enlargements; in fact, as a major beneficiary of the EU's expenditure for agriculture and cohesion policy, it will face competing demands from new members. But it is widely understood –and appreciated– that Spain's attitude to enlargement has traditionally been positive, and in any case it is expected during its Presidency to pursue the European interest, rather than national concerns.

In the enlargement process the EU is now dealing with prospective members –Turkey, the countries of the Western Balkans and Iceland– whose situation and prospects are very different.

Turkey
Turkey's application is the most difficult that the EU has ever faced. With a population of 78 million, expected to grow to 90 million, it is the biggest country to apply for membership, while on the EU side several member states have reservations about ever accepting it as a member. As already mentioned, the Cyprus question is also a cause for dispute. All these problems put a question-mark over Turkey's bid for EU membership. Although accession negotiations began in 2005, they are expected to continue for many years, and their conclusion is not assured. Some argue that, even if Turkey does not become a member, both it and the EU have a common interest in continuing its modernisation and 'Europeanisaton' –in other words, the accession process is positive even if it does not lead to a successful conclusion–. But in such a situation of ambiguity, the leverage of EU accession is much less effective in driving reforms in Turkey.

The best outcome that can be expected in the short term, therefore, is the continuation of the accession negotiations, with the opening perhaps of some new chapters. Spain's plan to open as many as four chapters is unlikely to be realised, but the prospect at present –taking account also of the recent resumption of talks between the Greek and Turkish communities in Cyprus– seems favourable for the EU to succeed in its minimal objective of avoiding a diplomatic crisis with Turkey, or the abandonment by Turkey of the reform process.

The Western Balkans
The countries of this region, which have been geographically surrounded by the EU since the accession of Bulgaria and Rumania, received a promise of membership at the EU summit at Thessaloniki in 2003. The countries concerned are Croatia, Serbia, Montenegro, Bosnia-Herzegovina, Macedonia, Albania and Kosovo (although Kosovo is not yet recognised as a state by several EU members, including Spain, it shares the region's prospect of EU membership). With a total population of about 25 million, they do not present a significant problem for the EU, but although they have embarked on the political and economic reforms necessary for accession their progress has been disappointing.

For the EU, the Western Balkans pose the biggest test yet of its transformative power. Can it use the leverage of membership as successfully as it did for the countries of Central and Eastern Europe? The Western Balkans have begun the accession process from a different starting-point. The post-conflict situation, with ancient rivalries and fears lying just below the surface, has made their economic reconstruction and political reconciliation difficult. The countries of the region have a difficult historical legacy to overcome. Coupled with problems of bad governance, corruption and criminality, they suffer from a syndrome of political dependency, in which solutions are expected to come from outside. Bosnia and Kosovo are not even autonomous, but effectively protectorates under the tutelage of the international community.

Nevertheless, with the Western Balkan countries the question is not whether they will join the EU, but when. The fact that Slovenia (like them, once part of Yugoslavia) is a member of the EU shows that they too can make the grade. But it will take a long time, and it would be unwise to predict the dates at which they will actually join. The EU's

enlargement policy has not yet eliminated the risk of political instability or local conflict in the region, and as regards their preparation for accession much remains to be completed. After the experience of the premature accession of Bulgaria and Rumania, the EU is now more cautious. In the conduct of accession negotiations, for example, it links the opening of chapters to the achievement by the applicant country of specific 'benchmarks'.

The countries of the Western Balkans are at different stages of the pre-accession process. Croatia opened negotiations in 2005, but they have progressed slowly partly because of Croatia's bilateral dispute with Slovenia over maritime limits, which halted negotiations in 2009. Now that has been resolved, there is a better prospect of progress, and under Spain's Presidency it should be possible to close a significant number of chapters, giving a prospect for concluding negotiations by the end of 2010 and signing an accession treaty in 2011.

Macedonia applied for membership in 2004 and was formally accepted by the EU as a candidate in 2006, but the continuing dispute with Greece over its official name (the country is known internationally as the Former Yugoslav Republic of Macedonia) prevents the opening of accession negotiations. Although it is not the role of Spain during its Presidency to intervene or mediate in such a bilateral dispute, it should apply all diplomatic means available to solve this problem, which is increasingly a source of embarrassment for the EU and of de-motivation for Macedonia.

It is true that bilateral problems have delayed the enlargement process in the past –in the case of Slovenia, for example, Italy insisted on a solution to problems related to the restitution of property–. But if this kind of dispute develops into a 'blackmail' situation, and the applicant country is discouraged from making progress with necessary reforms, it begins to undermine the credibility of the EU's enlargement policy.

Concerning Albania and Serbia, Spain should ensure that during its Presidency the Council requests the Commission to make its Opinion on their applications, and for Montenegro it is possible that the Commission may present its Opinion.

The decision of the Council in November 2009 to grant visa liberalisation to Macedonia, Montenegro and Serbia has created a better political climate for the pursuit of reforms in the region. However, Bosnia is now lagging behind, with continuing friction and disputes between the ethnic communities and lack of cooperation with the war crimes tribunal in The Hague. Meanwhile Kosovo, while its status remains disputed, is under the guidance of a European Union Rule of Law Mission.

In conclusion, in the case of the countries of the Western Balkans Spain is not expected to achieve a major breakthrough in enlargement policy, but to maintain stability and progress in the preparations for membership by the countries concerned. Although the international community is still involved in the region, the EU is now considered responsible for it, and the incentive of EU membership is the main instrument for driving reforms. If the EU cannot deal successfully with local problems here in this part of Europe, how can it expect to play a role as a global actor?

Iceland

Following its financial and economic crisis, Iceland sought shelter by applying for EU membership in 2009. With its historic democracy, its developed economy and its membership of the European Economic Area and the Schengen zone, Iceland fulfils all

the criteria for EU membership. As a small country (with a population of 0.3 million it would be the smallest EU member) it should pose few problems for the EU, although Iceland is reluctant to accept the common fisheries policy. Since public opinion in Iceland is divided, the result of its future referendum on EU membership is unsure. Problems with the UK and the Netherlands concerning the reimbursement of deposits in Icelandic banks could also be a disturbing factor in public opinion.

During the first half of 2010 the European Commission is due to present its Opinion on Iceland's application, and before the end of its Presidency Spain may be able to proceed to the formal opening of accession negotiations.

Enlargement Fatigue: What Kind of Problem?
Enlargement policy is presently conducted against a rather negative political background: EU governments have not considered it as a priority field in recent years, and sometimes the European Commission has seemed to be its only advocate. The phenomenon of 'enlargement fatigue' is often mentioned.

The arrival of 12 new members was an event that naturally took some time for politicians and the public to absorb, but after five years without major problems resulting from it one could expect that by now the enlargement would be largely accepted. Of course the EU has experienced many problems in the last five years; although some of the economic difficulties can be traced to enlargement (typically the relocation of jobs to new member states) it is often equated with more general problems of foreign competition and globalisation.

In the political field the recurring difficulty at the EU level during this period was ratification of the Constitutional Treaty and then the Lisbon Treaty. In effect the EU has been suffering from 'Treaty fatigue'. The present macroeconomic situation does not provide a positive climate for enlargement –it is always easier to accept new members at a time of economic growth– but it should nevertheless be possible for the EU to pursue its enlargement policy now in a more serene manner.

Conclusion: In the period from 1995 to 2007 the EU more than doubled the number of its members and increased its population by one-third: it can never again experience such a large expansion, and in coming years will expand more slowly. The problem of 'enlargement fatigue' which followed the last expansion is now less problematic, and the EU's enlargement policy should proceed in a way that respects the appropriate criteria for its success. What counts is not the speed of the process but:

- In the pre-accession period, the enhancement of security, stability and prosperity.
- After accession, the harmonious integration of new members, without disruption of existing members or the functioning of the EU's institutions and policies, and the satisfactory continuation of the EU's development.

Under its Presidency of the EU Spain is not expected to achieve a major breakthrough in the field of enlargement, but to ensure that steady progress is made in preparations for membership by the countries concerned. In the case of Turkey the basic aim is to continue the accession negotiations, avoiding the risk of derailment by the Cyprus problem, while for Iceland the question will be whether to open accession negotiations. In the Western Balkan countries, where many problems of governance need to be resolved before membership is possible, and there are still risks of instability, the role of the EU is of prime importance and the prospect of EU membership should be exploited intelligently to drive reform.

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