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Profile of the Visegrád Countries in the Future of Europe Debate

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Introduction

The aim of this paper is to describe and analyse the profile of the Visegrád¹ group countries in the Convention deliberations and in relation to its outcome (draft of the Constitutional Treaty presented to the Thessaloniki European Council in June 2003) as well as to the upcoming Intergovernmental Conference (IGC). Regarding the limited scope of the paper we will try to explore the main patterns of the activity of the representatives of these countries in the Convention. This should also give an indirect response to the question as to what extent the Visegrád will act as a compact entity at the IGC and in the future EU, at least in questions of a crucial importance which were mainly addressed by the Convention. The parallels between the Visegrád group and other internal groupings in the EU like the Benelux or the Nordic Council were often mentioned in connection with the Convention. This paper argues that the expectations associated with Visegrád acting as a compact entity inside the EU are often overoptimistic.

At the beginning it is also necessary to emphasize that where we refer to the representatives of the Visegrád countries in the Convention, we mean the government delegates. This is because of the presumption that the governments will be responsible for the negotiation of the final text of the Constitutional Treaty at the IGC.

Position of the Visegrád countries in the Convention

The Visegrád countries all belong to the so-called accession states which on basis of the Laeken Declaration from December 2001 have the right to send their delegates to the European Convention². At the same time, the position of these countries is limited by the Convention's rules of procedure. On basis of these the V4 states have the right to comment on the Convention's proposals and submit their own ones but they cannot block the consensus among the current member states. Due to this the Visegrád representatives in the Convention took a rather low profile in its deliberations. There are, however, other reasons for this slightly deferent position. The first is an insufficient experience with EU membership as such often leading to a difficult identification of national positions and hunt for likely allies on particular issues among present member states. Another motive is the uncertainty regarding the

¹ Visegrád co-operation, Visegrád group, V3/V4 group or Visegrád states are all commonly used as an expression for an informal grouping of four Central European countries (Poland, the Czech Republic, Hungary and Slovakia) set up in 1991 with the aim to co-operate in achieving the membership in NATO and the EU

² Presidency Conclusions, December 2001, SN 300/01, Annex III (Laeken Declaration)

perspective membership. Even though the support for EU accession had constantly been very high in all the V4 countries, the treaty of accession was signed as late as in April 2003 and the accession referenda held as late as in the spring of 2003 at the time when the Convention was coming to an endgame. The endeavours of the Visegrád governments were therefore focused primarily on the completion of the accession process and discussion on the negotiated terms of accession until the very moment when the referenda took place rather than on the debate over the future architecture of the Union.

On the other hand, the position of the Visegrád countries in the Convention was enforced by their relative strength both in the enlarged EU as a whole and in relation to the other accession and candidate countries. Leaving aside Romania and Bulgaria with the promise of accession only in 2007 it is the V4 countries that are the largest among the candidates and this will be reflected correspondingly in their structural power and ability to influence the policies of the Union of 25 members.

This position is especially evident in the case of Poland. This country will belong to the “Big Six” in the enlarged EU. It will be (or at least will try to be) on equal footing with the largest and most influential EU countries like France or Germany which can be witnessed already now (e.g. the so-called Weimar Triangle co-operation). This is why Poland took the most active stances of all the candidate countries in the Convention. Its position is further enhanced by the provisions of the Nice Treaty (setting the framework under which the accession countries join the Union) which ascribes to it relatively very influential position especially in the Council (Poland disposes with 27 votes while Germany more than twice as big only with 29 votes).

As far as Hungary and the Czech Republic are concerned, their size inside the post-accession Union will put them along the so-called “middle-sized countries”. Not surprisingly, the main allies of these countries in the Convention were the representatives of similarly sized countries like Austria, Portugal, Greece but also Belgium and the Netherlands. This gave even rise to an informal group of countries who called themselves originally “friends of the Community method” and later “like minded countries”. Their Conventioneers intensively communicated and consulted their governments’ positions although we cannot really talk about any consistent co-ordination.

Where do the Visegrád countries views on the future EU converge?

There were many issues in the Convention on which the Visegrád countries took the same or similar positions. It cannot be, however, assumed that this was due to the specificity of the Visegrád group as such. The Convention succeeded in achieving a broad consensus on many problems among the representatives of all or a substantial majority of member states and candidate countries. If we want to refer to the Visegrád specifics, we have to pose the question in a wider context, that is how these countries perceive their future role in the EU and what priorities they will try to influence.

We can assume that all the Visegrád countries tend to be pro-European³ in a sense that they support further deepening of the integration both at the economic and the political levels. In connection with the debate that has stirred around in the Convention and which speculates with a possible variable geometry of the EU of 25+, the Visegrád countries show they want to belong to the European hardcore. This is to a large extent pre-determined by the fact that these states have accepted the obligation to implement the Schengen acquis and the goals of the economic and monetary union including the single currency. At the same time they are strongly opposed to any measures that would evoke dangers of petrifying permanent or quasi-permanent divisions inside the EU or that would create a multi-speed Europe⁴.

The courage to belong to hardcore Europe also brings along some problems. The pressure exerted in the Convention by some member states to frame the progress of European integration in other areas can be hardly acceptable for the Visegrád countries. An obvious example is the intended move forward in the domain of security and defence policy. The attempts of some countries (France, Germany, Belgium and Luxembourg or the so-called Gang of Four) to set up “structured co-operation” in the field of defence policy which might lead to a defence union would almost certainly mean weakening of the role of NATO as the main guarantee of security for the Visegrád countries. This expresses another pattern of the future profile of these states in the EU – they will act as “atlanticists” rather than as “Gaullists”. This position was especially evident in the case of Poland in course of the Iraq crisis which correlated with the key Convention negotiations. Poland did not leave anyone at doubts that it will do nothing that could possibly endanger its good relations with Washington in the fields of security and defence or that could possibly weaken the role of NATO in Europe. A slightly more reserved stance was taken by the other Visegrád governments who rather tried to balance between the Franco-German tandem and the American-British axis.

Another domain where the Visegrád countries interests largely converge and it was shown also during the Convention is the field of Justice and Home Affairs. These countries will be at the Eastern periphery of the enlarged Union which will be confronted with the reality behind the “paper curtain” as the area behind the future EU borders is sometimes referred to. It creates fears that the V4 countries alone could not face the problems of trans-border crime, human trafficking, drugs, terrorism etc. and the current EU framework is too loose to offer them sufficient solutions. Therefore, one of the priorities for the Visegrád countries is a co-ordinated action of the Union in the issues concerning internal security including gradual communitarisation of those areas of the standing 3rd pillar that are based on inter-governmental principle, enforcing the Europol including its equipment with executive tasks etc. It is not surprising that the government representatives of the V4 countries advocate such progressive measures as setting up the European Public Prosecutor Office or the European Border Guard⁵. The importance which the Visegrád countries attach to the JHA agenda is reflected also by the fact that the co-operation in

³ In case of Slovakia for example, we are referring to the speech of Slovak Foreign Minister Eduard Kukan in the European Policy Centre in Brussels, 7 March 2003 (www.theepc.be)

⁴ Ibid

⁵ Anna Michalski, Matthias Heisse: European Convention on the Future of Europe: An Analysis of the Official Positions of the EU Member States, Future Member States and Candidate States. Clingendael Working Paper, April 2003

preparation for the adoption of the Schengen acquis is one of the priorities of the current Czech presidency in the Visegrád group.

Hence we come to another area of an imminent importance for Visegrád and that is a kind of privileged attitude to the “European immediate neighbourhood”. Apart from taking care of an effective protection of the area of freedom, security and justice as stipulated in the Amsterdam Treaty, their foremost interest is to stabilise the situation behind their borders to an utmost extent. In this respect the representatives of the group can feel comfortable as the provisions on the European immediate neighbourhood were incorporated right in the Constitution as Title VIII thereof⁶. These provisions are, however, very general and the question is how they will be implemented but also to what extent the idea of where to implement them will converge among the Visegrád group. Poland is extremely interested in stabilising and setting up privileged relations with the Ukraine⁷ but also Belarus or Moldova while the probable attention of Hungary will turn towards the Western Balkans. The Czech Republic can take a more relaxed stance with the absence of an external border. Needless to add, a long-term goal of the Visegrád countries remains to incorporate its neighbours eventually to the EU.

Internal cleavages in Visegrád – confirming the Big versus Small division?

Let us come back to the more specific questions that were subject matter of the Convention. Taking a look at the positions of the V4 government representatives we can see that on many technical issues their positions were alike. This relates to the enhanced role of the European Parliament in the legislative process, the standardisation of the co-decision method, extension of QMV to other areas, refusal of the idea of Congress as a new body in the institutional architecture of the Union, preserving the right of initiative of the Commission within the Community method of regulation, the support for a double-hatted European Foreign Minister and other questions. As was said, however, these were the issues on which a broad consensus was achieved among a substantial number of Conventioneers, not only the government representatives. On the contrary, in the issues which turned out to be the most controversial or problematic ones the positions of the government representatives of the Visegrád group were different.

As the most obvious example we can take the stance on the question of the permanent presidency of the European Council. The Polish government representative Ms Danuta Hübner as the only one from the V4 group expressed her support for the Franco-German proposal for the creation of the post of a quasi-permanent president of the European Council albeit conditioned by the necessity for a clearer specification of his position and competencies. The representatives of the Czech Republic, Hungary and Slovakia were from the initial stage opposed to this concept but even their positions diverged. Jan Kohout (CZ) and Péter Balázs (H) acknowledged the need for the reform of the current system of rotation and advocated the idea of a team presidency of several countries while the Slovak representation headed by Ivan Korčok insisted on keeping the status quo.

⁶ The European Convention Secretariat, CONV 820/03. Brussels, 20 June 2003

⁷ In January 2003 Poland published a non-paper on the relations with the so-called Western NIS (Ukraine, Belarus and Moldova) with some concrete proposals for future EU policy towards this region. Parts of it were taken up in later (March 2003) Commission communication on Wider Europe – Neighbourhood.

Similarly divergent positions appeared on another key issue and that is the nomination and election of the European Commission President. Ms Hübner expressed certain reservations to the concept of the election of the Commission President by the European Parliament fearing this might endanger the impartiality and independence of the Commission as such. The Czech and Slovak representatives basically supported the idea. Only Hungary, however, took a positive view on the alternative of the direct election of the Commission President by the EU citizens which other V4 representatives did not even realistically consider. On the contrary relating to the Commission accountability, only Slovakia advocated that the European Council have the right to censure the Commission as a whole or the individual Commissioners.

Looking back at the positions of the Visegrád countries towards institutional issues, we can clearly see that the Polish stances converged with the positions of the large member states (France, Britain, Germany or Spain) rather than with those of its Visegrád partners. The governments of the other V4 countries intensively consulted their views with other countries of similar size and strength among which an especially active role was played by Austria.

In broader terms, the cleavage of the Visegrád group can be described by an active participation of the Czech Republic, Hungary and Slovakia in the “like-minded countries” group while Poland did not join in. This confirms the tendency which was well observable as the Convention was drawing to its endgame and that is that the most controversial issues created a cleavage across the Union between the small and the big states, Poland belonging to the latter. Polish willingness to play the “big” card can be further demonstrated when at the Wrocław summit of the Weimar Triangle Poland was invited to discuss many crucial issues of the future EU with France and Germany, including the Common agricultural policy, Cohesion policy, Transport policy but also European Security and Defence Policy or institutional issues in future EU architecture⁸. Seeing Poland looking up rather to the big ones, it took many by surprise when Mr. Janusz Trzcíński, alternate of Danuta Hübner, took part in a recent meeting of the like-minded group in Prague. Polish representatives were invited by the Czech hosts with the awareness of their links to V4 countries and the recent V4 summit in Tale referred to below⁹.

What stance to be taken by Visegrád at the IGC?

After the Convention had reached the final deal, the question remains to what extent the V4 countries will act together at the upcoming Intergovernmental Conference. The interest in the co-ordinated approach of the V4 states in this respect was expressed by the Polish Prime Minister Leszek Miller at the Visegrád Summit in Tale in Slovakia in June 2003¹⁰. He also highlighted areas in which the Visegrád countries should aim for a common position – e.g. the idea of a team presidency, mode of the appointment of the Commission President and the Commission composition or

⁸ Source: Office of the President of the Republic of Poland, www.prezydent.pl, retrieved from DGAP website

⁹ AFP, Jean-Luc Testault, 31 August 2003. Retrieved from http://quickstart.clari.net/qs_se/webnews/wed/ci/Queu-enlarge-constitution.RXL9_DaV.html

¹⁰ For the official conclusions of the summit, please refer to the Visegrád co-operation website: www.visegrad.org

security and defence issues or preservation of the Nice formula for QMV¹¹. The co-ordination of positions at the IGC is one of the priorities of the current Czech presidency of the Visegrád co-operation.

Apart from this, however, some more dividing lines are likely to appear. Even in case of the Visegrád countries, the issues that the individual states will like to see re-opened will come up. These issues do not necessarily have to be the same, and even if they are, they do not have to have the same priority.

In the case of Poland, at least two points emerge whose re-negotiation will be strongly advocated by the present Polish garniture. The first one is a controversial issue of the qualified majority voting, according to the current draft requiring assent of half of the member states representing at least 60% of population of the Union. The necessity of the preservation of the Nice formula was highlighted already by Miller during the Tale V4 summit and Poland will try to convince its Visegrád partners in this respect because the current system is largely favourable to them, too¹². Poland will be strongly opposed to the current clause in the draft Constitution along with Spain. The question remains to what extent the other Visegrád countries or even other like-minded countries will make this their top priority at the IGC.

The other question is the idea of “Invocatio Dei”, or a reference to divine inspiration of the European Constitution, similar to what we can find it in the Polish one. The Polish political scene is unified in this respect which cannot be said about the other Visegrád countries although the confessional streams supporting “Invocatio Dei” do exist even there. This will probably be even more controversial than the QMV construction. The governments of other countries will be very cautious. As this is a matter of symbolic rather than fundamental character, it is possible that Poland will succeed to get this clause in the Constitutional Treaty in return for the support on another issue or a well-known “trade-off”.

As far as the Czech Republic is concerned, it seems that the priority number one will be the re-negotiation of the composition of the European Commission. For the Czech Republic, the question of striking the balance between the member states is extremely important. The proposals to do away with the rotating presidency and the reduction of the European Commission creating a two-tier system, which in Czech views both fundamentally remove this principle from the Union’s architecture, is cumulatively hardly acceptable. Thus if Mr Kohout has made it up with the permanent president of the European Council we can expect that he will fiercely fight for the preservation of one Commissioner per member state. Similar attitudes can be expected in case of the Hungarian and Slovak government representations.

Conclusions

Although the V4 states often defended the same or similar positions in the Convention, on many important issues their stands diverged. This situation is likely to

¹¹ Embassy of the Republic of Poland in Washington, D.C. Retrieved from http://www.polandembassy.org/News/Biuletyny_news/p2003-06-26.htm

¹² To assess the relative change in voting weight of the member states by the proposal in the draft Constitution compared to Nice formula, please refer to a study by Richard Baldwin and Mika Widgren: „Power and the Constitutional Treaty“, 19 June 2003, published at www.ceps.be

be repeated at the upcoming IGC. This basically confirms the tendency that can be traced back, for instance in the EU accession negotiations or during the Iraq crisis. Here, no substantial coordination occurred either. Given this, we can hardly expect Visegrád to act as a compact block inside the EU.

In some areas the interests of the V4 states will converge – for instance communitarisation of large portions of current IIIrd pillar, restoring and keeping strong transatlantic ties in the area of security and defence or the intensification of relations with the European immediate neighbourhood. In this respect, the Visegrád will be supported by other countries in the region, especially Austria and Slovenia. A certain harmonisation of “Central European” stances goes well beyond the Visegrád co-operation and encompasses other entities like CEFTA or Central European Initiative. Austria was for instance one of the main advocates behind the recent meeting of like-minded countries in Prague at the beginning of September 2003. In this connection we could also mention the Ferrero-Waldner initiative from June 2001 when the Austrian Foreign Minister presented the idea of strategic partnership and closer co-operation of the Central European region in the EU¹³.

Besides that, one must not forget that the Visegrád co-operation had its ups and downs. A mere year ago due to the internal cleavage over the question of the Benes Decrees many experts were extremely sceptical about the future of the Visegrád group as such and it is difficult to say what would have happened with V4 if Fidesz had stayed in power in Hungary. Also the level of institutionalization of the group is not exactly the same as in the case of the Benelux or the Nordic Cooperation.

In many other matters, the interests will diverge even more or will even oppose. A typical example is the CAP reform where we can expect absolutely diverging positions of e.g. Poland and the Czech Republic. This will be much more typical for the Union of twenty five members than it is now – it will be a Union of shifting coalitions rather than that of compact blocks¹⁴. The Visegrád countries will act more in a pragmatic, not visionary manner when joining the Club. This can be explained by the importance of justifying the benefits of the European integration process to the domestic electorate, a situation which the political representations in France, Germany or other “traditional” member states do not face.

¹³ Lubos Palata: „Co-operation or Empire“. Foreign Policy Association, 2001

¹⁴ This view is also expressed for instance in Heather Grabbe’s article „A Union of Shifting Coalitions“ in Warsaw Business Journal of 2nd June 2003