The Impact of Enlargement on the External Relations of the EU

- Roberto Domínguez

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The Impact of Enlargement
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The Impact of Enlargement on the External Relations of the EU

Introduction

This paper focuses on the impact of the fifth enlargement on the European Union Foreign Policy (EUFP). In the context of the U.S attack on Iraq in 2003 and the rhetorical image of the “old” and “new” Europe, a pervasive perception emerged that the voice of the EU would be weakened after May 2004. The EU-25 is now 11 months old and many questions are still up in the air. Will the new members act together as a block? Are the new members likely to become Trojan horses for the United States and thus prevent the development of a European security policy? The preliminary answer is that the EU has undergone a gradual process of adaptation, which was initiated prior to the formal enlargement and continues in the context of the participation of the new members in the EU foreign policy making. Rather than derailing the EUFP and despite the intrinsic differences among national foreign policies, it seems that new and old members negotiate on a daily basis to find consensus and implement the objectives of the EUFP.

Analytical framework

Ulrich Sedelmeier has argued that EU enlargement “should not be only considered the dependent variable in an analysis of EFP or EU identity politics, but also as an independent variable that affects both EU identity and EFP.” The point highlighted by Sedelmeier reflects one of the analytical challenges of the enlargement process for the EUFP: the transition from candidate country (outsider) to member state (insider). These two stages are part of the same process; however, both have different implications for EU policy making.

The first dimension of enlargement comprises the ten candidate countries (outsiders) as objects of the policies of the EU. After May 1, 2004, however, the shift to the second dimension indicates that the new members are not outsiders any more and participate in the policy making of the external relations of the EU.

Based upon this premise, the dependent variable of this analysis is the EUFP. In this paper, the EUFP is understood as the web of decisions, actions, and principles taken by European Union institutions in order to carry out interests and policies in world

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1 Ulrich Sedelmeier, EU Enlargement, Identity and the Analysis of European Foreign Policy: Identity Formation Through Policy Practice (European University Institute Working Papers, no. 2003/13, Florence, Italy) 1.
affairs. Unlike the broad concept of external relations, the term “policy” reflects a “course or principle of action adopted or proposed by an organization or individual.”

On the other hand, the independent variable is the enlargement process, which is understood, based upon Schimmelfenning, as a “process of gradual and formal (informal as well) horizontal institutionalization of organizational rules and norms.” As previously mentioned, the fifth enlargement of the EU presents two different characteristics in the pre- and post-accession stages.

In the pre-accession stage, the enlargement of the EU has been the most important event on the old continent in the past fifteen years. The uncertainty caused by the end of the Cold War was guided by an EU-lead process of reinventing the constitutional structure and political practices of Central and Eastern Europe. Certainly, in terms of norms and practices, former centralized economies moved towards the EU model as reflected in the 80,000 pages of the *acquis communitaire*. In the words of two realist scholars, “The resulting negotiations have until recently been more than a process of checking off a massive and essentially non-negotiable list of EU laws and regulations, chapter by chapter.” This stage was “mostly, but not exclusively, a one way” relationship, from the center (EU) to the periphery (CEEs).

The post-accession stage is taking place in a new legal and normative environment. As members of the EU, the newcomers are able to participate in the policy making of the integration process and negotiate their interests from a better position than in the prior stage. Depending on the issue to be negotiated, they form alliances with other newcomers, big or Atlanticist members, just to mention a few examples of the “multiple lane highway” of interest interaction. Thus, the convergence between old and new members’ foreign and security policy behavior is likely to increase in this stage as the socialization effect of EU governance on the accession countries grows.

Thus, EUFP has undergone an adaptation process in order to respond to the challenges of the fifth enlargement. By policy adaptation, Michael E. Smith means “either a change of an existing position or the creation of a new position on an unsettled policy problem thanks to the state’s participation in the EPC/CFSP system. This system imposes specific foreign policy obligations on its member states, by virtue of EU

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membership in general and particularly when holding the EU presidency or representing the EU abroad.”7 Under this premise, what has been the EU foreign policy adaptation in the pre- and post-enlargement stages?

**Pre-accession stage and foreign policy**

In this period, there are four main features. The first is the historic trend of regional shifting in some areas of foreign policy every time the EU has enlarged. The UK, with its Commonwealth experience, pressed to change the EC’s links with the third world; the result was the renegotiation of the Yaoundé Convention, which gave birth to the Lomé Convention. On the other hand, in 1986, Spanish and Portuguese membership also prompted a more active approach toward Latin America whereas the membership of two Nordic states in 1995 led to the emphasis on the Northern Dimension.8

The regional or policy orientation new members bring into the EU foreign policy agenda does not vanish during the first years of their membership; it remains on the agenda. As part of the current institutional structures, the rotating presidency system is an opportunity for the member states to pull the EU’s external priorities in different directions. French, Italian and Spanish presidencies in the mid-1990s attempted to re-balance EU attention from the east to the south (Barcelona Conference), whereas the Finnish and Swedish presidencies launched a series of northern initiatives (Northern Dimension).9

The second characteristic in the pre-accession phase is the definition and negotiation of the terms of accession as well as the supervision of the internalization in the candidates of the *acquis communautaire*. Out of 31 chapters set by the EU to negotiate the accession of new members, three are closely related to the external relations of the EU, namely, Chapter 25 (Customs Union), 26 (External Relations) and 27 (CFSP).

Since the first day of accession, the customs administration of the new member states manage and control their borders, which are the new external borders of the Union. The *acquis* in Chapter 25 refers to the Community’s Common Customs Tariff, which includes trade preferences, tariff quotas and tariff suspensions, and other customs-related legislation outside the scope of the customs code, such as legislation on counterfeit and pirated goods, drug precursors and the export of cultural goods. Transitional arrangements were negotiated in only two cases. Hungary negotiated the imports of aluminum, and Malta was granted a five-year transitional period for the import of woven

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fabrics of combed wool or of combed fine animal hair, denim, woven fabrics of artificial filament yarn and other clothing accessories.10

On the other hand, Chapter 26 covers the Community’s economic and trade relations with third countries and international organizations as well as cooperation and assistance. The common commercial policy has particular political significance as the external aspect of the single market and as the policy of the largest trading power in the world.11 No transitional arrangements were negotiated in this chapter.

Due to the particular intergovernmental nature of the acquis in Chapter 27 (CFSP),12 no transposition into the national legal order of the then candidate countries was necessary. Nevertheless, “as member states they must undertake to give active support to the implementation of the CFSP in a spirit of loyalty and mutual solidarity. Member states must ensure that their national policies conform to the common positions and defend these common positions in international fora.”13

The third feature is the approximation of positions between the EU and candidate members on world affairs issues. The general trend is that with “any move closer to membership, countries become increasingly socialized in the EU’s ways of doing business.”14 In 1994, a dialogue was established at all CFSP levels to familiarize the newcomers with the system, which meant informing them about the CFSP acquis politique. Based upon Elfriede Regelsberger’s research, alignments with EU Statements of the Presidency grew from 25 percent in 1995 to 71 percent in 2002 in the period from 1995 to 2003. Once the Accession Treaties were signed in 2003, the ten acceding countries enjoyed the status of active observers and explicitly shared the contents of all CFSP declarations approved since April 17 2003.15 In the case of the General Assembly of the United Nations, even before the signature of their Accession Treaties, most of the candidate countries had already achieved 100 percent alignment with EU positions and the EU voted unanimously on average four times out of five.16

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12 CFSP is not equipped with the legal instruments (directives, regulations) that exist for other Community policies. It uses instruments such as joint actions, common positions, statements and declarations, as well as in the conclusions of the European Council and the Council.
Alignments of the CEECs with EU Statements of Presidency on Behalf of the EU 1995-2002

<table>
<thead>
<tr>
<th>Year</th>
<th>Total Number</th>
<th>Alignment CEEC</th>
<th>Percentage</th>
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<tbody>
<tr>
<td>1995</td>
<td>106</td>
<td>27</td>
<td>25.2</td>
</tr>
<tr>
<td>1996</td>
<td>110</td>
<td>30</td>
<td>27.3</td>
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<tr>
<td>1997</td>
<td>122</td>
<td>35</td>
<td>28.7</td>
</tr>
<tr>
<td>1998</td>
<td>149</td>
<td>58</td>
<td>38.7</td>
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<td>1999</td>
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<td>2000</td>
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<td>122</td>
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<td>2001</td>
<td>175</td>
<td>124</td>
<td>70.9</td>
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<tr>
<td>2002</td>
<td>181</td>
<td>130</td>
<td>71.8</td>
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As a result of this process of approximation, the EU-25 has strengthened its multilateral approaches in world affairs. On most foreign policy issues, the CEECs tend to side with the EU not the United States. Having fresh memories from the Soviet domination during the Cold War, they support the EU on issues such as non-proliferation, the Kyoto Protocol, the death penalty and the ICC, despite strong US pressure. Even in the case of Iraq and the alliance with the United States, the Polish-Spanish multinational force has been weakened. Spain’s decision to withdraw troops from Iraq was followed by Nicaragua, the Dominican Republic and Honduras, which were also part of the multinational force. Hungary ended its mission in December 2004 and the Netherlands withdrew its troops in March 2005. Poland announced in April 2005 that it would withdraw all its troops from Iraq once the United Nations mandate for the multinational force expires in December 2005.17

The fourth element in the pre-accession stage is the creation of new borders. With the first wave of EU eastward enlargement in 2004, the eastern and southern borders of the new member states became the new external borders of the EU (only the Czech Republic is entirely surrounded by EU member states). This is why the Commission proposed a “Wider Europe” policy for its neighbors. Then Commissioner Patten stated that Russia, the countries of the Western NIS and the Southern Mediterranean should be offered “the prospect of a stake in the EU’s internal market and further integration and liberalization to promote the free movement of persons, goods, services and capital (four freedoms).”18

In this regard, there is a recurring question about the limits on accepting new members. The Moroccan Government has twice, in 1987 and 2000, expressed its ambition to apply for EU membership. Prime Minister Berlusconi has also spoken about

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18 Christopher Patten, *EU Enlargement: Implications for the EU and Australia* (Keynote Address on European Union Foreign Policy, National Press Club, Canberra, Australia, April 17, 2003).
a future Israeli application. Thus, the *Wim Kok Report* has tackled the issue of the limits of the enlargement. This report states that:

The positive results of the present round of enlargement show that stability and security can be achieved very effectively by means of the extension of the EU. The prospect of EU accession—through the conditionality of the criteria for membership—has been extraordinarily successful in Central and Eastern Europe in driving economic and political reforms. But this process cannot be extended indefinitely. *The EU cannot simply accept every neighboring country that wishes to join, on the logic that enlargement brings peace and prosperity. This logic is ultimately in contradiction with the logic of cohesion* (emphasis added).

In order to provide concrete steps to manage the dilemma of the new borders, the General Affairs Council in April 2002 requested the Commission and the High Representative for CFSP to propose ideas on the relationship with its neighbors. The then Commission President, Romano Prodi, suggested some ideas on “A Policy of Proximity,” in which he argued that the enlarged EU needed “a ring of friends. We have to be prepared to offer more than partnership and less than membership without excluding the latter categorically,… offering the concept of *sharing everything except institutions* (emphasis added).”

Thus, the European Neighborhood Policy (ENP) aims to share the benefits of the EU’s 2004 enlargement with neighboring countries in strengthening stability, security and well-being for all concerned… “It is designed to prevent the emergence of new dividing lines between the enlarged EU and its neighbors and offer them the chance to participate in various EU activities… The ENP is distinct from the issue of potential membership.” In other words, “The EU’s post-2004 eastern neighbors thus constitute what officials in Brussels now describe as the gray zone: neither accepted as definite candidates, nor clearly denied the long-term prospect of membership.”

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19 William Wallace, *Looking After the Neighborhood: Responsibilities for the EU-25* (Groupement D’Etudes et de Recherches Notre Europe, Policy Paper 4, July 2003): 6. Wallace states: “The Moroccan Government has twice, in 1987 and 2000, expressed its ambition to apply for EU membership; during the King of Morocco’s state visit to Paris, in March 2000, his official spokesman declared that the Helsinki European Council’s formal acceptance of Turkey’s candidate status has ‘lifted a taboo’ on the eligibility of other Muslim Mediterranean states.” In reaction, the Portuguese Prime Minister suggested that Moroccan membership could be considered within a ten-year perspective.

20 Wim Kok, *Enlarging the European Union: Achievements and Challenges* (Florence, Italy: European University Institute, 2003), 64.


In the same realm of borders, another area where the new member states may have an impact on external policy is Russia. In general, the new members are more suspicious of Russia due to recent history and the “the legacies of the twentieth century live on, not just in people’s memories but in practical issues.” For example, the EU pushed to make fair treatment of the large Russian-speaking minorities in Estonia and Latvia part of the accession criteria for those countries. It also negotiated transit arrangements and a visa regime with Russia for the people living in the enclave of Kaliningrad.

Post-accession stage

As of mid-2005, no major crisis has risen as a result of the 2004 enlargement. In fact, it might be speculated that the entry of new member states is more likely to reinforce existing trends in EU politics. Certainly, it is expected that the new member states will form a unified block on some issues such as increased budget, less social and environmental legislation, euro and Schengen accession.

As to the impact of enlargement on EU foreign policy, the first feature is the accommodation of national priorities in the making of the EUFP, a process that already began to take place in the pre-accession phase. The EU is in its initial steps of designing a Grand Strategy, although it remains to a great extent focused on the immediate regions. Thus, the new members’ foreign policies - which have been mostly focused on the regional neighborhood with the accession to the EU and NATO as a priority- will emphasize the management of pending problems at the regional level. In fact, this accommodation of priorities is a common practice in the EUFP. For instance, in the case of German relations towards Latin America, Detlef Nolte has insisted that the German policy towards Latin America fits into the EU general approach since “many in the foreign policy community argue that German interests are better represented as part of a common European Latin America policy than individually. Others argue that this could be a way to get rid of a minor topic in foreign relations in order to save time for more serious foreign policy matters.” In this regard, Spain and Portugal consider Latin America and the Mediterranean area at the top of their priorities.

Therefore, as an old pattern of the EUFP, it is expected that each member state will be more assertive in those areas in which there are more national interests involved.


The Ukrainian crisis at the end of 2004 was a test for both the enlarged EUFP as a whole and the border EU countries (more affected by the likelihood of a crisis in Ukraine) as well. In that regard, the mediating role played by Javier Solana, HR for CFSP, Alexander Kwasniewski, Polish President, and Valdas Adamkus, Lithuanian President, “was physical embodiment of the new EU that has emerged, confident of its interest and values and willing to act on them. Far from weakening it, enlargement has strengthened CFSP.”

Another example in which the newcomers are defending their own views in the EU foreign policy making is the disagreement of Czech Republic and Poland with the recent EU policies on Cuba. In the March/April 2003 political crackdown, Cuba arrested 75 dissidents and sentenced them to long prison terms. In response, the EU imposed diplomatic sanctions and after the Cuban government released 14 of them, the EU agreed on January 31, 2005 to end the diplomatic freeze against the Communist regime. The decision, strongly pushed by the Spanish government, found some opposition from other EU members. The wording of the Council conclusions was changed, following strong opposition by the Czech Republic and Poland, who argued in favor of further support and public recognition for Cuban dissident leaders. Former Czech anti-communist dissident and ex-president Vaclav Havel joined the debate about the EU’s future policy towards Cuba and strongly criticized the member states for their diplomatic shift towards the Castro regime. “It is hard to find a better way for the EU to destroy its ideals of freedom, equality and respect for human rights,” Mr. Havel said.

A second element most visible in the post-accession phase is the leverage each country can exert, once they have been socialized into the EU rules and norms. In the organizational environment of the EU-25, Poland has started playing its role as a new big member. After lending unconditional support to the United States in 2003, Poland’s attitude towards the idea of a group of bigger member states “began to evolve as soon as it became clear that Poland could actually be one of the ‘ins’… Poles believe that they could be able to play in Europe’s first division.”

Some facts reinforce the view of Polish assertiveness in the first division European foreign policy: a) support to the idea of structured cooperation, b) welcome the creation of battle groups, and c) initiative in the Eastern Dimension of the EUFP.

On the other hand, the more assertive role of Poland may contribute to strengthening the role of Germany, France, and the UK in global affairs if they can agree to work together. The trilateral initiative of the UK, France and Germany on Iran has

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temporarily mitigated U.S. attempts to expand military action in the area and thus far represents a success for European diplomacy. Certainly the idea of a core Europe is not welcomed by medium and small states. However, at least in the area of foreign policy, Poland, as a new big country, is pushing in that direction.

On the other hand, Poland’s Atlanticism is becoming more cautious and less unconditional in its support of the United State in light of two major issues: a) EU membership and b) disappointment with America’s leadership in Iraq. Thus, in September 2004 over 70 percent of Poles wanted their troops to be pulled out of Iraq and President Kwasniewski was disappointed with the firm rejection from the Bush administration to give a visa waiver status to Polish citizens.

A third element in the post-accession phase comprises the formalization of the new wave of enlargement and the Eastern Dimension of the EU, enshrined in the ENP. For the time being, the European Council meeting of 16-17 December 2004 set the course for the EU’s continuing enlargement process in 2005-07. It was decided that Bulgaria and Romania should sign the Treaties of Accession in April 2005, and that full accession would take place in January 2007. Although Croatia got the date of 17 March 2005 for the opening of negotiations, these were postponed in light of the Croatian failure to comply with the very explicit condition to take the necessary steps for full cooperation with the ICTY. The most important point for Turkey is that it got a date -3 October 2005- for the opening of negotiations.

On the other hand, the ENP has moved forward in its development and implementation. Based upon the ENP’s Strategy Paper, on December 9, 2004 the Commission presented a first draft Action Plans with Partners countries. On March 2, 2005, the Commission recommended an intensification of relations with Egypt and Lebanon, and Armenia, Azerbaijan and Georgia. The Council will decide whether to develop Action Plans under the ENP with the three Caucasus countries since Action Plans have already been negotiated with Israel, Jordan, Moldova, Morocco, the Palestinian Authority, Tunisia and Ukraine.

32 Heather Grabbe and Ulrike Guérot, Could a Hard Core Run the Enlarged EU? Briefing Note (London: Centre for European Reform, February 2004), 5. The author states: “France, Germany would need to include the UK, not only to get access to Britain’s diplomatic resources and military capabilities but also because without the UK a foreign and security policy venture would lack political credibility… Britain is not only one of the EU’s two serious military powers, it is also the only member state that can gain essential backing from the United States.”


36 European Commission, European Neighborhood Policy: The Next Steps, IP/05/236 (Brussels, March 2, 2005).
In the context of the Eastern dimension, the European Agency of External Borders was created in March 2005. In addition to Poland, Estonia, Hungary, Slovenia and Malta were in the running to hold the agency, which is supposed to begin operating in Warsaw on May 1, 2005, with an annual budget of €10 million. According to the rule the Council adopted on 26 October 2004, the European Agency for External Borders is supposed “to facilitate the application of existing and future Community measures concerning management of the EU’s external borders by coordinating Member States' actions to implement those measures.”

A fourth element in the policy making is the pressure that the member states and the EU institutions can exert over specific issues or member countries. This is the case of Cyprus. In contrast with Greek Cypriots, the Northern part of Cyprus voted ‘yes’ on April 24, 2004, and let open a window for a solution. High Representative Solana was clear when he stated: “For that reason (the Turkish Cyprus yes), the EU is determined to put end for a solution.....”\(^{37}\) and the added, “Now, I can say that the island is no longer an obstacle for Turkey-EU Relations. Turks tried to contribute to the solution. ... The real trouble for me was the position of the leaders from the South of the Island. They snubbed the gentlemen’s agreement.”\(^{38}\)

The EU strategy is to support economically the Northern part of Cyprus until a political settlement is put in place. There is a proposal of financial aid for €259 million for Northern Cyprus and another to allow direct trade to the EU. Cyprus, supported by Greece, has objected to the latter. However, such objection seems to be an issue of negotiation within the EU legal framework.

**Some preliminary conclusions**

1. New members are unlikely to import and maintain destabilizing policy agendas into the EUFP. If that is the case, a process of policy adaptation takes place.

2. The real challenge of disruption, however, comes not from the diversity of policy agendas, but from fixed preferences of EU member states.\(^{39}\)

3. The EU institutional framework facilitates the accommodation of national priorities in the EUFP. Participation in the Council and the Commission offers an opportunity to make use of the EU’s leverage in international affairs.

4. In the policy making of external relations, the pattern is not to forge fixed alliances between incumbent against acceding states. Rather, alliances take place between the larger countries and the smaller states and also between supporters of

\(^{37}\) Interview with Javier Solana, *Imerissia* (Greece), May 1, 2004.


the retention of as much national independence as possible, and Europeanists and Atlanticists.

5. The socialization of the norms and practices of the EUFP has been taking place since the pre-accession stage.

6. In terms of foreign policy, the fifth EU enlargement has led to a shift towards the Eastern Dimension and the development of the Neighborhood European Policy.