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# AN INTRODUCTORY WORD

## BY GUEST EDITOR

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In June 2015 Faculty of Political Science at the University of Zagreb, hosted international conference, with the support of the European Commission, Jean Monnet Programme of the European Union, titled **“Decade after the EU ‘big bang’ enlargement: a future perspectives of the enlargement process”**.

The big bang enlargement of the European Union, that saw 10 new member states (mostly from Central and Eastern Europe) accede into membership, occurred more than a decade ago. It was a political step of great importance, both for the countries of Central and Eastern Europe, as well as for the European Union of then 15, predominantly Western states. Such an important political event, was, of course analyzed extensively. Those analyses produced significant insights in the functioning of political processes both in the EU, as well within individual states, and the ways new people, their cultures, differing historical narratives, and societal expectations, influenced the supranational integrations.

Those insights might be important to understand the further enlargement of the EU. Enlargements yet to happen will follow in the footsteps of all the previous expansion waves, but will in some ways be idiosyncratic due to changing circumstances in the European Union as a whole, in specific member states, in candidate, and potential candidate countries, as well as in the international field at large. The European Union has never had more crises to deal with – from the so called migrants crisis, to the ongoing Eurozone crisis, and with it linked sovereign debt crisis of “periphery” countries (Greece, Spain, Portugal, Ireland), to the potential crisis caused by the UK’s “Brexit” referendum decision – hence EU’s institutions and actors have been forced to look inward and deal with their own problems. On the other hand, member states’ citizens and governments are contending with enlargement fatigue ever since 2004, without any sign of abating. Especially if we take into account the rise of populist political forces all over Europe, as well as complete overtake of some

national political systems by actors proselytizing the gospel of illiberal democracy and moderate populism. Candidate countries have also been dealing differently with waning membership protests. Some, like Turkey, gripped in post-coup purges of all who were critical of AKP and its leader R. T. Erdogan, are showing their muscles insisting the European Union needs Turkey more than the other way around. Other, like Serbia under SNS leadership of Aleksandar Vučić are nominally doubling down on the reform path, understanding that the EU needs a model actor who, at least on paper, are fulfilling all their obligations. Some other, like Iceland, have completely gave up on the road to full membership, while other, like Bosnia and Herzegovina are gripped with internal conflicts among hostile political elites which blocks almost all, including technical issues. What this shows us is that the enlargement process has never been as hard for candidate countries, and for the European Union, as it is now, and that future member states face tough and unknown challenges before stepping over the “European threshold”.

But this “known unknowns” in the words of former US Defense Secretary D. Rumsfeld, do still allow us to draw knowledge, basic assumptions, and answers from previous enlargement processes, especially those happened in 2004, 2007, and 2013. Therefore, the academic journal *Političke perspektive (Political Perspectives)*, whose editor-in-large, assistant professor Ana Matan, graciously invited me to guest edit this special issue is publishing a volume titled: **A DECADE AFTER THE EU 'BIG BANG' ENLARGEMENT: A FUTURE PERSPECTIVES OF THE ENLARGEMENT PROCESS.**

We invited academics – from master students, PhD students, and post-doctoral researchers, to long-time researchers, and tenured professors – to submit papers that focus on the link between political reforms in candidate countries and potential candidate countries, and the enlargement policy of the EU. We also welcomed papers that dealt with the influence of the enlargement process on the states of the Eastern partnership, as well as on any other European state that is influenced by the EU enlargement policy. The response was overwhelming. We have received more than 110 abstracts, and have had 24 presenters at our conference. From those, five papers have successfully passed the first round of double-blind peer reviews, and we present them here.

As will be obvious from the articles that follow this introduction, we have a plethora of differing views, with scholars from Croatia, Europe, and beyond. We have also received papers on many different policy aspects, all of them linked to the enlargement, but all of them looking at the enlargement process from different perspectives.

The contribution by Marijana Musladin from the University of Dubrovnik, deals with the Eastern Partnership, once an important foreign policy of the European Union, that has suffered greatly since the Russia's aggression on Georgia, Russia's annexation of Crimea, and Russia-supported war in eastern Ukraine. Musladin's paper, titled "The Future of the Eastern Partnership of the European Union" (written in Croatian), shows the inadequacy of that policy in tackling the problems and challenges countries to the European Union's east are dealing with. She points to the necessity of reframing the policy in the light of Russia-led crises (sticks), but also new economic integrations – The Eurasian Union – Russia is offering (carrot) in order to show the countries from Belarus and Ukraine, to Armenia and Kazakhstan, the need to stay in Russia's sphere of influence. The conclusion of the paper is that the European Union cannot, due to its current state, offer anything substantial, like membership, so the only possible solution is a major overhaul of both Eastern Partnership and European Neighborhood Policy.

Jan Muš, from Vistula University's Institute of International Relations, deals, in his article, with the problem of enlargement as a process of peripherilization. Paper titled "EU Enlargement as Process of Peripherilization", shows the failure of Western Balkan countries to take advantage of closer relationship with the European Union and advance both economically and socially. This revelation is even more visible when compared to one of the 2004 enlargement's success stories – Poland. Muš shows that the success story narrative hides a lot of problems, the most important one of which is that the failing liberal paradigm, that the European Union forced upon candidate countries during the process of enlargement, led to (re)peripherilization of the countries in the European east. Because of that, and having in mind the financial, sovereign, and Eurozone crises the European Union has gone through, the Polish case is not a great role model for the Western Balkan countries to emulate.

Simona Sobotovicova, a PhD candidate at the University of Basque Country and Université de Pau et des Pays de l'Adour, and her coauthor Juan Ignacio Ugartemendia from the University of Basque Country, wrote an article titled "The Mobility of Nationals from Western Balkans within the European Union: New Challenges and Opportunities". They show the challenges of the European Union's in the area of freedom, security, and justice. The security breaks on freedom of movement of citizens of eastern member states, the migrant crisis, Brexit and terrorism showed in recent years the freedom of movement strained to its limit. Authors also show the Europeanization of migration policy, as well as its influence on migration from the Western Balkans countries. They correctly interpret the migration from the Western Balkans to the European Union, as

brain drain that puts a lot of pressure on political and social system of those countries.

Srđan Orlandić, from the University of Ljubljana, in his paper, titled “Predetermined Foreign Policy – Aligning National Policies of the Candidate Countries with the CFSP and CSDP: Case of Montenegro”, shows the obligations, successes and failures of candidate countries in aligning their national foreign policies with the European Union’s foreign, security and defense policies. With it, Orlandić shows how candidate countries, especially those considered “good students”, feel the need to reframe their national interests expressed through their foreign policies in order to strengthen their claims for the membership in the EU. This opens questions on what sovereignty means in this context, and how can a small country, like Montenegro, establish its foreign policy that may or may not go directly against local, regional, or global international actors (like Serbia in the case of Kosovo, or Russia).

Finally, paper by Namchoke Sasikornwong, project assistant working at the Royal Thai Embassy to Belgium and Luxembourg, titled “EC/EU Membership and Austria, Sweden and Finland: Neutrality Redefined with European Norms?”, points to an interesting topic of neutrality when countries become members of the European Union. Drawing conclusions from the 1995 “neutrality” enlargement, which saw the European Union expand to include Austria, Finland, and Sweden, Sasikornwong shows the reconceptualization of the concept of neutrality, and linked to the founding norms of the European Union – peace, liberty, democracy, etc. Article concludes by showing that neutrality is not only linked to security of a neutral state, but also is cultural in its nature, positioning a neutral country in a family which shares similar culture. With that in mind the membership of Austria, Finland, and Sweden in the European Union is “natural”, and has implication in formulating and steering European policies, like CFSP.

DARIO ČEPO





# ČLANCI I STUDIJE





# BUDUĆNOST ISTOČNOG PARTNERSTVA EUROPSKE UNIJE

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*Marijana Musladin*  
*Sveučilište u Dubrovniku*

## SAŽETAK

Proces proširenja jedan je od ključnih vanjskopolitičkih instrumenata Europske unije. Proširenje je Europskoj uniji pomoglo reagirati na velike promjene nastale slomom socijalističkih sustava u Europi, te učvrstilo demokraciju, ljudska prava i stabilnost u državama srednje i istočne Europe koje su postale članice Europske unije. Ostatak istočnog susjedstva Europska unija obuhvatila je politikom Istočnog partnerstva s kojim je, bez obećanja perspektive članstva, planirala sličan scenarij. Međutim, nakon šest godina ta se inicijativa nije pokazala adekvatnom u rješavanju problema istočnog susjedstva, niti je približila države Istočnog partnerstva europskim vrijednostima u onoj mjeri kako je to zamišljeno unutar Europske unije. Pored toga, neuspjeh u realizaciji političkih ciljeva Istočnog partnerstva još jednom je ukazao na nedostatak jedinstva unutar Europske unije i na postojanje različitih interesa u pogledu istočnih susjeda. U isto vrijeme, nove okolnosti u istočnom susjedstvu – promjena geopolitičkog konteksta, ruska vanjska politika, Ukrajinska kriza, pojava alternativne integracije u formi Euroazijske ekonomske zajednice – pozivaju na konkretniju ulogu Europske unije prema susjedima na istoku i na redefiniranje politike Istočnog partnerstva. Ovaj rad bavi se pitanjem budućnosti politike Istočnog partnerstva, s posebnim naglaskom na mogućnost uključivanja istočnog susjedstva u širi kontekst europske politike proširenja. Iako do novih proširenja sasvim izvjesno neće doći u dogleđno vrijeme, Europska unija trebala bi barem predložiti neka nova rješenja kako bi se nastavio proces približavanja država Istočnog partnerstva Europskoj uniji. S obzirom na trenutnu ekonomsku i političku situaciju u Europskoj uniji, promjene je realno očekivati jedino kroz reformu postojećih inicijativa – Istočnog partnerstva i Europske politike susjedstva.

**KLJUČNE RIJEČI:** Europska politika proširenja, istočno susjedstvo, Istočno partnerstvo, Euroazijska ekonomska zajednica

## 1. UVOD

Odnosi Europske unije i zemalja istočne Europe<sup>1</sup> do sredine 1990-ih bili su ograničeni na ekonomsku suradnju i tehničku pomoć i nije bilo jedinstvene političke strategije EU<sup>2</sup> prema toj regiji. Takva situacija promijenila se proširenjem EU na istok i pokretanjem Europske politike susjedstva, koja je obuhvatila nove susjede na istoku, ali i zemlje prethodno obuhvaćene Euromediteranskim partnerstvom. Europska politika susjedstva iz 2004, kojoj je glavni cilj umanjiti razlike između EU i njezinih susjeda (na istoku i jugu), te postići obostranu stabilnost, sigurnost i blagostanje kako bi se spriječio nastanak novih crta razdvajanja, dokaz je aktivnije politike EU na planu sigurnosti. Međutim, ubrzo nakon pokretanja, EU se suočila s novim problemom: kako postići stvarnu stabilnost i sigurnost u svojoj okolini bez davanja jasne perspektive članstva susjedima na istoku. S vremenom je unutar EU prevladalo stajalište o nužnosti uspostavljanja jedinstvene i sveobuhvatne politike prema istočnom susjedstvu. To se realiziralo 2009. pokretanjem Istočnog partnerstva, kojemu su ciljevi postupna liberalizacija viznog režima, pravna integracija i poboljšanje suradnje u energetske sigurnosti. Krajnji su, pak, ciljevi stvaranje duboke i sveobuhvatne zone slobodne trgovine, te multilateralna i regionalna suradnja sa zemljama u regiji.

Šest godina od pokretanja Istočnog partnerstva rezultati nisu ohrabrujući. Naprotiv, većina ciljeva zacrtanih partnerstvom nije ostvarena, tako da se može govoriti o svojevrsnoj krizi politike EU prema istočnom susjedstvu. U isto vrijeme, događaji u istočnom susjedstvu, nova geopolitička situacija, Ukrajinska kriza, pojava alternativne integracije u formi Euroazijske ekonomske zajednice<sup>3</sup> – pozivaju na konkretniju ulogu EU prema susjedima na istoku. Pri tome, zasebno bi se trebali razmatrati odnosi EU

1 Unatoč dugoj povijesti naziva, do danas nema općeprihvaćene definicije pojma Istočna Europa. U literaturi nalazimo stajališta kako na prostoru nekadašnje istočne Europe danas postoje tri regije: srednja Europa (Njemačka, Austrija, Poljska, Mađarska, Češka, Slovačka, Slovenija i Hrvatska), jugoistočna Europa ili Balkan i, za našu analizu najbitnija, istočna Europa – „prava Istočna Europa” – koja obuhvaća države nastale raspadom Sovjetskog Saveza (Rusija i njezini sateliti Bjelorusija, Moldova i Ukrajina), osim triju baltičkih zemalja.

U ovom radu, pojam „Istočna Europa” odnosi se na zemlje koje sudjeluju u inicijativi Istočno partnerstvo – Armenija, Azerbajdžan, Bjelorusija, Gruzija, Moldova i Ukrajina. O definiranju regije vidjeti (Kasapović 2007, 73–97).

2 Dalje u tekstu Europska unija označava se kraticom EU.

3 U lipnju 2014. predsjednici Rusije, Kazahstana i Bjelorusije (Vladimir Putin, Nursultan Nazarbajev i Aleksandar Lukašenko) potpisali su u Astani, u Kazahstanu, povijesni dogovor o osnivanju Euroazijske ekonomske unije. EAEU je započela s radom 1. siječnja 2015, a do 2025. tri strane bi trebale formirati jedinstveno tržište nafte i plina.

s uspješnijim istočnim partnerima (Moldova, Ukrajina, Gruzija) od onih koji su manje uspješni (Bjelorusija, Armenija, Azerbajdžan).

Istočno partnerstvo može ostati temelj za daljnju suradnju između EU i njezinih istočnih susjeda. Međutim, inicijativa, pokrenuta 2009, zahtijeva duboke reforme. U kontekstu budućnosti europske politike proširenja, postavlja se pitanje je li davanje jasne perspektive članstva istočnim susjedima konkretna reforma Istočnog partnerstva?

U radu se najprije analiziraju ciljevi postavljeni politikom Istočnog partnerstva, te dosadašnji rezultati. U tom smislu, analiza je usredotočena na demokratsku i ekonomsku transformaciju zemalja Istočnog partnerstva. Prema kriterijima ključnih ciljeva europske politike: stabilnost i regionalna sigurnost, te demokratska i tržišna prilagodba i integracija s EU, stanje u zemljama Istočnog partnerstva nije se znatno poboljšalo. Neuspjeh u realizaciji ciljeva Istočnog partnerstva detektirao je i nedostatak jedinstva unutar EU i postojanje različitih interesa u pogledu istočnih susjeda. Analizom vanjske politike EU prema susjedima na istoku i jugu nastoji se ukazati na razlike koje su motivirane geopolitičkim interesima pojedinih zemalja članica. U konačnici, analizom argumenata za i protiv davanja perspektive članstva istočnim susjedima nastoji se dati odgovor na pitanje je li budućnost istočnog susjedstva europska politika proširenja.

## 2. OSVRT NA CILJEVE I REZULTATE ISTOČNOG PARTNERSTVA

Poticaj za jačanje suradnje s istočnim susjedima stigao je u svibnju 2008. od sjevernih članica EU, Poljske i Švedske, u obliku novog vanjskopolitičkog instrumenta EU – Istočnog partnerstva (*Eastern Partnership – EaP*). Prvotna inicijativa bila je ojačati Europsku politiku susjedstva koja se nije pokazala dovoljno osjetljivom na težnje i potrebe pojedinih članica u pogledu odnosa s EU. Kako se, u međuvremenu, suradnja sa susjedima na Mediteranu ojačala Unijom za Mediteran<sup>4</sup>, nametnula se potreba za redefiniranjem suradnje s istočnom Europom i južnim Kavkazom. Michalski tvrdi kako je poljsko-švedska inicijativa u stvari odgovor na francusku inicijativu o pokretanju Unije za Mediteran.<sup>5</sup> U nastavku tvrdi kako je Istočno

4 Nakon što je francuski predsjednik N. Sarkozy odustao od prvotnog naziva Mediteranska unija, jer on uključuje samo zemlje koje izlaze na Sredozemno more, i prihvatio širi naziv Unija za Mediteran, na *summitu* u Parizu, 13. srpnja 2008, jednoglasno je usvojena zajednička deklaracija kojom je uspostavljena Unija za Mediteran, a obuhvatila je 43 države – 27 tadašnjih zemalja članica EU-a i zemlje Mediterana.

5 Inicijativa o pokretanju Istočnog partnerstva bio je logičan potez kojim su kontinentalne članice EU-a nastojale ojačati vlastite položaje u Europi, ali i pomoći razvoju njezinih istočnih susjeda.

partnerstvo namjeran pokušaj da odnosi s državama istočne Europe dođu na dnevni red politike EU kako bi se zadobila naklonost Bruxellesa u smislu financijskih izvora i političke potpore (Michalski 2009, 2). S druge strane, s obzirom na činjenicu da je EU počela uzmicati od rasprava na temu daljnjeg proširenja, namjera je bila osigurati istočnim susjedima (prije svega Ukrajini, Moldovi i Gruziji<sup>6</sup>) novu mogućnost, i svojevrsnu čekaonicu, do pridruženog članstva. Prema tome, instrument Istočnog partnerstva dizajniran je kako bi se nastavio proces ekonomske modernizacije razvijenijih istočnoeuropskih država u skladu s pravnom stečevinom EU, čime bi se poboljšali njihovi izgledi za članstvom. S druge strane, regulatorno usklađivanje s pravnom stečevinom EU ojačalo bi sposobnost manje razvijenih zemalja u postizanju dubljih trgovačkih veza s EU i nastavku procesa modernizacije (Musladin 2012, 54).

Ipak, poljsko-švedska ideja nije naišla na odobravanje pojedinih članica EU. Naprotiv, pojavile su se mnogostruke kritike na koncept Istočnog partnerstva u smislu opasnosti od dupliciranja, pa čak i kočenja postojećeg političkog procesa (Europske politike susjedstva), te preklapanja s postojećim regionalnim inicijativama (*Black Sea Economic Cooperation, EU Black Sea Synergy*)<sup>7</sup>. Postojala je opasnost trenda regionalizacije vanjske politike EU i mogućeg natjecanja za financijske izvore s ostalim regionalnim partnerima na Mediteranu i Bliskom istoku.

Kada se činilo kako će prijedlog o Istočnom partnerstvu otići u zaborav, Rusija je, u namjeri da obrani želju samoproglašanih republika Abhazije i Južne Osetije, u kolovozu 2008. upala na teritorij Gruzije. Rat u Gruziji ukazao je na stratešku važnost Južnog Kavkaza za EU i ranjivost položaja istočnoeuropskih država koje se nalaze između EU i Ruske Federacije. Pokazalo se kako su bivše sovjetske republike vrlo bitne za temeljni cilj europske vanjske politike o stabilnosti i prosperitetu u svojem susjedstvu. Osim toga, zbog važnosti njihova geostrateškog položaja pojavila se

6 Raspadom SSSR-a i proglašenjem neovisnosti, europske integracije postaju jedan od glavnih vanjskopolitičkih ciljeva Ukrajine, Moldove i Gruzije.

7 *Black Sea Economic Cooperation* – multilateralna politička i ekonomska inicijativa pokrenuta 1992. usmjerena na poticanje suradnje između zemalja članica, te osiguranje mira, stabilnosti, blagostanja i dobrosusjedskih odnosa u regiji Crnog mora. Danas broji 12 članica: Albanija, Armenija, Azerbajdžan, Bugarska, Gruzija, Moldova, Rumunjska, Ruska Federacija, Turska, Grčka i Srbija. <http://www.bssec-organization.org/member/Pages/member.aspx> (1. 12. 2014).

*EU Black Sea Synergy* – regionalna inicijativa za suradnju EU s crnomorskom regijom pokrenuta 2007. u okviru Europske politike susjedstva. Uključuje Grčku, Bugarsku, Rumunjsku i Moldovu na zapadu, Ukrajinu i Rusiju na sjeveru, Gruziju, Armeniju i Azerbajdžan na istoku i Tursku na jugu. Iako Armenija, Azerbajdžan, Moldova i Grčka nisu priobalne, povijest, blizina i uske veze čine ih prirodnim regionalnim sudionicima. [http://ec.europa.eu/world/enp/pdf/como7\\_16o\\_en.pdf](http://ec.europa.eu/world/enp/pdf/como7_16o_en.pdf) (1. 12. 2014).

potreba za sistematičnijim uključivanjem tih zemalja u europsku vanjsku i sigurnosnu politiku.

Dakle, rat u Gruziji ubrzao je politički proces i, u roku od nekoliko mjeseci, Europska komisija usvaja nacrt prijedloga – *Communication on the EaP*, koji je naknadno i potvrđen u prosincu 2008, na *summitu* Europskog vijeća. Tom prilikom potvrđeno je obećanje EU o potrebi ubrzanja političkih inicijativa prema istočnom susjedstvu putem novog partnerstva i to kroz bilateralnu i multilateralnu razinu. Na taj način postigla bi se stabilnost istočnoeuropskih zemalja i povećale šanse za uspostavom dubljih veza s EU (Musladin 2012, 56).

Konačni pečat, prihvaćanje i usvajanje nove strategije dolazi u svibnju 2009. na praškom *summitu* predsjednika država i vlada zemalja članica i partnerskih zemalja, na kojem je usvojena i Zajednička deklaracija (*Joint Declaration*). *Summit* u Pragu pokrenuo je novu fazu u razvoju odnosa EU i zemalja Istočne Europe i Južnog Kavkaza – Bjelorusije<sup>8</sup>, Ukrajine, Moldove, Gruzije, Armenije i Azerbajdžana.

Gljučni ciljevi Istočnog partnerstva, kao političkog okvira kojim se istočnoeuropske i južnokavkaske zemlje nastoje približiti europskim vrijednostima, podrazumijevali su osnivanje političkog udruženja između EU i zemalja Istočnog partnerstva, stvaranje duboke i sveobuhvatne zone slobodne trgovine, postupnu liberalizaciju viznog režima, do potpunog ukidanja viza kao dugoročnog cilja partnerstva, pravnu integraciju (uključujući vrijednosti, pravila i standarde), te poboljšanje suradnje u energetskoj sigurnosti (Musladin 2012).

Novom politikom prema istočnom susjedstvu nastojao se ponoviti najveći vanjskopolički uspjeh Europske unije – uspješna tranzicija zemalja srednje i istočne Europe. Međutim, instrumenti provedbe bili su drugačiji. Dok se državama srednje i istočne Europe u najranijoj fazi integracije ponudilo članstvo u EU, to nije obećano i IP-a<sup>9</sup> državama. Ono što im je ponuđeno umjesto perspektive članstva najbolje je sažeo David Cadier (2013, 55), kao *'three Ms': money, markets and mobility*. Već se i prije pokretanja Europske politike susjedstva, kao krovne politike EU prema susjedima na istoku i jugu, moglo čuti kako će se buduća politika temeljiti na principu zajedništva s EU u svemu, osim u institucijama (Prodi 2002).

Šest godina od pokretanja inicijative ne može se govoriti o uspješnoj reformi u partnerskim državama. Tijekom provedbe inicijative postalo je jasno kako šest država obuhvaćenih partnerstvom ima različite želje i mogućnosti za usvajanje europskih pravila i uopće izbora EU kao ključnog

8 Bjelorusija neće u potpunosti participirati u politici zbog kršenja osnovnih građanskih prava u zemlji i autoritarne vladavine predsjednika Aleksandera Lukašenka.

9 Dalje u tekstu države obuhvaćene Istočnim partnerstvom označavat će se kraticom IP-a države.

vanjskopolitičkog cilja. U tom je smislu moguće izdvojiti najmanje dva bloka država s obzirom na razliku u napretku i provedbi zacrtanog programa. Naprednim partnerima pokazali su se Moldova, Gruzija i Ukrajina, koje su 2014. potpisale Ugovore o pridruživanju s EU. Manje naprednim partnerima smatraju se Armenija, koja se odlučila pridružiti Euroazijskoj ekonomskoj zajednici, i Azerbajdžan, koji nije pokazao interes za dubljom ekonomskom integracijom s EU, pa je slijedom toga odbio potpisati Sporazum o pridruživanju. Transformacijski napredak Bjelorusije, koja je postala članicom Euroazijske ekonomske zajednice, potpuno je zanemariv (Wisniewski 2013; Sadowski 2013).

Od pokretanja Europske politike susjedstva 2004, kretanja u istočnom susjedstvu nisu ispunila očekivanja EU. S druge strane, uključenost EU, i razvoj njezinih birokratskih instrumenata, također nisu utjecali na stvarne pomake u susjedstvu, otkrivajući pri tom ograničene mogućnosti utjecaja EU u zemljama istočnog susjedstva. Mjereno kriterijima ključnih ciljeva europske politike – stabilnost i regionalna sigurnost, te demokratska i tržišna prilagodba i integracija s EU – stanje u zemljama regije nije se znatno promijenilo, naprotiv, u pojedinim područjima čak se i pogoršalo.

Uhićenje i presuda protiv bivše ukrajinske premijerke Julije Timošenko pokrenuli su intenzivnu raspravu o stanju demokracije u IP-a državama, koje su kritizirane zbog razvoja nedemokratskih tendencija i nepoštivanja pravila koja su utvrđena u razvoju odnosa s EU. Autori koji se bave Istočnim susjedstvom EU tvrde kako se razvoj nedemokratskih tendencija ne odnosi isključivo na Ukrajinu, već i na Gruziju, Bjelorusiju i Azerbajdžan (Klynski 2012; Jarosiewicz 2012; Sadowski 2013). Slijedom toga, u pogledu demokracije i regionalne sigurnosti nijedna od šest zemalja partnerstva ne zadovoljava demokratske standarde. Brojni pokazatelji govore da su ili dijelom demokratske (Moldova, Ukrajina, Gruzija, Armenija) ili autoritarne (Bjelorusija i Azerbajdžan).

Istraživanja su pokazala kako je indeks razine demokracije stagnirao, a u nekim je državama značajno i smanjen. Stabilnost i sigurnost u regiji nije postignuta ni prije događaja u Ukrajini, jer i dalje postoje područja visokog rizika zbog zaleđenih etničkih sukoba<sup>10</sup> u regiji. Prema izvješću, koje je za potrebe Švedske agencije za međunarodnu suradnju i razvoj pripremio *Cornell Caspian Consulting*,<sup>11</sup> najveći sigurnosni izazovi regije su etničke

10 Termin „zaleđeni sukob” nije najsretniji, jer sugerira kako je neki sukob stavljen na čekanje. Prikkladnije bi bilo takve sukobe definirati kao neriješene ili dugotrajne sukobe. Pojam dugotrajnog sukoba često se koristi za opisivanje sporova na širem području Crnoga mora: Transnistriji, Južnoj Osetiji, Abhaziji i Nagorno Karabahu.

11 Radna skupina sa sjedištem u SAD-u koja prikuplja podatke, analizira i daje savjete fizičkim i pravnim osobama o političkoj, ekonomskoj i sigurnosnoj situaciji na Južnom Kavkazu.



napetosti i sukobi – od čega su najteži oni između Armenije i Azerbajdžana oko Nagorno Karabaha, te između Gruzije i separatističkih pokrajina Abhazije i Južne Osetije.

Ekonomska i društvena transformacija IP-a država pokazuje mješovite rezultate. Nijedna od država nije napravila značajan napredak koji zadovoljava očekivanja EU. Transformacija političkih sustava izrazito je spora, a za razliku od europskih država koje su postale članice EU 2004. i 2007, nailazila je na brojne probleme. Prema *Bertelsman Foundation Transformation Index*, koji mjeri stanje demokracije i napredak reforme gospodarstva, Moldova i Gruzija smatraju se pozitivnim primjerima koji su potaknuli značajan napredak između 2003. i 2012. U Gruziji su to demokratske promjene koje su nastupile nakon Revolucije ruža 2003, a u slučaju Moldove to je dolazak na vlast proeuropske koalicije 2009. Tijekom istog razdoblja, situacija se u ostalim IP-a državama pogoršala, poglavito u Armeniji i to zbog duboke političke krize, koja je nastupila nakon općih izbora 2008, i Ukrajine, koja je nazadovala nakon početnih uspjeha Narančaste revolucije.

Napori EU u razvoju odnosa s istočnim susjedima nisu rezultirali ni bližom ekonomskom integracijom. Usprkos mjerama za uklanjanje prepreka trgovinske razmjene i ukupnom povećanju trgovine, u razdoblju od 2004. do 2011, udio EU u trgovini IP-a država nije se značajno promijenio<sup>12</sup> (eap-index.eu, 2014). Unatoč poticajima i napretku u pojedinim područjima suradnje, široko je prihvaćeno stajalište kako Istočno partnerstvo nije uspjelo ponoviti transformirajući učinak koji se dogodio u državama srednje i istočne Europe (Simm 2014; Wisniewski 2013; Sadowski 2013; Cadier 2013).

12 Iznimka je Moldova gdje je u spomenutom razdoblju udio trgovinske razmjene EU porastao za 11% (Sadowski 2013, 26).

Tablica 1. Indeks približavanja zemalja Istočnog partnerstva EU<sup>13</sup>

Područje suradnje	Pokazatelji ( 1 = najbolji; 0 = najgori)					
	Moldova	Gruzija	Ukrajina	Armenija	Azerbajdžan	Bjelorusija
Demokracija	0.72	0.54	0.64	0.47	0.31	0.20
Vladavina prava	0.61	0.63	0.60	0.51	0.42	0.23
Pravda, sloboda i sigurnost	0.94	0.67	0.76	0.47	0.76	0.43
Trgovina i ekonomska suradnja	0.71	0.54	0.72	0.54	0.57	0.38

Izvor: prilagođeno iz Kasčiūnas, Kojala, Keršanskas 2012.

Među uspjehe inicijative ubraja se potpisivanje Sporazuma o pridruživanju s Ukrajinom, Gruzijom i Moldovom, te proces liberalizacije viznog režima, gdje postoje opipljivi rezultati, iako teče vrlo sporo. Osnivanje novih institucija, poput *Euronest* parlamentarne skupštine, foruma za civilno društvo<sup>14</sup>, poslovnog foruma, skupštine lokalnih i regionalnih vlasti i provedba njihovih redovitih sastanaka ubraja se također u pozitivne primjere multilateralne suradnje između IP-a država i članica EU. Na razini društvenih kontakata moguća je i suradnja putem EU programa akademske razmjene, poput studentske razmjene, programa za mlade i suradnje obrazovnih sustava između EU i IP-a država.<sup>15</sup>

Na kraju, iako se može smatrati trivijalnim, jedno od najvećih postignuća inicijative je činjenica kako još uvijek postoji, te se sastanci na vrhu Istočnog partnerstva još uvijek redovito odvijaju. U tom smislu, Istočno partnerstvo, uz adekvatne reforme, može ostati temelj za daljnju suradnju između EU i njezinih istočnih susjeda.

13 Indeks europskih integracija za države istočnog partnerstva (The European Integration Index for Eastern Partnership Countries – EaP Index). Indeksom se tumači napredak u europskim integracijama zemalja Istočnog partnerstva. Vidi: What is the EaP Index?, dostupno na: <http://www.eap-index.eu/about> (07. 11. 2014).

14 Forum za civilno društvo posebno je funkcionalan na dnevnoj razini i održava redovite kontakte s EU i građanima IP-a država putem društvenih mreža i interneta. Zajedno s poslovnim forumom čini izvrsnu platformu za civilnu suradnju.

15 Poput programa Erasmus, Tempus itd.

### 3. NEJEDINSTVO EU U POGLEDU SURADNJE S ISTOČNIM SUSJEDSTVOM

Neuspjeh u realizaciji političkih ciljeva Istočnog partnerstva ukazuje na drugi problem – nedostatak jedinstva unutar EU i postojanje različitih interesa u pogledu istočnih susjeda. Dakle, pored razlika između IP-a država, postoje očigledne razlike unutar EU. Sadowski (2013, 35) drži kako su te razlike posljedica nekoliko faktora, između ostalog, unutarnjih problema, uključujući rasprave o budućem obliku EU, financijske krize i nestabilnosti u južnom susjedstvu. Međutim, različiti geopolitički interesi unutar EU bili su vidljivi i prije institucionalne krize EU, globalne financijske krize i događaja koji su uslijedili nakon Arapskog proljeća. Naime, kod pokretanja „novih”<sup>16</sup> inicijativa EU (Istočnog partnerstva i Unije za Mediteran) pokazalo se kako u vanjskoj politici EU prema susjedima postoje razlike koje su motivirane geopolitičkim interesima pojedinih zemalja članica. Još i prije petog proširenja moglo se čuti kako istočnoeuropske države kandidatkinje zahtijevaju više pozornosti EU prema susjedima na istoku i Južnom Kavkazu. Istovremeno, mediteranske članice EU zagovarale su tješnje partnerstvo s južnim susjedima s kojima dijele povijesne, političke, kulturne i ekonomske veze. Za Francusku, Španjolsku, Italiju i Portugal Mediteran je trebao ostati strateški prioritet EU. U pokušaju da uzme u obzir različite zahtjeve svojih članica i stvori prsten stabilnih, prijateljskih i demokratskih država oko svojih granica na istoku i jugu, EU je usvojila jedinstven i sveobuhvatan politički okvir suradnje sa susjedima u obliku Europske politike susjedstva. Unatoč očiglednim političkim, ekonomskim, kulturnim, povijesnim i drugim razlikama, Europska politika susjedstva obuhvatila je sve države južnog i istočnog susjedstva (te je države, kasnije se pokazalo, trebalo promatrati odvojeno, u okviru zasebne strategije). U procesu implementacije zadanih ciljeva, EU se tako morala nositi s različitim ekonomskim i političkim preprekama, što je za nju i njezine članice predstavljalo veliki izazov u smislu balansiranja svojeg vanjskopoličkog angažmana između susjeda na jugu (sjevernoafričke i bliskoistočne države) i susjeda na istoku (Ukrajina, Moldova, Bjelorusija, Gruzija, Armenija, Azerbajdžan). Ono što je zamišljeno kao efektivna politika koja bi odgovarala globalnim ambicijama EU i novim izazovima koji su se pojavili u

16 Unija za Mediteran i Istočno partnerstvo nisu u pravom smislu nove političke inicijative. Više je riječ o nadogradnji postojećih mehanizama Europske unije (Barcelonski proces, Europska politika susjedstva, Sporazumi o suradnji/Sporazumi o pridruživanju), te se mogu shvatiti kao mehanizmi kojima se prvenstveno zadovoljavaju težnje partnerskih zemalja za tješnjom suradnjom s Europskom unijom, budući da dotadašnje inicijative nisu ispunile njihova očekivanja. Barcelonski proces imao je polovične rezultate, dok se Europska politika susjedstva nije pokazala dovoljno osjetljivom na težnje i potrebe susjeda na Istoku.

susjedstvu, nije se pokazala adekvatnim instrumentom EU u stabilizaciji prilika u obje regije. „Nove” države članice EU bile su posebno nezadovoljne Europskom politikom susjedstva, zbog izostanka perspektive članstva susjeda na istoku. Prevladavalo je uvjerenje kako samo članstvo u EU može biti uvjet za potpunu transformaciju i demokratizaciju postsovjetskog prostora. S druge strane, stare članice nisu bile naklonjene ideji članstva za istočne susjede. Takva situacija zahtijevala je i vodila razvoju dvaju novih koncepata u odnosima prema susjedima. Unija za Mediteran i Istočno partnerstvo mogu se promatrati kao pokušaj prevladavanja nedostataka Europske politike susjedstva u smislu odvajanja politike EU prema susjednim regijama. Pored toga, pokazalo se da je pokretanje Unije za Mediteran motivirano i unutarnjim političkim interesima (prije svega Francuske) koji su se postavili kao vanjskopolitički ciljevi EU. S druge strane, Istočno partnerstvo može se interpretirati kao odgovor novih članica EU (prije svega Poljske) na francusku inicijativu. Zbog toga se koncepti Unije za Mediteran i Istočnog partnerstva mogu shvatiti i kao svojevrsni geopolitički instrumenti pojedinih država ili grupe država članica koje bi trebale poboljšati njihov utjecaj unutar EU, a ne samo kao instrumenti u jačanju sigurnosti i stabilnosti dviju regija, kakvim su naposljetku službeno i zamišljeni. U tom smislu, održavanje odnosa EU s dva različita geopolitička područja nema samo implikacije na vanjsku politiku EU i njezinu globalnu poziciju, već ima utjecaj i na ravnotežu snaga unutar same EU. Ovakvi sukobljeni geopolitički interesi pojedinih članica EU, koji su se nastavili i nakon Lisabonskog ugovora, ne idu u prilog cjelovitosti i koherentnosti vanjske politike EU, što je jedan od ključnih ciljeva Zajedničke vanjske i sigurnosne politike predstavljene u Maastrichtu.

Neučinkovitost inicijative Istočnog partnerstva izravna je posljedica nejedinstva unutar EU prema istočnom susjedstvu. Wisniewski (2013, 10) tvrdi kako su samo neke države (Poljska i Litva) u potpunosti posvećene suradnji s istočnim susjedima i žele ponuditi IP-a državama Sporazume o pridruživanju i liberalizaciju viznog režima. S druge strane, većina EU članica (među njima Francuska i Velika Britanija)<sup>17</sup> ne pokazuju gotovo nikakav interes za regiju, te na taj način ugrožavaju daljnju suradnju. Ako se tome dodaju stajališta mediteranskih članica EU (Francuska, Italija, Španjolska i Portugal), kojima je tradicionalno fokus interesa na južnom susjedstvu, razvidno je kako je istočno susjedstvo ipak od sekundarnog značaja za EU. Postavljanju istočnog susjedstva u drugi plan europske

17 Odnos Francuske i Velike Britanije prema Istočnom partnerstvu simbolično se može ilustrirati na primjeru *summita* Istočnog partnerstva u Varšavi 2011, gdje je izostala nazočnost najvećih državnih predstavnika, pa je Francusku, umjesto predsjednika Nicolasa Sarkozyja, predstavljao premijer Francois Fillon, a Veliku Britaniju, umjesto premijera Davida Camerona, zamjenik Nick Clegg.

politike ide u prilog i situacija na Bliskom istoku, te posljedice Arapskog proljeća.

Nedostatak jedinstva, te brze i odlučne reakcije EU u pogledu istočnih susjeda, konkretizirao se upravo na primjeru Ukrajine. Prema Getmanchuk (2014, 1), EU nije uzrokovala Ukrajinsku krizu, ali je odgovorna za njezino rješavanje. Bruxelles mora nedvosmisleno definirati svoje ciljeve i namjere, a kod potpisivanja Sporazuma o pridruživanju s Ukrajinom dogodilo se upravo suprotno. Naime, s ukrajinskog stajališta, kada je EU dala do znanja kako je spremna potpisati Sporazum o pridruživanju, Bruxelles je time preuzeo i djelomičnu odgovornost za razvoj događaja u Ukrajini. Nejedinstvo oko potpisivanja Sporazuma o pridruživanju s Ukrajinom vidljiva je i iz uvjeta koji su se tražili. Dok je za Litvu i Poljsku bilo dovoljno oslobađanje bivše premijerke Julije Timošenko iz zatvora, Velika Britanija postavila je reformu pravosudnog sustava kao neupitan preduvjet za potpisivanje sporazuma (Wisniewski 2013). Ne ulazeći na ovom mjestu u širu raspravu o Ukrajinskoj krizi, situacija u Ukrajini poslužila je kao ilustracija neodlučnosti i slabog angažmana EU u pogledu susjeda na istoku. Primjer s Ukrajinom, kao ključnom IP-a državom, u stvari je pokazao kako se EU samo deklarativno izjašnjava u pogledu približavanja istočnim susjedima, dok, u praksi, njezina vanjska politika prema istoku počiva na predrasudama i isključivanju regije iz europske obitelji.

Ukoliko EU što prije ne pronađe jedinstven pristup prema regiji, Rusija će još više osnažiti svoj utjecaj u postsovjetskom prostoru, a EU će ostati po strani u rješavanju sigurnosnih problema svog susjedstva, što nikako nije u skladu s ciljevima njezine vanjske i sigurnosne politike. Istočno partnerstvo nije ostvarilo ciljeve EU i partnerskih država, međutim, ipak je najvažniji postojeći okvir odnosa između EU i istočnog susjedstva. U tom smislu, treba ostati temelj za daljnju suradnju, ali inicijativa, pokrenuta 2009, zahtjeva duboke reforme koje će uzeti u obzir nove geopolitičke okolnosti u regiji.

#### 4. BUDUĆNOST ISTOČNOG SUSJEDSTVA: EUROPSKA POLITIKA PROŠIRENJA?

Iz prethodnog izlaganja razvidno je kako politika Istočnog partnerstva nije zadovoljila interese država koje je obuhvatila, a ni ciljeve EU. Reforma inicijative stoga je nužna. Međutim, ostaje nejasno što bi EU mogla ponuditi partnerima na istoku, posebice naprednijim državama (Ukrajina, Moldova i Gruzija) kako bi one nastavile s usvajanjem europskih vrijednosti i pravila i na taj se način približile EU. S druge strane, jednako je važno koji će model odnosa EU primjenjivati prema ostalim IP-a državama, koje su se priključile euroazijskom integracijskom prostoru.

Vanjski odnosi EU s istočnim susjedima najbliži su modelu 'vanjskih poticaja', o kojima raspravljaju mnogi autori, a obuhvatno su ga objasnili Schimmelfennig i Sedelmeier. Prema tom modelu, ključni uvjet uspjeha transformacije razina je nagrade koju države dobivaju. Dakle, države usvajaju pravila EU u onoj mjeri u kojoj su koristi veće od unutarnjih troškova usvajanja. U tom smislu, ovaj model racionalnog pregovaranja ovisi o teorijskim uvjetima, veličini i brzini nagrade, vjerodostojnosti obećanja i troškova usvajanja (Schimmelfennig i Sedelmeier 2004, 672). Kako bi EU ojačala svoju pregovaračku moć, Schimmelfennig (2010, 319–339) dodaje, ona treba biti manje zainteresirana i ovisna o sporazumu od partnerske države, dok, s druge strane, politička i ekonomska uvjetovanost može biti vjerodostojna jedino ako ne postoji alternativno integracijsko područje koje otvara mogućnost konkurencije. Međutim, to se upravo i dogodilo u postsovjetskom prostoru. Pravila igre u zajedničkom susjedstvu promijenila su se nakon pokretanja euroazijskog integracijskog procesa (Kasčiūnas, Kojala i Keršanskas 2014). Ideja o Euroazijskoj ekonomskoj zajednici u početku se projicirala kao komplementarna europskom integracijskom procesu, međutim, zbivanja u Armeniji<sup>18</sup> i Ukrajini ukazuju kako je novoosnovana zajednica zapravo konkurent EU u sferi zajedničkog susjedstva (Dragneva i Wolczuk 2012). Za razliku od zahtjeva koje postavlja EU, u ovom se modelu pred države ne stavljaju teški i skupi uvjeti transformacije i demokratizacije političkih sustava. U takvom konkurentskom odnosu, bez traženja formalnih uvjeta, Euroazijska ekonomska zajednica može ponuditi IP-a državama paket poticaja, čije bi usvajanje dodatno umanjilo sposobnost EU da ih veže za europska pravila i na taj način primjene načela vladavine prava. Dakle, EU više nije jedina opcija, pa se slijedom toga trebaju tražiti nova rješenja pri čemu se mora uzeti u obzir i novi geopolitički kontekst.

Neuspjeh u realizaciji ciljeva Istočnog partnerstva ukazao je i na nejedinstvo EU u pogledu susjeda na istoku, ali i na nejasne strateške poruke prema regiji. U tom smislu, postavlja se pitanje koja je krajnja točka Istočnog partnerstva? Zašto bi IP-a države nastavile surađivati s EU ako nije jasno hoće li se one tretirati kao partneri koji pripadaju jednoj kulturnoj i povijesnoj obitelji ili samo kao države koje ne smiju pasti u sferu ruskog utjecaja. Dakle, nedostatak jasnog obećanja članstva u EU za neke IP-a države može negativno utjecati na daljnju suradnju s EU, kao što je pokazao slučaj u Ukrajini. Kako je riječ o skupini zemalja koje imaju tradiciju nedemokratskih režima, a EU zahtjeva provedbu dubokih reformi utemeljenu na zapadnim vrijednostima, možda je obećanje članstva jedini način za transformaciju tih društava. U tom smislu, De Waal (2011) tvrdi

18 Ulazak Armenije u Euroazijsku ekonomsku zajednicu i odluka da se približi Rusiji potaknula je u studenome 2013. oštru raspravu i prosvjede u toj bivšoj sovjetskoj republici.

kako bez obećanja članstva nije realno očekivati temeljitu transformaciju navedenih društava. Izostanak reformi, s druge strane, mogao bi dovesti do negativnih posljedica unutar IP-a država, a u najgorem slučaju i do erupcije nasilja u južnokavkaskim državama, koja bi mogla prerasti u širi regionalni sukob.

Demokratska transformacija i usvajanje regionalnih normi i pravila ključni su elementi vanjskog upravljanja EU. U tom smislu, države srednje i istočne Europe, koje su se priključile 2005. i 2007, smatraju se uspješnim primjerima dostizanja ovih ciljeva. Međutim, izvan konteksta proširenja, EU ne može ozbiljnije utjecati na promjenu unutarnje političke situacije na račun autoritarnih režima, odnosno ništa više od drugih država ili međunarodnih organizacija (Dragneva, Wolczuk 2012, 12). S druge strane, Euroazijska ekonomska zajednica ne postavlja demokratske zahtjeve, a nudi izrazito opipljiva rješenja. Europske bi integracije dugoročno vjerojatno predstavljale bolji izbor za IP-a države, međutim, pojava kratkoročnih rješenja u obliku ekonomskih i energetske aranžmana, koji dolaze od strane Euroazijske ekonomske zajednice, za neke je IP-a države jednostavno primamljivija ponuda od onoga što im nudi EU.

Iz ovog proizlazi kako veći zahtjevi trebaju ići i s boljim ponudama. EU bi trebala smanjiti svoja očekivanja u pogledu transformacije IP-a država sve dok se na pregovaračkom stolu ne nađu konkretnija rješenja. Možda je davanje jasne perspektive članstva konkretna nagrada o kojoj Schimmelfennigov i Sedelmeierov (2004, 672) govore u modelu racionalnog pregovaranja. U prilog takvom rješenju, spominje se argumentima najvažnija i politički najzastupljenija izjava kako se proces pridruživanja treba gledati kao korak prema integracijskom procesu. Perspektiva članstva bila je ključan motivacijski element država srednje i istočne Europe koje su postale članice EU 2005, odnosno 2007. Prema tom shvaćanju, najveći poticaj IP-a državama za nastavak puta prema EU integracijama je davanje perspektive članstva u EU (Solonenko 2009; Wolczuk 2009). To znači kako EU ne može samo deklarativno govoriti kako su vrata EU otvorena za IP-a države već treba jasno naznačiti kako je, ovisno o unutarnjim reformama i smjeru razvoja partnerskih država, spremna i započeti pregovarački proces. Postupak pridruživanja kao značajan korak prema integraciji osigurao bi Istočnom partnerstvu dugoročnu učinkovitost (Kasčiunas, Kojala, Keršanskas 2014, 74).

Ključni argumenti za proširenje EU dalje prema istoku (IP-a državama) temeljeni su na iskustvu EU s državama srednje i istočne Europe. Uspješna transformacija tih država uzima se kao dokaz da je politika proširenja najefektivniji vanjskopolitički instrument EU. Proširenje, kako tvrdi Keukeleire (2008), strukturalna je vanjska politika čija je osnovna namjera oblikovati vanjsko okruženje EU putem uvjetnih poticaja, među kojima je

članstvo najznačajnije, a u zamjenu za duboku reformu političkih, ekonomskih i društvenih struktura. Od Europske politike susjedstva očekivao se sličan scenarij, ali izvan konteksta proširenja. Međutim, Europska politika susjedstva nije uspjela ponoviti transformacijsku moć koja se dogodila u državama srednje i istočne Europe (Cadier 2013). Prema tome, za mnoge je ključni razlog neuspjeha činjenica kako EU, bez davanja perspektive članstva, jednostavno nema potrebnu moć potaknuti transformaciju društava u IP-a državama. Pojedini autori zaključuju kako se poticaj EU u obliku 3M (*money, markets and mobility*) pokazao očito nedovoljnim (Cadier 2013) i kako EU mora proširiti članstvo prema susjednim državama ako želi postići rezultate kakvi su doveli do proširenja EU na srednju i istočnu Europu (Schimmelfennig 2007).

Međutim, u literaturi pronalazimo i razmišljanja koja govore o ograničenom dosegu obećanja članstva kao učinkovitog instrumenta u kontekstu transformacije IP-a država. Dok se perspektiva članstva pokazala važnom u slučaju država srednje i istočne Europe, ne mora značiti kako će biti učinkovita i u slučaju IP-a država. Prema Börzel i van Hüllen (2011, 8–9), izgledi za članstvo u EU prije svega stabiliziraju određene korake prema učinkovitoj i legitimnoj vlasti u zemljama kandidatima, nego što je konkretno provode. Primjerice, EU nije predvodila već je samo podržavala tranzicijske procese u državama srednje i istočne Europe. Autori to objašnjavaju činjenicom kako motiv pristupanja nije bio toliko bitan za države koje su već imale snažan demokratski kontinuitet. U tom smislu, ostaje nejasno je li perspektiva članstva poticaj za pokretanje unutarnjih promjena u smjeru učinkovitog i demokratskog upravljanja ili ove države samo dobivaju perspektivu članstva nakon što sve usklade i postignu značajan napredak (Börzel i van Hüllen 2011, 8–10). Također je neizvjesno može li članstvo u EU biti dovoljan motiv u nedemokratskom političkom okruženju. Cadier (2014, 54) tvrdi kako će perspektiva članstva imati ograničen utjecaj zato što su samo tri IP-a države europske integracije postavile kao svoj vanjsko-politički cilj. EU se trenutno suočava s krizom proširenja, a treba uzeti u obzir kako bi se IP-a države na putu u EU svakako našle iza država jugoistočne Europe koje čekaju na proširenje (Simm 2014).

Unatoč navedenim argumentima, perspektiva članstva još uvijek se može smatrati učinkovitim sredstvom i, premda ograničena u pojedinim aspektima, ipak nema negativan utjecaj i može potaknuti integraciju. Za nastavak transformacijskog procesa istočnog susjedstva EU mora pružiti dodatne poticaje kroz reformu inicijative Istočnog partnerstva, a davanje perspektive članstva jedan je od konkretnijih prijedloga.



## ZAKLJUČAK

Istraživanje je pokazalo kako je Istočno partnerstvo vrlo važan vanjsko-politički instrument EU, ali mu nedostaje inicijative kako bi bio dovoljno učinkovit u postsovjetskom prostoru u kojemu Rusija ima veliki utjecaj i u kojem se razvija alternativno integracijsko područje. U takvom geopolitičkom kontekstu sudbina Istočnog partnerstva uveliko ovisi o sposobnosti EU da se nametne kao snažan međunarodni akter u rješavanju problema zajedničkog susjedstva.

Dijelom zbog nedostatka političke volje i jedinstvenoga glasa EU prema istočnom susjedstvu, a dijelom zbog nesposobnosti IP-a država, Istočno partnerstvo ne funkcionira onako kako je zamišljeno, ali ima dobre temelje. Međutim, nije moguće prevladati izazove i obnoviti suradnju s IP-a državama koristeći instrumente koji ne funkcioniraju i koji uzrokuju daljnje probleme. Ako se nastavi produbljivanje i nejedinstvo unutar EU, pitanja o mogućem proširenju na istok i integracija istočnog susjedstva u EU izgubit će na važnosti. S druge strane, ako se nastavi *status quo* prema istočnom susjedstvu, slabosti istočnog susjedstva će se, prije ili kasnije, izravno povezati sa sigurnošću EU. Vrijeme je da obje strane, i EU i IP-a države, razmotre smisao budućeg razvoja Istočnog partnerstva. U pronalaženju novih ideja potrebno je posegnuti za rješenjima u okviru postojeće inicijative, a koja podrazumijevaju i nove geopolitičke okolnosti i pojavu konkurentske integracije u obliku Euroazijske ekonomske zajednice.

U postojećoj političkoj i ekonomskoj situaciji u Europi veliki utjecaj na budućnost odnosa EU sa istočnim susjedima imat će ekonomski razvoj država članica EU i IP-a država, ali i trenutna kriza procesa odlučivanja, rasprave o budućem razvoju EU, politička i ekonomska integracija, te moguća institucionalna reforma. Ključno pitanje o dugoročnim ciljevima odnosa s istočnim susjedima vjerojatno će ostati bez odgovora dok EU ne riješi ta temeljna pitanja. To znači da će novu raspravu o temeljitoj reformi politike EU prema svojim susjedima biti teško realizirati u sadašnjim uvjetima, te će Europska politika susjedstva i Istočno partnerstvo ostati glavni instrumenti politike EU prema susjedstvu.

U tom smislu, reforma Istočnog partnerstva trebala bi uključiti barem stvaranje nove, jasnije strategije suradnje s IP-a državama, koja je utemeljena na ideji ujedinjene Europe, gdje se IP-a države smatraju ravnopravnim partnerima kako bi se zajednički prilagođavale novim geopolitičkim okolnostima. Također je potrebno s više političke volje i većim financijskim sredstvima poticati kontakte između ljudi, rad organizacija civilnog društva, razmjenu studenata i liberalizaciju viznog režima. EU mora nastaviti s investiranjem u društva IP-a država i ne smije dopustiti paraliziranje procesa približavanja, te kroz dodatne poticaje provesti reformu inicijative Istočnog partnerstva.

Kakva je budućnost Istočnog partnerstva i ovisi li uspjeh inicijative o uključivanju IP-a država u širi kontekst europske politike proširenja? Argumenti govore u prilog tezi kako davanje perspektive članstva ne može naškoditi većem integriranju IP-a država u europski prostor. U tom smislu, EU bi trebala pružiti perspektivu članstva najnaprednijim IP-a državama, koje europske integracije u prvom redu doživljavaju kao obranu od ruske dominacije. Međutim, ulazak u takvo geopolitičko rivalstvo neodrživo je bez snažnog zajedničkog interesa unutar EU i bilo bi unaprijed osuđeno na propast. Potpuni odmak od regije, pak, bila bi puno veća opasnost za europsku sigurnosnu arhitekturu, jer bi to značilo prepuštanje sudbine istočnih susjeda kontroli Rusije.

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## SUMMARY

## THE FUTURE OF THE EU EASTERN PARTNERSHIP

The enlargement process is one of the key foreign policy instruments of the European Union. Expansion of the European Union helped respond to major changes resulting from the collapse of the socialist system in Europe, and consolidate democracy, human rights and stability in the Central and Eastern European countries that became members of the European Union. European Union included the rest of the eastern neighborhoods within the policy of the Eastern Partnership with whom, without the promise of the membership perspective, planned a similar scenario. However, after six years, this initiative neither proved to be adequate in solving the problems of the eastern neighborhood, nor brought closer the countries of the Eastern Partnership to the European values; as it was conceived within the European Union. In addition, the failure of the implementation of the political goals of the Eastern Partnership once again pointed to the lack of unity within the European Union and the existence of different interests regards eastern neighbors. At the same time, new developments in the eastern neighborhoods – changing geopolitical context, Russia's foreign policy, Ukrainian crisis, the emergence of alternative forms of integration in the Eurasian Economic Community – calling for a specific role of the European Union towards its neighbors to the east and to redefine the Eastern Partnership policy. This paper addresses the question of the future of the Eastern Partnership policy with emphasis on the possibility of including the eastern neighborhood in the wider context of EU enlargement policy. Although new enlargement quite certain will not be seen be in the foreseeable future, the European Union should at least propose some new solutions in order to continue the process of rapprochement of the countries of the Eastern Partnership to the EU. Given the current economic and political situation in the European Union, the real changes can be expected only through reform of existing initiatives – Eastern Partnership and the European Neighbourhood Policy.

KEY WORDS: European enlargement policy, Eastern Neighborhood, the Eastern Partnership, the Eurasian Economic Community

# EU ENLARGEMENT AS PROCESS OF PERIPHERILISATION

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## ABSTRACT

This text aims to answer the question of why the Western Balkans, despite development of relations with the EU and gradual integration in the common market, fell short from achieving economic success and satisfactory social standards. For this reason, author evaluates the Poland's experience in the EU integration. The Polish model of integration, which is often referred to as a success story and a guidance for the newcomers to the EU, has three disadvantages. Firstly, it hides a number of significant social problems, which resulted in general discontent in the society, reflected, most visibly, during the recent presidential elections. Secondly, economically and internationally Poland and the Western Balkan states represent two very different cases. Finally, it is important to emphasize that the EU integration has been based on the liberal paradigm, which failed in its economic dimension, leading to (re-)peripherilisation of the new member states and their weak economies. Therefore, the Polish "success" cannot be repeated in these circumstances for a number of reasons. Subsequently acceding states need to adopt another strategy for the EU accession.

KEY WORDS: European integration, EU enlargement, transformation, core-peripheries

## 1 INTRODUCTION

Majority of articles related to the EU enlargement process assume positive impact of such process, both for the acceding countries and for the EU member states themselves.<sup>1</sup> It is based on the (neo-)liberal approach

<sup>1</sup> I would like to thank the anonymous reviewers of the earlier version of the article for their comments and suggestions.

to social sciences, according to which international cooperation between democracies or democratising states provides political stability and freedom based on economic welfare and social justice. Therefore majority of modern analysis and scientific articles endeavour to answer two questions: how does the enlargement policy affect decision making process of the candidate states, and how do these states perform with regard to the process and related expectations. Socio-economic statistics and political performance of the voters suggest, however, that the European integration provokes negative consequences, as well, which in turn result in mass disappointment with transition process and new parliamentary democracies.

Enlargement of the EU led only to relative equalisation of the economic development level and social welfare in “old” and in “new” Europe. In reality, the division between the poor and the rich countries, the developed and underdeveloped, did not change much from the one established in the XIX century. Well established, politically stable states, which successfully underwent process of industrialisation, participated in colonisation and creation of the post-World War II order, were only recently joined by such countries as Finland, Sweden, or Poland. Even these changes have had very limited and gradual character. European integration meant in fact, although to a various degree, peripheralisation of the weaker economies, such as those from Central<sup>2</sup> and Eastern Europe, Northern Africa, or the Southeastern Europe<sup>3</sup>.

Failure of the EU enlargement policy in the Western Balkans, in the fields of democratisation, security, welfare and prosperity, economic development and transitional justice and reconciliation, constitute another set of factors determining relatively bad perception of the EU institutions and the enlargement process itself, particularly among conservative voters and political elites. Hence, the authoritarianism of Erdogan’s Turkey or Putin’s Russia for many seems to be viable alternative.

The following article aims to clarify the impact of the enlargement policy on the newcomer countries. The main claim is that the integration with the EU, and on the conditions set by the EU, leads to serious social challenges, and does not necessarily constitute a major step towards economic development. Poland’s experience suggests that acceding coun-

2 Estonia, Lithuania, Latvia, Poland, Czech Republic, Slovakia, Hungary, Cyprus, Malta, Croatia, Bulgaria, Romania and also members of the EU, which remained on economically disadvantaged position towards the core – Spain, Portugal, Greece, and Ireland.

3 For example the Western Balkan states and the non-EU members of the Eastern Partnership, such as Ukraine, Moldova or Georgia, and of the European Neighbourhood Policy in Africa, such as Morocco, Egypt or Algeria.

tries benefit from the enlargement process to a limited degree, while bearing heavy social costs. Subsequently, general social discontent provides fertile ground for migration, authoritarianism and generally low social and political standards to occur.

## 2 ECONOMIC CHARACTER OF THE EU INTEGRATION

The EU construction has been based on the liberal assumption that increasing international political cooperation and economic exchange brings political stabilisation and gradual economic development, and subsequently, social prosperity to all participants. Public debate on democratisation, citizens' rights, international security and stabilisation, remains subject of the EU focus only to a limited degree. As stated by Jean Monnet, international businessman and one of the founding fathers of the European Union "there will be no peace in Europe, if the states are reconstituted on the basis of national sovereignty ... The countries of Europe are too small to guarantee their peoples the necessary prosperity and social development. The European states must constitute themselves into a federation ..." (Monnet 1943). It is, however, the Robert Schuman's declaration, which became the most known of the integrationist documents. It clearly indicates that "... establishment, through the cooperation and integration of the common economic interest, of an organisation will bring to the (participating) European states peace, stability, development and prosperity" (Schuman Declaration 1950)<sup>4</sup>. This vision of the European future was shared by other Western European statesmen, who became known as the EU's founding fathers – Konrad Adenauer, Joseph Bech, Johan Beyen, Alcide de Gasperi, Paul-Henri Spaak, and Altiero Spinelli.

4 "It proposes that Franco-German production of coal and steel as a whole be placed under a common High Authority, within the framework of an organisation open to the participation of the other countries of Europe. The pooling of coal and steel production should immediately provide for the setting up of common foundations for economic development as a first step in the federation of Europe, (...). The solidarity in production thus established will make it plain that any war between France and Germany becomes not merely unthinkable, but materially impossible. The setting up of this powerful productive unit, open to all countries willing to take part and bound ultimately to provide all the member countries with the basic elements of industrial production on the same terms, will lay a true foundation for their economic unification. (...) In this way, there will be realised simply and speedily that fusion of interest which is indispensable to the establishment of a common economic system; it may be the leaven from which may grow a wider and deeper community between countries long opposed to one another by sanguinary divisions". (Schuman Declaration, 1950)

The EU, and the European integration in general, have been founded as economic project guaranteeing participation in the market to all members according to their interests. Political, social, cultural and security related issues became, according to the neo-functionalists, subject to the spill-over effect. It assumes ever-enlarging and deepening competences of an international body. Complex economic development requires specific conditions in domestic politics, foreign policy and social construction. Nevertheless, the economic dimension of the EU integration was the main driving factor in the EU integration. From 1950 to 1990s European states cooperated in increasing number of areas – almost exclusively economy-related – with its crowning achievements in 1993, when the Single Market has been completed, with the introduction of the four freedoms of movement (of goods, services, labour and capital) and the introduction of Euro as common currency in 1999.

Gradually, and only after the rearrangement of the international order after the fall of the Soviet Union, dissolution of the Eastern Block and perspective of the further enlargement of the EU towards the East, the Western European states decided to further pursue integration in the area of security, social and political issues. Today the Union has exclusive competences in the area of monetary policy, customs union, competition rules, and commercial policy including international trade (art. 3 TFEU). Moreover, it shares competences with member states, among others, in areas of: internal market; economic, social and territorial cohesion; agriculture and fisheries; transport, and energy (art. 4 TFEU). Besides that, the EU remains responsible to various degrees for social issues, such as employment, consumer protection, public health, etc (art. 3, 4, 6 and others TFEU). In other words, the EU as an organisation regulates and directs widely understood economic policy, leaving its implementation to member states.

The EU integration process and therefore also the EU enlargement, which constitute its geographical dimension, must be looked upon also from the perspective of its economic context. Therefore also the enlargement policy should be assessed through the economic lenses.

### 3 THEORIES OF EUROPEAN INTEGRATION

Surprisingly, in social sciences, the main theories of the European Integration most often ignore the question of economy. Post-communist block of countries stopped asking about socio-economic profitability of the EU project, falsely believing that the history ended<sup>5</sup>. Mostly they are focused on

5 See: Fukuyama, F. (1992). *The End of History and the Last Man*. New York: Free Press.



the political and institutional arrangements. Federalism for example targets ways and means of integration of sovereign (nation) states into a compact political and territorial entity, without destroying statehood of the participants. It emphasizes need of political integration before the economic one (King 1982; Mendez 2007; Marc 1948, 1965). Neo-functionalists, on the other hand, such as Jean Monnet, develop the theory of the spillover effect of the economic integration, which eventually would embrace also political and social areas. The spillover effect would also have effect on development of competencies of the relevant common institutions (Haas 2004). Influenced by realist school in international relations, intergovernmentalists criticised neo-functionalists for downgrading the role of the states and for “narrow”, regional perception of the integration processes. According to main representatives of this school, Stanley Hoffman and Andrew Moravcsik, it is the states (and the governments) who play the main role during the integration processes. These actors understand economic and national interest as concurrent (Hoffman 1965; Moravcsik 1993, 1998; Moravcsik and Schimmelfennig 2009). New institutionalism has shifted focus of the research towards institutions by employing and referring to tools provided by sociology, economics and politics (Meyer and Rowan 1977; DiMaggio, Powell 1983; Schout 1991; Pollack 2009). Social constructivism emphasizes process of creation of identities by and within the European integration (Onuf, 1989). Marks and Hooghe look at the EU as an entity, a separate multi-level polity with its multi-layer structure of governance (Marks and Hooghe 2004). Majority of think tanks and academic centres also follow this line of reasoning.

#### 4 ENLARGEMENT AS A SUCCESS STORY

As already mentioned the main theory of international relations on which the idea of European integration was based was liberalism. It assumes positive effect of increased economic cooperation, opening of the markets, international trade and political dialogue between participants. Primary hallmark of the enlargement policy is “spreading prosperity and democracy”<sup>6</sup>. A brochure, published in 2014 by the European Commission, indicates the following benefits of the EU integration: safety and prosperity, guaranteed by promotion of democracy and fundamental freedoms, the rule of law and the single market. Moreover, liberal, open single market has many advantages: “economic growth leading to higher living standards, safer consumer goods, lower prices and greater choice in sectors such

6 *Over the past 50 years, widening EU membership has promoted economic growth and strengthened democratic forces in countries emerging from dictatorship.* – available at the enlargement devoted website of the EU – [http://europa.eu/pol/enlarg/index\\_en.htm](http://europa.eu/pol/enlarg/index_en.htm)

as telecommunications, banking and air travel, to name but a few. These benefits have been enjoyed by an increasing number of people as the EU has grown in size. The EU is above all the community of values. We are a family of democratic European countries committed to working together for peace and freedom, prosperity and social justice. And we defend these values.” (EU explained: Enlargement, p. 3). In this sense the EU suffers an axiological schizophrenia. On the one hand it remains a profit oriented economic project, on the other it uses rhetoric referring to human rights and democratic values. Table 1 (from the same paper) shows measurable variables used to show level of integration.

Table 1. Enlargement creates growth

	2004 billion Euro	2013 billion Euro	Change in percentage
GDP of the 12 'new' EU countries that joined in 2004 and 2007	577	1 026	+ 77%
GDP of the 15 'old' EU countries that were members of the EU before 2004	10 047	11 999	+ 19%
Trade between the 'old' and 'new' EU countries	162	300	+ 185%
Direct investments held by the 'old' EU countries in the 'new' EU countries (*) 2012)	173	564(*)	+ 326%

Source: “EU explained: Enlargement”, 2014, p. 3

The headline over the table states: “Economically, enlargement has benefited all EU Member States as it has broken down trade barriers in Europe and created a bigger and more prosperous internal market”. Next table shows impressive financial assistance of the EU to the Western Balkan states.

Table 2. Pre-accession assistance in 2013

Albania	95.3 million EUR
Bosnia and Herzegovina	108.3 million EUR
Croatia	93.5 million EUR
The former Yugoslav Republic of Macedonia	113.2 million EUR
Kosovo	71.4 million EUR
Montenegro	34.5 million EUR
Serbia	208.3 million EUR
Multi-beneficiary programme	177.2 million EUR

Source: “EU explained: Enlargement”, 2014, p. 10

The EU integration and the EU enlargement is, thus, presented as a process beneficial to all participants. On the other hand, the EU refers very often to terminology related to human rights, democratic values and social development. Therefore it is incoherent and brings about confusion in public opinion and expectations. In the Western Balkans citizens expect, not only the improvement in their standard of living, but also democratisation, reform of the corrupted state structures and state elites. Minorities hope for strengthening their position in society. Civil rights activists want more participation in public life, etc. In short – question of democratic values overshadowed economic issues, although in practical terms the EU has been based on common economic interest.

For the countries aspiring to the EU membership, the accession is possible under clear conditions<sup>7</sup>. In practice this process has “take it or leave it” character, especially with regard to weak and small states. German economy in 1940s and 1950s was protected from domination from outside and was export-oriented. UK accession to the EU was accompanied by a number of serious concessions meeting expectations of the British elites. Some Central European states, like Poland, were able to introduce protectionist periods for land purchasing, although it cost them lower than in the EU 15 agricultural subsidies for farmers, and serious limitations in free movement of workers.

Western Balkan states are in the weaker position, due to the state of their economies and the small size of their divided markets. Gradual integration of the Western Balkan states in the EU is linked with political questions of statehood, minority rights, functioning of democratic institutions, reconciliation and good neighbourly relations. Economic questions are the subject of public concern as far as they refer to EU subsidies and general data on the international trade (see the tables above).

## 5 FAILURES OF THE EU INTEGRATION

Gradual integration of the Western Balkan states within the EU embraces economic, social and political reforms – all in the spirit of liberal idea

7 Article 49 of the Treaty on European Union states that any European country may apply for membership if it respects the democratic values of the EU and is committed to promoting them. A country can only become a member if it fulfils the criteria and conditions for accession as defined by the EU leaders at their summit in Copenhagen in 1993, and by a number of subsequent EU decisions. The so-called Copenhagen criteria are: 1. political: stable institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities; 2. economic: a functioning market economy and the capacity to cope with competition and market forces in the EU; 3. the ability to take on the obligations of membership, including adherence to the aims of political, economic and monetary union. “EU explained: Enlargement”, p. 5.

of the state, economy and society. The results are far from the expected. Opening markets, “de-socialising” the state obligations, and denationalisation of industry did not bring prosperity and development as predicted. Relatively high level of corruption, gradual devaluation of the EU integration idea, decrease of economic production and social welfare led to general discontent of the citizens. At first, social and political dissatisfaction has been explained as a result of authoritarian regimes’ rules of the late 1980s and then again of the late 1990s. The war which accompanied the fall of Yugoslavia was to be blamed too. Twenty years after the end of the conflict and fifteen years after the process of integration with the EU began, the EU integration and enlargement policy brought disillusionment which in turn strengthen authoritarian sentiment.

Economic integration, based on neo-liberal fundament of open market and free trade, has had negative consequences, such as unequal international division of labour, oligopolisation and eventually monopolisation of particular markets of goods and services, peripherisation of weaker states and socio-economic polarisation of societies. Subsequently, the main beneficiaries of the EU integration and enlargement project remain major players of the old EU-15, such as Germany, Netherlands, France, Italy and the UK. New member states play role of semi-peripheries between the centres and peripheries in the Western Balkans and Eastern Europe, such as Ukraine or Moldova. Structure of the Polish economy and international trade along with arising social problems (see subsection below), such as unemployment and decreasing quality of life of the majority of population, support this claim.

Analytical framework which provides better understanding of the successes and failures of the EU enlargement policy is the law of combined and uneven development. It is generally based in the historical materialist stream of the science. This law assumes that human development is provoked by interactions between various societies, which use and aim at material superiority, achieved by means of economy, politics and culture. In this sense, EU enlargement leads the aspiring states not only to economic and political integration with the common European structures, but also to their peripherisation in the international division of labour.

## 6 POLAND AS A SUCCESS STORY?

Although liberal parliamentary governments of modern Europe tend to emphasize the advantages of the ongoing integration process, the research clearly shows the existence of negative consequences. These are most visible in the peripheries of the EU – new member states and among the group of states being closely economically interlinked with the Union, while remaining outside of the organisation in political terms – the

Western Balkans. Poland became gradually integrated in the EU and in 2004 became a member state. During the 2008 crisis Poland remained the green island of the GDP growth surrounded by the red sea of recession, as it was presented in public media in Poland and abroad.

In 2014 a group of highly professional analysts working at the Ministry of Polish Affairs prepared a report “Poland’s 10 Years in the EU”. The findings were overwhelmingly positive and presented a long list of success, which author of this article will quote below for the clarity of readers: “In the course of the last ten years, Poland has become a significant political player in the European Union. (...) (Poland) has been very much engaged in key debates on the European system, convinced that it is our business. (...) Negotiations of the Multiannual Financial Framework for 2014–2020, a key to Poland’s long-term development prospects, have been one of Poland’s most important and hardest-won political achievements (...) Poland has won a strong political position and a reputation of a country that is predictable and responsible. (...) Poland’s EU membership has had a positive impact on our country’s economic performance. If our country had not joined the EU, in 2013 our GDP per capita in purchasing power standards would have been at the 2009 level, i.e. it would have been lower by 11% relative to the EU-27 average. In 2013, the value of Polish exports would have been lower by PLN 164 billion (ca. 40 billion EUR) (i.e. by 25%). Our capital expenditures, in turn, would have been lower by PLN 36 billion (ca. 9 billion EUR, i.e. by 12%) in 2013, and throughout the 2004–2013 period – by PLN 200 billion (ca. 40 billion EUR) (i.e. by 7.8%). Last but not least, employment would have been lower by 10%, and unemployment higher by almost 38%. In other words, the number of unemployed would have been higher by over half a million! To recap, if Poland had not entered the European Union, many more people would be out of work, we would be earning less, and the Polish economy would be developing at a much slower pace. (...) Thanks to the free movement of goods, we have seen an unprecedented success of Polish companies, which have exported goods worth almost PLN 3.5 billion to the EU in 10 years. (...) Polish entrepreneurs have turned a 13.5 billion PLN (ca. 3.5 billion EUR) trade deficit with EU member states in 2003 (-2 percent of GDP) into an impressive trade surplus of almost PLN 100 billion in 2013 (6 percent of GDP). Since Poland’s EU accession in 2012, Polish firms have made a profit of almost PLN 550 billion (EUR 135 billion) on exports of services to the EU (the positive balance exceeds PLN 37 billion, or over EUR 9 billion). (...) Poland has seen an export boom and an increase in productivity: right after accession, the number of firms exporting their products and services grew twice as fast as the total number of companies. As a result, in 2013, Polish companies earned one fifth of their revenues from exports.” (Kałużyńska,

Karbownik, *et al.* 2014). The main findings go for next 10 pages in a bullet point style emphasizing achievements.

On the other hand, we have other data, completing the picture of EU integration. From 2008 to 2014 the number of people living in extreme poverty rose from 2.1 million to 2.8 million, including 700 thousands children, out of 38 million inhabitants (Szarfenberg Interview 2015). This means that over 7% percent of Polish population had serious difficulties in purchasing food and paying for accommodation.

Demographic trends also indicate serious problems faced by Polish society and the state; 2.2 million Poles reside abroad, mostly in the UK, Germany, Netherlands and Ireland. Another 1.2 million planned to leave Poland in 2015, mostly due to economic reasons; 75 percent of them are less than 35 years old.

The “family” related policy, i.e. state encouragement to have children, costs Polish state only 0.9 percent of the GDP, comparing to 3.9 percent of GDP in Denmark, 3.4 percent in France and 3.3 percent in Germany. “In 1950, the median age was 25.8: half of the Polish population was younger, half older. Today it is 38.2. It will be 51 in 2050. As the population is aging, it has also started to decline: from 38.6 million in 1995, to 38 million in 2010, to an expected 32 million in 2050” (Devictor 2012).

Another factor that indicates the negative consequences of integration of Poland with the EU is structure of production in Poland and international trade balance. Poland’s main trade partners are economically developed countries (3/4 of exports and 2/3 of imports). Poland’s main export products are manufactured and semi-manufactured products, transport equipment, and capital goods (GUS report 2015). It is also clear that the Polish food products conquer the markets of smaller partners from Central, Eastern and South-Eastern Europe. This places Poland as semi-peripheral country. It provides cheap labour for the investors from the core countries. On the other hand, Poland pursues an active trade policy in less developed countries in Europe, which usually have much smaller markets than Poland.

This leads us to another issue – Foreign Direct Investments. According to the Polish Information and Foreign Investment Agency (PAIIZ 2014), “(t)he total foreign direct investment stock in Poland amounted to EUR 160.5 billion at the end of 2013. This value includes both the primary capital and reinvested profits (EUR 125.3 billion) and other capital (EUR 35.2 billion). The highest FDI stock was recorded from the following countries: Germany (EUR 27.5 billion), the Netherlands (EUR 25.9 billion), France (EUR 19.1 billion). (...) Sectoral composition of the FDI stock at the end of 2013 (based on the Polish/European Classification of Business Activity) was as follows: manufacturing (EUR 48.5 billion), finance

and insurance activities (EUR 40.6 billion), wholesale and retail trade, including repair of motor vehicles (EUR 23.7 billion), real estate activities (EUR 10.3 billion)” (PAHZ 2014).

Other data further diminish the positive picture. Last ten years (2002–2013) witnessed an outflow of the capital from Poland of ca. USD 5.3 billion per year (Global Financial Integrity 2014). Salaries of employees in Poland are among the lowest in Europe (EUR 1000). Investing companies are often freed from tax obligations for years and the income is transferred abroad. In other words, benefits flowing from the FDI remain limited.

The negative consequences of the EU integration are reflected on the political scene of Poland and political behaviour of the voters. Polarisation of the society between pro-liberal and pro-conservative, Eurosceptic groups and recent victory of the latter option clearly indicates that for majority of population neo-liberal turn in 1990s and subsequent integration of Poland with the EU was a costly experience. These costs seemed to be ignored by the “victorious” ruling elites for a long time, and that in effect allowed for accumulation of frustration and disappointment. The social and political similarities between Poland and other non-Western European countries such as Hungary, Slovakia, Serbia, Bulgaria, Macedonia or Croatia are clear.

## 7 WHAT HAPPENED TO THE POST-YUGOSLAV ECONOMY?

Why the post-Yugoslav republics did not manage to transform their economies into market ones, if their situation in 1980s was much better, and industry and trade oriented towards international exchange than those of Central European republics?

Yugoslavia was one of the poster children of the Cold War. Its economy was based on balancing between two opposing military and economic alliances. In turn, both of the blocks supported Yugoslav project as long as it was necessary for preservation of strategic balance in Europe, i.e. until the end of 1980s. Despite facing serious difficulties in the area of public finances, or very high unemployment rate, Yugoslav economy enjoyed privileged position in international trade. For example, it penetrated some Middle Eastern, Asian, South American and African markets. Thanks to favourable structure of the trade (exporting manufactured products and importing raw materials and semi-manufactured goods), Yugoslavia could develop sophisticated branches of industry. Yugoslav economy, linking communist political system with relative liberal economic policy and export oriented production constituted object of desire and envy in such countries as Poland or Hungary, while leaving Romania or Bulgaria far behind.

Yugoslavia was also well integrated with the European Communities. It is well known fact that dissolution of Yugoslavia stopped process of political and institutional integration of this country with the EC. The association agreement has been signed already in 1970s and significant part of Yugoslav economy was oriented toward Western European markets. Therefore, according to the general mainstream principles of the EU integration, the post-Yugoslav republics, after democratisation and liberalisation, should establish new path of socio-economic development. Gradual economic re-integration with the European Union should be an important step towards welfare and prosperity. De-communisation, and enabling various interest groups to participate in state governance and in a fair competition over the public assets, should fundamentally lead to stabilisation of political systems. Instead we faced something very different. Democratisation process ended in at least three wars and other serious domestic conflicts. Up till today the level of political life, public discourse and state management remain very low. Ethnicity is still used as a tool in purely political conflicts over power and influence. Level of corruption, nepotism and politicisation of public administration is very high.

Economic consequences of the 1990s, despite the re-development of economic ties with the EU, ongoing since 1999, were also damaging. Publicly founded website devoted to the EU integration of Croatia admit that "in 1990 Croatia was, with Slovenia and the Czech Republic, among the most developed Central European transition countries. However, its economic development was burdened by significant war damage, estimated at \$37.1 billion, which made its transition to a market economy more difficult. The level of pre-war GDP (1990) was only reached again in 2004" (see [croatia.eu](http://croatia.eu)). The same, pre-war levels have been achieved by other YU-republics even later. It means that the relevant economies could not reach the 1989 level (the level of bottom of the economic crisis) for at least next 15 years! If integration with the EU supposed to lead to development of production, increase of employment and improvement of social conditions, the Western Balkan countries should have been able to achieve it much earlier.

The website also points out some other major difficulties: "the transformation process by which the former public (social) ownership became state owned and then privately owned, was undertaken in agreement between the political and business elite, frequently without the actual purchase of enterprises or investment in them. The transition therefore had many negative social and economic effects: the impoverishment of the population, a rise in corruption and economic crime, and the devastation of industry" (see [croatia.eu](http://croatia.eu)). Among the ten largest (by total revenue) companies in Croatia, six produce, import or deliver energy resource, two



are banks, one is a retail shop chain and another is telecommunication provider. Five leading export oriented companies produce food (see croatia.eu). This data show how far away from the developed centres of the West Croatia finds itself.

In Serbia, Macedonia, Bulgaria and other countries of the region, similarly to Croatia, indicators show economic growth. In short, GDP is generally increasing and unemployment, although still very high is decreasing. There are also foreign direct investments which provide additional funding to states' budgets. This however is only one side of the whole picture. Another side shows two significantly negative consequences. Firstly, that the income has not been redistributed in a way reflecting social welfare and prosperity principle. Most of the available work with permanent job contracts, social security and pension schemes, paid holidays, etc. is provided by the state and often almost exclusively by the state. The wages remain on very low levels and the social security almost does not exist. State is not able to provide its basic functions in areas of pensions, health service, and public transport. State abilities in areas of security and education remain limited.

Secondly, the economic growth was only relative. As we have shown already, it has been a positive indicator in relation to the end of 1980s and in the 1990s – the period of deepest economic crisis, recession, inflation and increasing class, ethnic and political conflicts, which soon turned into open war. Comparing economic development to this in 1989 or 1991 in Serbia or Croatia is a political manipulation that will always bring positive results, since it is difficult for economy during the peacetime to get worse. For example, the World Bank Report from 2015 clearly states that: “from 2000 to 2007, growth in the SEE6 moved average income per capita up from 23 percent of the EU average to 31 percent on a purchasing power parity (PPP) basis” (World Bank Report 2015:4). These negative trends are well reflected in two processes: increasing legitimacy and support for anti-establishment and euro-sceptic parties and negative demographic trends. The victories of such parties are visible everywhere in the region except in Bosnia and Herzegovina due to its ethno-political chaos, and Albania, where long rule of conservative Sali Berisha has been terminated by Social Democrats and Edi Rama.

As for the second indicator, World Bank Report from 2015 shows the following trends in the region, where “the average inhabitant is already 13.5 years older than the global average and the United Nations projects that the difference will widen to 21.1 years in the next 50 years. Today, on average in SEE6 there are 2 old-age dependents for every 10 working age people; by 2060, the projection is for 7.6 dependents per 10 working-age people. The UN also projects that the population will shrink by 25 percent.

As productive capacity similarly shrinks, the demographic transformations may hurt growth and are likely to intensify pressure on public finances” (World Bank Report 2015: 5). For example, over the last 10 years Bulgaria’s population shrank by 10 percent. These indicators constitute basis for building critical approach regarding the EU integration and for construction of a new approach to this issue.

### CONCLUSIONS: PERIPHERILISATION INSTEAD OF PROGRESS AND DEVELOPMENT?

Euro-sceptic and nationalist revival in Europe does not only constitute a challenge to the European project but also reflects its failure. The Western Balkan states and the non-EU members of the Eastern Partnership face, therefore, a different picture of the European institutions, from those in 1990s, when the Central European states went for full integration. The vacuum between the former USSR and the Western world has been filled by Central European states and the Baltic republics. The new semi-periphery has, thus, been created within the EU and, at the same time, on its outskirts. During the transformation period in 1990s Yugoslav republics lost its international position and have been downgraded to peripheries or even, as observers claim, to peripheries of the peripheries (Bechev 2012; Stojanov 2012).

The wars of the 1990s ruined Yugoslav economies and weakened polities to the degree that local, post-Yugoslav elites face much more challenges than those experienced by Polish or Hungarian leaders in the 1990s. A number of fundamental, vital issues hang over the faith of some of the states, therefore constituting a threat to the stability of the whole region. These are future shape of Bosnia and Herzegovina, Kosovar-Serbian and Croatian-Serbian relations and, generally speaking, the Albanian question. The quality of political life in other countries also remain major problem although it is at least as much a result of the ongoing economic crisis. Attitude of the Western European states towards further enlargement does not have, from the perspective of this text, significance worth of consideration.

Secondly, the whole Western Balkans represent a market twice smaller than the Polish one. For weak economies small size constitutes a significant barrier in development. Production in post-Yugoslav space declined and in some regions almost disappeared. It is often limited to food manufacturing. Developed industry has either disintegrated during the fall of Yugoslavia, or did not withstand the competition of the Western European capital. Meanwhile, the rich Asian and African markets, where Yugoslav entrepreneurs enjoyed well developed contacts have been lost. Domestic capital develops slowly, yet it is often linked to unclear and legally doubtful

sources. Therefore, domestic elites depend on the foreign investments, the benefits of which are overestimated.

Gradual integration of the Western Balkans with the EU is accompanied by economic crisis and social decline. Main reason why this process is presented as the success story is its reference and comparison in public debate to the end of 1980s and 1990s – the peak of economic crisis during the fall of Yugoslavia and the war itself. The European integration, its costs and benefits, have been miscalculated because it has been based on the liberal paradigm. Main problem, which remains unexplained by liberal theories, is the fact that poor countries remain poor vis-a-vis the rich centres. Deterioration of the standard of living and increase of unemployment concerns almost the whole Union, although it is more severe in the states which remain below the EU average level of development anyway. International division of labour, level of education, structure of migration is disadvantageous for the new and “poor” member states of the EU. The example of this is Poland’s process of integration, which has good economic results statistically, yet its citizens are paying a heavy social price for it. The same risks and threats concern the post-Yugoslav economic and social space. Since the beginning of integration with the EU in 2000s, it has not recorded any economic success, which, according to the liberal theory of international relations, could be expected from increasing international trade and political dialogue. Only recently economic development reached pre-war Yugoslav level.

Western Balkan states should not follow the Polish path. Quick integration at any cost, although expected by significant (yet decreasing) part of the society, will not result in political promotion, economic development and gradual improvement of social standards. Changes in international circumstances, as well as the fragmentation of Yugoslav market means that the willingness to access the EU must be preceded by the ability to strengthen domestic economies. Otherwise, the process of European integration of the Western Balkan states will be marked by series of failures.

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## SAŽETAK

### EUROPSKO PROŠIRENJE KAO PROCES PERIFERIZACIJE

Ovaj tekst ima za cilj odgovoriti na pitanje zašto je Zapadni Balkan, unatoč razvoju odnosa s EU i postupnoj integraciji na zajedničko tržište, podbacio u postizanju ekonomskog uspjeha i zadovoljavajućih socijalnih standarda. Iz tog razloga, autor evaluira poljsko iskustvo u integraciji u EU. Poljski model integracije, koji se često naziva pričom o uspjehu i smjernicom za početnike u EU, ima tri mane. Prvo, skriva niz značajnih socijalnih problema, što je rezultiralo općim nezadovoljstvom u društvu, koje se ogledaju, najviše vidljivo, tijekom nedavnih predsjedničkih izbora. Drugo, ekonomski i međunarodno Poljska i države Zapadnog Balkana predstavljaju dva vrlo različita slučaja. Konačno, važno je naglasiti da je integracija u EU temeljena na liberalnoj paradigmi, koja je podbacila u svojoj ekonomskoj dimenziji, što je dovelo do marginaliziranja novih država članica i njihove slabe ekonomije. Dakle, poljski „uspjeh” ne može se ponoviti u ovim okolnostima zbog niza razloga. Posljedično, države pristupnice moraju usvojiti drugačiju strategiju za ulazak u EU.

**KLJUČNE RIJEČI:** Europska integracija, proširenje EU, transformacija, središte-periferija.

THE MOBILITY OF NATIONALS FROM  
WESTERN BALKANS WITHIN THE EUROPEAN UNION:  
NEW CHALLENGES AND OPPORTUNITIES

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*Nous ne coalisons pas des États, nous unissons des hommes.*

**Jean Monnet, Discours, Washington, 30 avril 1952**

ABSTRACT

Europe is part of a globalized and interconnected world where international mobility is expected to increase. The current European Union (EU) legislation, after entry into force of Lisbon Treaty, is facing new challenges in the field of the Area of Freedom, Security and Justice. There is a significant *Europeanization* of migration policy. The Western Balkan (WB) region is considered as one of the most interesting and challenging regions in Europe regarding the current migration flows. The last EU enlargement shifted the migration from classical working class immigration, to the so-called brain drain immigration, since now younger and highly educated people tend to migrate more in other countries to pursue their professional career. The EU Eastern enlargement and WB migration may go in the same direction. The present article aims to identify the EU legal migration policy for the WB nationals when they decide to enter and/or work in the EU territory legally, pointing out that decision as a challenge or as an opportunity for WB citizens.

KEY WORDS: entry and residence rights in EU, mobility, migration flows, Western Balkan citizens

## 1 INTRODUCTION

Migration and mobility are now firmly at the top of the EU's political agenda. Apart the higher EU issue on the agenda of migration priorities which is how to combat the irregular migration flows from and through WB region, we need to look into EU legal channels for legal migration for WB citizens. The WB migration flows into and within EU do not just mean the known "Western Balkan route"<sup>1</sup> migration. The large part of the current into EU migration is characterized by the search for economic survival, accompanied by substantial brain drain phenomena. The news we get from WB shows us that citizens of this region see the EU labor market as a solution of their economical problems<sup>2</sup>. Moreover, most of the EU countries are facing aging population, global competitiveness and growing labour market shortages, as well as vacancies in different fields, mainly in production, agriculture and medicine. The diverse post-enlargement migration flows of a predominantly young labour force constitute an important policy issue that interacts with these challenges in both receiving and sending countries. The data from last enlargement show that EU member states are increasingly attractive to two types of migrants: a larger, better-educated, better skilled group, and a smaller, but not insignificant, uneducated, unskilled group<sup>3</sup>.

1 Due to European Agency for the Management of Operational Cooperation at the External Borders of the member states of the European Union (FRONTEX), the WB route describes two main migratory flows: from the WB countries themselves, and the secondary movements of mainly Asian migrants who originally entered the EU through the Bulgarian-Turkish or Greek-Turkish land or sea borders and then proceed, through the WB, into Hungary. This route shows the highest relative increase at the EU level in detections of Syrian and Somali nationals. After arriving in the former Yugoslav Republic of Macedonia, migrants typically make use of an *open taxi* system which profits significantly from smuggling people to the Serbian border. More information available at <http://frontex.europa.eu/trends-and-routes/western-balkan-route/>.

2 For more information, see, Murati, A. 2014. "Workers or "welfare tourists"? EU Eastern Enlargement and Western Balkans migration" *Journal of Western Balkans Politics*, 26 (November). Available at: <http://europeanwesternbalkans.com/2014/11/26/workers-or-welfare-tourists-eu-eastern-enlargement-and-western-balkans-migration/>

3 Basham, Patrick. 2013. "Home, sweet home? Balkan Migration, the EU & Liberal solutions" *A Democracy Institute Economic Risk Series Paper*, p. 16. Available at file:///C:/Users/793543/Downloads/DI+EU+migration+paper.pdf. The Commission presented a new Labour Mobility Package and a new Initiative on Skills in 2015, but even with a determined effort over the medium and long term we are unlikely to be able to fully match the needs. Both initiatives are already envisaged in Annex 1 to the Commission's work programme for 2015.



The EU enlargement is not only about the states but is mainly about citizens living in the candidate countries<sup>4</sup>. For the WB countries<sup>5</sup> the clear perspective of EU membership granted by the EU is a key stabilizing factor. For that reason, Turkey and WB countries are developing close partnerships and cooperation with the EU on migration and mobility<sup>6</sup>. These agreements aim at fostering good neighbourly relations by easing the tight visa regime with neighbouring countries in order to externalise a restrictive migration policy<sup>7</sup>. Moreover, the number of asylum applications submitted in the EU by nationals of the five visa-free WB countries has been rising since the visa liberalisation regime was established. But, which kind of migration policy does the EU offer, in order to attract the nationals from WB to choose the European market as their work destination? Do they offer WB citizens any special treatment, as they are citizens from “future EU countries”? The aim of the paper is to discuss the answers to these questions, including short overview of the current migration flows from WB region.

This article is based on the EU legal and policy documents relating to the entry and stay of WB citizens in the EU, without entering into further details of every member state’s national regulation. The paper is structured as follows. It starts with the examination of the WB citizens’ rights in accordance with EU law, to enter and/or stay in the EU legally. This first part discusses the current EU’s WB visa liberalisation regime for short stays period in Schengen area, in comparison with the current policy on legal

4 On the road to EU membership, some of the candidate countries have started the membership talk. Candidate country – Albania, The former Yugoslav Republic of Macedonia, Montenegro ( Negotiations status – November 2014), Serbia, Turkey, (Negotiations status June 2010), Iceland (Accession negotiations started in July 2010 but were put on hold by Iceland in May 2013), and as potential countries – Bosnia and Herzegovina, Kosovo (\*This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence), see [http://ec.europa.eu/enlargement/countries/check-current-status/index\\_en.htm](http://ec.europa.eu/enlargement/countries/check-current-status/index_en.htm).

5 Under the term ‘Western Balkans’, the EU subsumes, Albania, Macedonia, Serbia, Montenegro and Bosnia and Herzegovina, See, e.g., European Commission, *The Western Balkans and European Integration*, COM (2003) 285 final, Brussels, 21.5.2003, p. 2.

6 Dialogues on migration and mobility matters with these countries are already intense and will remain so up to the time of actual accession. See, European Commission, *The Global Approach to Migration and Mobility*, COM(2011) 743 final, Brussels, 18.11.2011, pp. 8–9.

7 Source retrieved from Directorate-General for Internal Policies Directorate C – Citizens’ Rights and Constitutional Affairs Policy Department C.: Citizens’ Rights and Constitutional Affairs Unit. *EU visa policy and the Western Balkans*. Brussels, 14.05.2008, available at: <http://www.europarl.europa.eu/webnp/webdav/users/jrirobot/public/JPM%20Western%20Balkans/EU%20Visa%20policy%20for%20Western%20Balkans.pdf>).

stays for more than 3 months in the EU territory. Further, it provides a brief analysis of the (non)existent intra-EU mobility rights for non-EU citizens due to the lack of comprehensive intra-EU mobility policy. More generally, the article draws attention to current trends on migration flows from WB region into EU. In this part we try to highlight the current legal and irregular migration flow trends from WB into EU. Finally, the concluding chapter summarizes the key findings of previous chapters, identifies the most important challenges and opportunities and offers some policy recommendations.

## 2 THE RIGHTS OF THE WESTERN BALKAN CITIZENS TO ENTER AND RESIDE IN THE EU IN ACCORDANCE WITH THE EU LAW

The European Council at Thessaloniki in June 2003<sup>8</sup> reaffirmed that “(t)he future of Balkans is within the EU”<sup>9</sup>. Some of the current rights and obligations of third-country nationals under EU law represent the result of this affirmation. One example is the current visa policy related to the facilitation of movement of persons from WB into EU<sup>10</sup>. The EU recalled the importance of WB to the perspective of liberalisation of the visa regime, reinforcing the EU’s policy for the region, especially in the areas of mutual interest<sup>11</sup>. All of the WB states are currently on the way of becoming members of the EU family. Individual success stories of people often work as a catalyst. In case of WB nationals, the benefits in EU member states, even though considered low in member states themselves, may still be very appealing to WB nationals, when compared to national standards<sup>12</sup>.

8 The unification of Europe will not be complete until these countries join the EU. See, Thessaloniki European Council, 19 and 20 June 2003, Presidency Conclusions, p. 2.

9 *The hour of Europe has come*. Progress towards EU membership, on the other hand, requires most of all unity of purpose and consistency of efforts. These were the proud words of Jacques Poos, the Foreign Minister of Luxembourg who, as President of the Foreign Ministers’ Council, headed the European crisis management efforts at the beginning of the Yugoslav crisis in June 1991. Batt, J. 2004. “The Western Balkans: Moving On” *Chaillot Paper*, n° 70 (October): 7.

10 According to the article 77(2) of the Treaty on the Functioning of the European Union (TFEU), the European Parliament and the Council, acting in accordance with the ordinary legislative procedure, shall adopt measures concerning: (c) the conditions under which nationals of third countries shall have the *freedom to travel within the Union for a short period*.

11 European Commission, *The Western Balkans on the road to the EU: consolidating stability and raising prosperity*, COM(2006) 27 final, Brussels, 27. 1. 2006, p. 2.

12 In the years before the recent economic crisis Albania, Bosnia and Herzegovina, Montenegro and Serbia were among the top twenty countries in the world in terms

Otherwise, the legal entry and stay of WB nationals in the EU depend on many factors besides the fact that the WB countries are “potential” candidates for EU membership.

### THE LEGAL ENTRY OF WESTERN BALKAN CITIZENS INTO EU TERRITORY

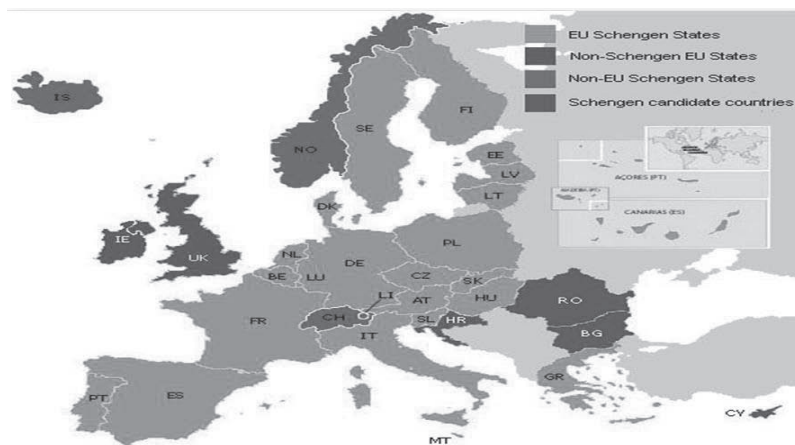
Apart of some benefits, the WB citizens remain as third-country nationals in the EU law regulation once they decide to enter and reside in the EU legally. For this reason, the citizens from WB must comply with the general EU regulation to entry and stay in EU as it is established by the EU law for third-country nationals. Therefore, the EU law provides a very clear and important difference between the entry and residence in EU, for EU citizens<sup>13</sup> and for the third-country nationals<sup>14</sup>. This “third-country nationals” treatment for legal entry and residence of WB citizens sometimes means the obstacle for member states to join EU funding programmes together with WB countries. Then, we must point out differences for WB citizens if they decide to enter the Schengen area<sup>15</sup> or not.

of remittance inflows as a percentage of GDP. In 2010 Albania’s stock of emigrants numbered 1.4 million (45.4% of the population), whose countries of destination have been Greece, Italy, FYROM, Germany, UK, France and the US. Bosnia and Herzegovina’s stock of emigrants was 1.4 million (38.9% of the population) heading mostly to Croatia, Germany, Austria, Slovenia, Sweden, Italy and Switzerland. See, *Asylum applicants from the Western Balkans comparative analysis of trends, push-pull factors and responses*, European Asylum Support Office, p. 9, available at: <http://www.refworld.org/pdfid/53218ead4.pdf>). For more information, see, e.g., *The Impact of the Economic Crisis on the Western Balkans and their EU Accession Prospects*. *EUI Working Papers*. RSCAS 2012/64. Robert Schuman Centre for Advanced Studies, p.4.

13 According to article 20 of the TFEU, every person holding the nationality of a member state shall be a citizen of the Union.

14 Third-country national means any person who is not a Union citizen within the meaning of the article 20 (1) of the TFEU.

15 See more about Schengen Area at [http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/schengen/index\\_en.htm](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/schengen/index_en.htm). Due to Croatia’s “membership status”, we would like to point out the following: in March 2015, Croatia has officially declared its readiness for Schengen evaluation (as of 1 July 2015), with a view to lifting the control at the internal borders.



Map 1. List of current Schengen countries (as of April 2016) *Source:* [http://ec.europa.eu/dgs/home-affairs/what-wedo/policies/borders-and-visas/schengen/index\\_en.htm](http://ec.europa.eu/dgs/home-affairs/what-wedo/policies/borders-and-visas/schengen/index_en.htm)

Related to this, the legal entry of the citizens from WB to the EU territory depends on many border regulations<sup>16</sup>. Under Schengen Borders Code<sup>17</sup>, for stays not exceeding 3 months per a 6 month period, the entry conditions for third-country nationals shall be as follows: possession of a valid travel document or documents authorising them to cross the border, justification of the purpose and conditions of the intended stay, and sufficient means of subsistence, among others<sup>18</sup>. Under the Council Regulation 539/2001<sup>19</sup> there is a clearer definition of short stay of non-EU citizens in the Schengen area. These stays are sometimes called “*travel stays*”.

16 E.g., Council Regulation (EU) No 1053/2013 of 7 October 2013 establishing an evaluation and monitoring mechanism to verify the application of the Schengen acquis and repealing the Decision of the Executive Committee of 16 September 1998 setting up a Standing Committee on the evaluation and implementation of Schengen, Regulation 1052/2013 of 22 October 2013 establishing the European Border Surveillance System (Eurosur), etc.

17 The Regulation (EC) No 562/2006 of the European Parliament and the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code) and the Regulation (EC) No 610/2013 of 26 June 2013 amending Regulation (EC) No 562/2006 of the European Parliament and of the Council establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code).

18 Article 5 (1) of the Regulation 562/2006.

19 The Council Regulation (EC) 539/2001, of 15 March 2001, listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement. This regulation must be completed with the Regulation establishing a Community Code on Visas (Visa Code),

Secondly, since December 2009, citizens of the former Yugoslav Republic of Macedonia, Montenegro and Serbia have been able, if holding biometric passports, to travel visa-free to EU member states (with the exception of Ireland and the United Kingdom) in accordance with Regulation 539/2001 mentioned above. Citizens of Albania and Bosnia and Herzegovina have enjoyed the same visa-free travel status since December 2010<sup>20</sup>. So, the citizens from WB, after long negotiations, enjoy visa-free entry into the Schengen area. As we read in many reports, the visa-free travel scheme has fulfilled its purpose: it has strengthened people-to-people contact between the WB and the EU, enhanced business opportunities and cultural exchanges, and enabled the visa-free countries' citizens to get to know the EU better<sup>21</sup>. By granting the WB visa-free travel, the EU decided that that region is no longer producing refugees<sup>22</sup>. But, the current visa-free measures in this region are not enough. The visa-free agreements pursue the aim of making travel easier for certain categories of citizens from this region. But one needs to have in mind that only short-term visas have been integrated at the EU level, and only to the member states that have joined the Schengen area. So, guaranteed the legal entry into the territory of the Schengen area is only guaranteed for the "traveler" and not for workers, or students. Turning back to the main purpose of this paper, we will show that most of the WB citizens do not associate the EU with short holidays, but mainly as a work destination.

with regulation concerning the Visa Information System (VIS) and the exchange of data between member states on short-stay visas.

20 The Commission emphasised that each WB country had to continue implementing measures set out in its visa roadmap to maintain the integrity of the visa-free travel scheme. It established a post-visa liberalisation monitoring mechanism to evaluate the sustainability of reforms aiming to uphold the scheme's integrity. In November 2014, the visa-free countries submitted a set of narrative reports on the steps taken to reduce irregular migration to the EU. See, European Commission, *Fifth Report on the Post-Visa Liberalisation Monitoring for the Western Balkan Countries in accordance with the Commission Statement of 8 November 2010*, COM (2015) 58 final, Brussels, 25.2.2015, pp. 2-3.

21 *Supra* note 22, at 8.

22 Petrovic, M. 2010. "Freedom of movement in the European Union: Visa liberalisation in the Western Balkan countries" *Migration Studies Unit Working Papers*, (April): 37, available at: [http://www.lse.ac.uk/government/research/resgroups/MSU/documents/workingPapers/WP\\_2010\\_04.pdf](http://www.lse.ac.uk/government/research/resgroups/MSU/documents/workingPapers/WP_2010_04.pdf).

## THE LEGAL STAY FOR MORE THAN THREE MONTHS

According to the provisions in the Lisbon Treaty<sup>23</sup>, and the priorities set out in the Stockholm Programme<sup>24</sup>, the third-country nationals, including the WB citizens, they have the right to reside legally in the EU for more than 3 months. Nowadays, the hot button issue of East-West legal migration is not dealing only with the entry to the EU territory but is dealing mainly with the legal stay of WB citizens in the EU<sup>25</sup>. While there are, clearly, complex factors at play in any decision to migrate, the primary reason given by most people is work. The family reunification is the second most important cause of EU movements<sup>26</sup>. What we have learnt from the EU experience in the past is, that if labour has the legal right to move freely, this makes people (especially in border areas) more mobile internationally, but it does not in itself induce mass migration from one country to another<sup>27</sup>. Besides, this legal stays depend on plenty of conditions and limitations. There are only some of the “*privileged categories of persons*” invited to stay legally for more than 3 months in EU territory. This stay is not the EU policy competence, but it depends on legal provisions of member states. As we will see below, the EU has many Directives which regulate the legal stay in EU, but every member state establishes its own particular conditions and limitation for persons who can reside in its territory for more than 3 months. It is very challenging for every third-country national to fulfill all the requirements for legal stay in every EU member state. Hence, the EU only establishes “limited” framework to deal with the legal stay in

23 The preamble of the Treaty on European Union (TEU) resolved to facilitate the free movement of *persons*, while ensuring the safety and security of their peoples, by establishing an area of freedom, security and justice, in accordance with the provisions of TEU and of TFEU. The Union shall offer its *citizens* an area of freedom, security and justice without internal frontiers, in which the *free movement of persons* is ensured in conjunction with appropriate measures with respect to external border controls, asylum, immigration and the prevention and combating of crime. (Article 3 (2) of the TEU)

24 See provisions of Stockholm Programme in: <http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=URISERV:j10034&from=EN>.

25 According to the article 79(2) (b) of the TFEU the European Parliament and the Council, acting in accordance with the ordinary legislative procedure, shall adopt measures in the definition of *the rights of third-country nationals* residing legally in a member state, including the conditions governing *freedom of movement and of residence* in other member states.

26 Benton, M., and Petrovic, M. 2013. “How free is free movement? Dynamics and drivers of mobility within the European Union” *Migration Policy Institute Europe*, (March): 18.

27 Straubhaar, T. 2001. “Migration Policies and EU Enlargement, East-West Migration: Will It Be a Problem?” *Intereconomics*, (July/August): 169.

EU. For this purpose, every WB citizen has to respond the following question: *Who you are?, What is your legal status?* If you are worker, then due to certain Directives, we have to ask you the following question: *Which type of worker are you?*, as the categories for the third-country nationals' workers to entry and reside legally in the EU are the following:

a) *highly qualified worker*, "EU Blue Card" holder<sup>28</sup>. The Blue Card Directive provides a scheme for attracting highly qualified third-country nationals (brains), although underused, in order to improve the EU's skilled labour migration policies<sup>29</sup>.

b) *seasonal workers*<sup>30</sup>. The 'seasonal worker' means a third-country national who retains his or her principal place of residence in a third-country and stays legally and temporarily in the territory of a member state to carry out an activity dependent on the passing of the seasons, under one or more fixed-term work contracts concluded directly between that third-country national and the employer established in that member state<sup>31</sup>.

c) *intra-corporate transferees (ICTs) as managers, specialists or trainee employees*<sup>32</sup>. Single permit for *non-EU workers* legally residing in an EU

28 Council Directive No 2009/50/EC of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment. Regarding the article 2(b) of the Directive, *highly qualified employment* means the employment of a person who in the member state concerned, is protected as an employee for the purpose of exercising genuine and effective work for, or under the direction of, someone else, is paid, and, has the required adequate and specific competence, as proven by higher professional qualifications. Not entering into more details, just to highlight that nowadays this Directive is under changes, as a point of new migration policy in the EU, because of it bad transposition in member states.

29 The Blue Card Directive already provides such a scheme, but in its first two years, only 16,000 Blue Cards were issued and 13,000 were issued by a single member state. In May, the Commission launched a public consultation on future of the Blue Card Directive. A review of the Directive will look at how to make it more effective in attracting talent to Europe. The review will include looking at issues of scope such as covering entrepreneurs who are willing to invest in Europe, or improving the possibilities for intra EU mobility for Blue Card holders. See, European Commission, *A European Agenda on Migration*, COM(2015) 240 final, Brussels, 13.5.2015, p. 15.

30 Directive 2014/36/EU of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers.

31 Article 3(b) of the Directive 2014/36/EU.

32 Directive 2014/66/EU, of 15 May 2014, on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer. Regarding article 3(c) of the Directive, *intra-corporate transferee* means any third-country national who resides outside the territory of the member states at the time of application for an intra-corporate transferee permit and who is subject to an intra-corporate transfer.

state<sup>33</sup>. The main aim of this Directive resides in the possibility of third-country national to apply to reside in a member state for the purpose of work<sup>34</sup>.

The second category of the privileged third-country nationals represents the *students, pupil exchange, unremunerated training or voluntary service*<sup>35</sup>, as well as *researchers*<sup>36</sup>. The European Commission launched new proposal for a Directive on the conditions of entry and residence of third-country nationals for the purposes of research, studies, pupil exchange, remunerated and unremunerated training, voluntary service and au pairing<sup>37</sup>. The objective of the proposal is to entrust the Union with the task of developing a common immigration policy aimed at ensuring efficient management of migration flows and fair treatment of third-country nationals residing legally in member states<sup>38</sup>. Turning back to categories of third-country nationals allowed to reside in the EU territory for more than 3 months, we must mention the *long-term residents*<sup>39</sup>. The long-term residents obtain the residence permit issued by the member state upon the acquisition of long-term resident status<sup>40</sup>. The last category of third-country nationals who can reside in the EU legally are the family members with right to family reunification. For this purpose, we must distinguish

33 Directive 2011/98/EU, of 13 December 2011, on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a member state and on a common set of rights for third-country workers legally residing in a member state. Regarding article 2(b) of the Directive, *third-country worker* means a third-country national who has been admitted to the territory of a member state and who is legally residing and is allowed to work in the context of a paid relationship in that member state in accordance with national law or practice.

34 Article 1 (1)(a) of Directive 2011/98/EU.

35 Council Directive 2004/114/EC, of 13 December 2004, on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service

36 Council Directive 2005/71/EC, of 12 October 2005, on a specific procedure for admitting third-country nationals for the purposes of scientific research.

37 European Commission, *Proposal for a Directive on the conditions of entry and residence of third-country nationals for the purposes of research, studies, pupil exchange, remunerated and unremunerated training, voluntary service and au pairing*, COM(2013) 151 final, Brussels, 25.3.2013. The European Parliament, in the first reading, introduced some modifications and new concepts to be regulated under the future Directive. On the other hand, the Council presented the comments as well.

38 The present proposal responds to this mandate and aims to contribute to the implementation of the Europe 2020 Strategy. *Supra* note 39, at 2.

39 Council Directive 2003/109/EC, of 25 November 2003, concerning the status of third-country nationals who are long-term residents.

40 Article 2 (g) of the Directive 2003/109/EC.



between rights to family reunification members of non-EU nationals who reunite with non-EU national family members<sup>41</sup>, on one hand, and, on the other hand, the right to family reunification of EU citizens with non-EU family members<sup>42</sup>.

Besides the personal scope and regulation provided in the Directives mentioned, we must take into account that member states are responsible to establish concrete rules for the legal status of the third-country nationals residing legally in the EU, due to the lack of common EU legislation. We can affirm that this EU policy represents very “*selective group of interest*” policy which invites member states to clarify and make final decision on this “*selection of persons*”. In practice, the third-country nationals, therefore the WB citizens too, must tackle different conditions and limitations in every member state they wish to live and/or work.

### 3 (NON)EXISTENT INTRA-EU MOBILITY RIGHTS OF THIRD-COUNTRY NATIONALS WITHIN EU

The free movement of people within the EU area has been one of the biggest achievements of European integration. The EU establishes the freedom of movement and residence for non-EU nationals legally resident in EU<sup>43</sup>. So, the Europeans citizens are not the only population that utilizes the right to free movement and residence within EU. Mobility of third-country nationals across EU borders is of strategic importance, once they enter legally. It applies to a wide range of people, to short-term visitors, tourists, students, researchers, business people or visiting family members<sup>44</sup>. Highly mobile economic migrants typically improve the allo-

41 Council Directive 2003/109/EC, of 25 November 2003, concerning the status of third-country nationals who are long-term residents. However, as made clear by the European Court of Justice (Case C-540/03), EU States must apply the Directive’s rules in a manner consistent with the protection of fundamental rights, notably regarding family life and the principle of the best interests of the child.

42 Directive 2004/38/EC, of 29 April 2004, on the right of citizens of the Union and their family members to move and reside freely within the territory of member states.

43 According to the Article 45 of the Charter of Fundamental rights of the EU, 1. Every citizen of the Union has the right to move and reside freely within the territory of the member states. 2. Freedom of movement and residence may be granted, in accordance with the Treaty establishing the European Community, to nationals of third countries legally resident in the territory of a member state.

44 Regarding to the Global Approach to Migration and Mobility (2011), the mobility means a much broader concept than migration. Mobility and visa policy are interlinked and around 11 million visas were granted by the member states issuing Schengen visas in 2009. Visa policy is an influential instrument for a forward-looking policy on mobility. See more, supra note 6, at 3.

cation of production factors, most notably human capital. The migrants often act as agents of knowledge transfer and international trade, and pools of skilled immigrants may attract high-tech investments<sup>45</sup>. The current EU market is a market without internal frontiers when the companies demand the mobility between their employees. After the analysis of the necessity to extend the employment opportunities to third-country nationals, the EU law needs to provide legal instruments to grant to all non-EU nationals' mobility rights within EU. However, given the reality of increased human mobility, further efforts need to be ensured<sup>46</sup>. The third-country nationals benefit from free mobility only in "theory". The implications of this reality, together with the contemporary challenges facing Europe's external borders, have placed significant stress on the free movement within EU territory. Only few EU law provisions regulate the intra-EU mobility of third-country nationals. The EU Blue card holders enjoy the possibility to move to a member state other than the first member state for the purpose of highly qualified employment after legal residence in a first member state for a minimum period of 18 months before moving to a second member state, and in order to do so, they must apply for another EU Blue card. That means that some cross-border companies find very difficult to hire EU Blue card holders in these conditions. For the seasonal workers there are no provisions on movement within EU. The first Directive which clearly establishes the Chapter called Intra-EU mobility is the Intra-corporate transferees (ICTs) Directive<sup>47</sup>. The long-term residents may reside in a second member state (exceeding more than three months) only if they comply with requirements established in the Directive and in every member state<sup>48</sup>. The third-country national researchers benefit from facilitated entry and stay in a second member state if the period of mobility does not exceed three months. If it does, they must comply with a lot of

45 Kahanec, M., Zaiceva, A. and Zimmermann, K. 2009. "Lessons from Migration after EU Enlargement Free University of Berlin" *Discussion Paper No. 4230*, (June): 5.

46 *Supra* note 31.

47 Third-country nationals who hold a valid intra-corporate transferee permit issued by the first member state may, on the basis of that permit, and a valid travel document, and under the conditions laid down in Directive, enter, stay and work in one or several second member states. Article 20 and following of the Directive 2014/66/EU, of 15 May 2014.

48 Article 14 of the Directive 2003/109/EC, of 25 November 2003. Mobile third-country national long-term residents must apply for a residence permit to reside in a second member state, whereas EU citizens need only to register their right to stay for more than three months.

specific conditions limited to a specific research post<sup>49</sup>. The conditions for student mobility are subject to strict limitations<sup>50</sup>.

As the procedures for access to the limited number of opportunities for legal migration are often non-transparent and over-bureaucratic, the EU must work on new legal improvements. Because, as a consequence, many migrants turn to informal intermediaries, often with links to organised crime. The EU must count with wider concept of mobility. Without question, a single economic market works best when its workers and citizens are mobile<sup>51</sup>. The free mobility can be expected to raise potential growth in the EU as a whole<sup>52</sup>. However, the EU needs to look at how to marry many limitations with the collective needs of the EU economy and with member states' interests.

#### 4 THE CURRENT TRENDS IN MIGRATION FLOWS FROM THE WESTERN BALKANS COUNTRIES

The most common 'push factors' driving migration flows from the WB remained the following: deprivation, unemployment, discrimination, poor access to health care, social benefits, education, etc. We find that last EU enlargement had a significant impact on migration flows from new to old member states<sup>53</sup>. With regard to movement from the WB to the EU, the current trends in migration flows from this region should be divided into two categories. The irregular migration on the one hand, and the legal migration trends on the other. Despite relatively big number of asylum seekers from the Balkans, most of them actually aim at the labor market, not the social benefits from EU countries<sup>54</sup>. Related to the irregular migra-

49 Article 13 of the Directive 2005/71/EC, of 12 October 2005. There are no mobility provisions for the family members of researchers.

50 Article 8 of the Directive 2004/114/EC, of 13 December 2004. The new proposal for Directive on Students and Researchers, aims to give these groups new mobility and job-seeking opportunities.

51 *Supra* note 5.

52 See, among others, Koikkalainen, S. 2011. "Free Movement in Europe: Past and Present", (April): 21, available at: <http://www.migrationpolicy.org/article/free-movement-europe-past-and-present>. The enlargement was the target of much controversy, as media estimates of the potential wave of economically motivated migration from the Central and Eastern European countries varied from 5 million to 40 million people. The rate of migration was estimated to be high because of the differences in income and the standard of living between the new member states and the EU-15.

53 Kahanec, M., and Zimmermann, K. 2009. "Migration in an enlarged EU: A challenging solution?" *Economic Papers* 363 (March): 2, available at: [http://ec.europa.eu/economy\\_finance/publications](http://ec.europa.eu/economy_finance/publications).

54 *Supra* note 4.

tion trends, the WB region underwent rapid changes following the introduction of visa-free travel with the EU. Asylum applications from the five WB countries continued to represent a staggering 97% of the total asylum intake for all visa-free countries. The nationals of the five visa-exempt WB countries submitted almost 48 300 asylum applications in EU member states and Schengen associated countries during 2014. This represented 47% increase compared to 2013 and amounted to almost 10% of the total EU asylum intake. Serbians had by far the largest share of the total number<sup>55</sup>. With regard to the legal migration, the main mode for WB citizens to enjoy the rights to enter and stay legally in EU is through travelling. Abuses of legal travel channels and of the EU visa-free scheme are linked to overstay in the EU by WB nationals<sup>56</sup>. But, the EU intends to attract the citizens from WB to reside legally in EU, as the WB countries are considered attractive for EU for a number of reasons: their common EU perspective (the expectation that they will eventually become candidates for EU accession), their geographical proximity to the EU, the fact that applications from most of these countries are processed under an accelerated or prioritised procedure, their common past and similar current economic and social conditions<sup>57</sup>. If people migrate in response to employment and wealth differences then large disparities between countries will induce substantial migration flows unless constrained by legal access restrictions<sup>58</sup>. Nowadays, for example in the field of education, the students and staff from the WB can participate in programmes such Erasmus<sup>59</sup>. This includes the possibility

55 Western Balkans Annual Risk Analysis 2015, p. 23, (FRONTEX), available at:[http://frontex.europa.eu/assets/Publications/Risk\\_Analysis/WB\\_ARA\\_2015.pdf](http://frontex.europa.eu/assets/Publications/Risk_Analysis/WB_ARA_2015.pdf).

56 For example, the use of fraud documents is considered as one way to enter and/or stay illegally in the EU. More precisely, there were detections of WB nationals illegally staying in member states (mainly Kosovars, Serbs and Albanians). The latter group was also the most commonly detected nationality using fraud documents in order to illegally enter the EU/Schengen area from a third-country in 2012. Data retrieved from European Agency for the Management of Operational Cooperation at the External Borders of the member states of the European Union (FRONTEX).

57 *Asylum applicants from the Western Balkans comparative analysis of trends, push-pull factors and responses*, European Asylum Support Office, p. 14, available at: <https://easo.europa.eu/wp-content/uploads/WB-report-final-version.pdf>.

58 Delbecq, B. A., and Waldorf, B. S. 2010. "Going west in the European Union: Migration and EU Enlargement" *Working Paper 10-4*, (March): 3.

59 Cooperation with WB countries in the areas of *education and research* has been significant in recent years, with a substantial Commission contribution under several programmes: Tempus (higher education), Erasmus Mundus (scholarships for students), Youth, 6th Research Framework programme (FP6) and Joint Research Centre (JRC) activities, as well as through the work of the European Training Foundation (ETF). In 2003-2004, around 2200 young people from the region participated in the Youth

of providing mobility opportunities to third-country nationals working in public administration, public and private enterprises and non-profit organizations. On the other hand, the Commission will further increase the number of scholarships granted to students from the WB to study in the EU<sup>60</sup>. Greater mobility for students and researchers from third countries could also be a promising path towards catering to labour market needs in Europe if some students are to be able to work after completing their studies<sup>61</sup>. But, due to the lack of common, comprehensive mobility policy in EU, the WB citizens must fight with many challenges to comply with all conditions.

## CONCLUSIONS

Globalization, demographic change and societal transformation are affecting the EU, its member states and countries around the world. The WB countries and their citizens, the main focus of this article, have been subsumed under a pre-accession framework that is comparable to previous enlargement rounds. For that, the EU legislation supports flexible forms of integration in different policy fields in WB region. Without any doubt, the migration from WB into EU represents one of the main policies which must be taken into account. Bearing in mind that the persons and not numbers represent the main scope of many agreements in the field of external cooperation between the EU and WB region. *In the flat world of maps, sharp lines show where one country ends and another begins. The real world is more fluid. Peoples do not have borders the way that parcels of land do. They seep from place to place, they wander, they migrate*<sup>62</sup>. The WB citizens do not constitute any exception.

This article presented an overview of current EU legislation dealing with the entry, legal stay and mobility rights of the WB citizens

programme, more than twice as many as during the preceding three years. On its side, the Joint Research Centre has trained in the past years some hundreds experts from the Western Balkans in workshops and courses and has started including Western Balkan organisations within its European research networks and projects. The Erasmus+ Programme is open to the following countries: Programme Countries (former Yugoslav Republic of Macedonia), Partner Countries (Albania, Bosnia and Herzegovina, Kosovo, Montenegro, Serbia) The Erasmus+ Programme is open to following countries: Programme Countries (former Yugoslav Republic of Macedonia), Partner Countries (Albania, Bosnia and Herzegovina, Kosovo, Montenegro, Serbia). See, The Western Balkans on ..., supra note 14, at 10.

60 Supra note 13, at 22.

61 Supra note 8.

62 The Economist, "Migration and business: Weaving the world together," 19 November 2011.

in the EU territory. As answers to the main questions of this paper we can conclude the following. There is no special treatment for the WB citizens because they are nationals from the “potential EU member states”, apart from the visa free liberalisation. Still, the overwhelming majority of citizens from the visa-free WB countries are *bona fide* travelers with legitimate grounds to travel to the EU; they are not workers, nor are they student. The WB citizens remain as third-country nationals in the EU law regulation when they decide to enter and reside in the EU territory legally.

The most important finding in regard to migration flows is that the immigrants moving from new to old member states are strongly linked to the labour market. But, the EU legislator establishes the ground of labour migration offer in EU by many different and fragmented legal instruments. We conclude that WB citizens who wish to live and/or work in EU must deal with complex set of challenges. Due to the lack of common EU regulation in this field, everyone must know, understand and comply with conditions, requirements and limitations of particular member state.

Migration and mobility is about freedom. It is about giving each and every individual the opportunity and the ability to influence his or her life, economically and socially. As we observed in the article, only a few selective groups of WB nationals, mainly those “attractive and interesting for EU interests” may count with the opportunity to try making their life better, by finding some solutions to their economical problems in EU legally. The current opportunities brought by migration and by mobility leave significant areas of discretions to regional, national and local levels of member states. On legal migration, the added value of EU intervention is questionable, as no instrument of EU cooperation currently includes significant facilitations on the admission of migrants at EU level, while association and cooperation agreements are only being used to strengthen the integration of legal migrants originating from partner countries. Currently, nobody knows if the WB countries will join the EU club one day, when their citizens will be able to enjoy complete citizenship rights. For now, the differences between legal residents from third countries and legal residents from members states differ from the current aims of EU integration process. If we really want to integrate all the countries of the WB in the EU, the younger generation, in particular, has to have a chance to travel, to learn about, and to live the European integration. Finally, we suggest the following policy recommendations. It is well known that mobility rights have economic and social benefits for individuals and for member states, alleviating unemployment and supporting growth at the EU level. The EU must count with more competences to establish a harmonized legal body to solve the dilemma which was neatly summarized by Swiss author Max Frisch: “We asked for workers, but human beings came”. To manage

mobility in a secure environment, the EU needs to continue its prioritised dialogue and cooperation with WB region through (non)existent, unique, comprehensive and common EU migration policy. There is a need for a strengthened EU external action on legal migration, that includes facilitations of legal admission of migrants who want to live and/or work in the territory of the EU legally. The future framework should be simplified, clearly distinguishing EU and WB region objectives.

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## SAŽETAK

### MOBILNOST DRŽAVLJANA ZAPADNOG BALKANA UNUTAR EU: NOVI IZAZOVI I MOGUĆNOSTI

Europa je dio globaliziranog i povezanog svijeta gdje se očekuje povećanje međunarodne mobilnosti. Sadašnje zakonodavstvo EU, nakon stupanja na snagu Lisabonskog ugovora, suočava se s novim izazovima na području slobode, sigurnosti i pravde. Postoji značajna europeizacija migracijske politike. Regija Zapadnog Balkana (ZB) smatra se jednim od najzanimljivijih i izazovnijih područja u Europi po sadašnjim migracijskim tokovima. Posljednje proširenje EU pomaknulo je migraciju iz klasične radničke imigracije, do tzv. odljeva mozgova, jer sada mlađi i visokoobrazovani ljudi imaju tendenciju migrirati u druge zemlje da bi nastavili svoju profesionalnu karijeru. Istočno proširenje i migracija na Zapadnom Balkanu mogu ići u istom smjeru. Ovaj članak ima za cilj identificirati politiku legalne migracije u EU za državljane zemalja Zapadnog Balkana kada se odluče za ulazak i / ili rade na području EU, ističući tu odluku kao izazov ili kao priliku za građane ZB-a.

KLJUČNE RIJEČI: ulazak i pravo boravka u EU, mobilnost, migracijski tokovi, građani Zapadnog Balkana.



# PREDETERMINED FOREIGN POLICY – ALIGNING NATIONAL POLICIES OF THE CANDIDATE COUNTRIES WITH THE CFSP AND CSDP: CASE OF MONTENEGRO

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## ABSTRACT

The preamble of the Montenegrin constitution states that the Montenegrins are committed to European integrations, and that they share the same values and aims with the people of Europe. The government of Montenegro confirmed dedication to the European path by signing on 15 October 2007 a Stabilization and Association Agreement (SAA), thereby accepting responsibility for its European future. Montenegrin European path is advancing steadily and until now eighteen of thirty-five negotiating Chapters have been opened, out which two Chapters have been provisionally closed. EU Member states devoted themselves to the Common Foreign and Security Policy (CFSP), as well as to the Common Security and Defence Policy (CSDP), with which they are strengthening the EU's external ability to act through the development of civilian and military capabilities in conflict prevention and crisis management. The acquis consists of political declarations, decisions and agreements, and member states must be able to support political dialogue in the framework of the policies, to align with EU statements, to take part in EU decisions and to apply agreed sanctions and restrictive measures. Montenegrin officials stated that, with respect to the EU policies *vis-à-vis* other third countries and regions, the country would not have difficulties in implementing CFSP and CSDP positions, yet, they expressed their commitment to be ready to fully and actively participate in the EU's policies by the date of accession. Montenegro, also colloquially called 'the EU's good student', in its accession process is already aligning with the EU's policies. This paper will conduct an analysis with respect to how and to what extent the candidate countries, i.e. Montenegro is aligning its foreign policy with the EU's CFSP and CSDP. Theoretical framework will be built around two basic alternative conceptions – state-centric governance and

multi-level governance, which will establish a base for our further analysis. Also, this paper will briefly present how the treaty of Lisbon impacted the CFSP and CSDP and created what we have today. Afterwards, I will present all alignments of the Montenegrin foreign policy with the EU's, with a special emphasis on the imposed sanctions in view of the situation in Ukraine, due to the multi-layered ties between Montenegro and Russia. All this should enable us to draw a conclusion if and to what extent EU's CFSP and CSDP are affecting and changing Montenegrin foreign policy and its postulates.

KEY WORDS: Montenegro, enlargement policy, CFSP, CSDP, European Union

## 1 INTRODUCTORY CONSIDERATIONS

The preamble of the Montenegrin constitution states that the Montenegrins are committed to European integrations, and that they share the same values and aims with the people of Europe. The government of Montenegro confirmed dedication to the European path by signing, on 15 October 2007, the Stabilization and Association Agreement (SAA), thereby accepting responsibility for its European future (Council of the European Union 2007). Montenegrin European path is advancing steadily and until 2015 twenty-two of thirty-five negotiating chapters have been opened, out of which two chapters have been provisionally closed (Maurice 2015).

EU Member states devoted themselves to the Common Foreign and Security Policy (CFSP), as well as to the Common Security and Defence Policy (CSDP), with which they are strengthening the EU's external ability to act through the development of civilian and military capabilities in conflict prevention and crisis management. The *acquis* consists of political declarations, decisions and agreements, and member states must be able to support political dialogue in the framework of the policies, to align with EU statements, to take part in EU decisions and to apply agreed sanctions and restrictive measures (Rosamond 2000).

Montenegrin officials stated that, with respect to the EU policies *vis-à-vis* third countries and regions, the country would not have difficulties in implementing CFSP and CSDP positions, yet, they expressed their commitment to be ready to fully and actively participate in the EU's policies by the date of the accession (European Commission 2013). Montenegro, also, recognized as 'the EU's good student', in its accession process, is already aligning with the EU's policies. For example, in March 2010, Montenegro signed the Agreement on the country's participation in the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery of the Somali coast (Operation Atalanta), with the EU. Also, on 22 February 2011, Montenegro and the EU signed the Framework Agreement for the country's participation in EU

crisis management operations, which will facilitate any potential further involvement of Montenegro in current or future CSDP operations. Moreover, Montenegro has joined EU in imposing restrictive measures against Myanmar/Burma, Democratic People's Republic of Korea and against certain persons, entities and bodies in view of the situation in Ukraine (European Council 2014; O'Kane 2014).

This paper will conduct an analysis with respect to how, and to what extent, the candidate countries, i.e. Montenegro is aligning its foreign policy with the EU's CFSP and CSDP. Theoretical framework will be built around two basic alternative conceptions – state-centric governance and multi-level governance, which will establish a base for further analysis. Afterwards, I will present all alignments of the Montenegrin foreign policy with the EU's, with a special emphasis on the imposition of sanctions in regards to the situation in Ukraine, due to the multi-layered ties between Montenegro and Russia. All this should enable us to draw a conclusion whether, and to what extent, EU's CFSP and CSDP are affecting and changing Montenegrin foreign policy and its postulates.

## 2 STATE-CENTRIC VS MULTI-LEVEL GOVERNANCE

While scrutinizing something as complex as the EU and the integration process, there is a need for conceptual tools to guide the analysis. In the academic literature there is an ongoing debate regarding the consequences of the European integration for the autonomy, authority and sovereignty of the state (Rosamond 2000; Kenneth and Soetendorp 1998; Romaniuk and Stivachtis 2015). As it is previously underlined, the focus of this paper is on the candidate countries and how the process of European integration is affecting their policies. Therefore, I will try to give an answer to the following question: does the European integration strengthen nation states and their sovereignty, or does it weaken them? In order to fully analyze the issue that we are dealing with, it is necessary to establish a theoretical framework for our analysis. This paper will focus on the dichotomy between the state-centric and multi-level governance.

The main concepts about the state-centric model could be found in the writings of Hoffmann, Taylor, Moravscik, Garrett, Milwards and others intergovernmentalists (Hooghe and Marks 2001). The basis of the state-centric governance idea is that the European integration does not challenge the very authority and autonomy of national states, and the intergovernmentalists even argue that the state sovereignty is even more secured through this process (Marks, Hooghe and Blank 1996).

This theory sets national governments as final decision makers, and it states that the process of decision making within the EU is defined by bargaining among national governments. According to the state-centric

model, decisions in the European Union are reflections of the lowest common denominator among national governments' positions (Hooghe and Marks 2001). Even though it is clear that national governments are deciding jointly on various issues, one national government can promote and protect their own interests by making reservations on treaties, building coalitions in order to establish the required majority, etc. With this, states have individual, as well as collective control over final decisions that are adopted within the EU, which are affecting their citizens in various aspects. Therefore, supranational actors are exercising effective power, and policy outcomes are reflecting the interests of the member states (Jordan 2001).

The national governments have transferred, in order to accomplish particular aims of their foreign policies, a certain amount of sovereignty to supranational institutions. The intergovernmentalists are underlining that in the process of European integration no state has to integrate more than it would like to, because bargains between states, which leads this process, rest on the lowest common denominator of the participating member states (Hooghe and Marks 2001). The state-centric theory does not advocate that policy making is framed by national governments and its representatives in every particular detail. Supranational institutions may support national governments by bureaucracy, judiciary, or something else, but the intergovernmentalists are arguing that those are not autonomous actors (Marks, Hooghe and Blank 1996). Therefore, the purpose of supranational institutions is to support and offer assistance to member states by securing necessary flow of information and logistics.

The state-centric model also goes along with realist conception of international relations, which focuses on relations among unitary state actors as driving force in the international arena (Rosamond 2005). Beside this, intergovernmentalists are emphasizing that all national interests are under direct influence and being shaped by various domestic groups, which are acting locally, as well as globally (Jachtenfuchs, Diez and Jung 1998). Hence, the scheme of policy making is as follows: adopted policies within the EU are product, primarily, of interests of national governments, while positions of national governments are shaped by interests of different interest groups, which are lobbying through various channels in order to promote and protect their positions in the policy making arena.

An opposing model to the state-centric governance is the multi-level governance model, which states that the European integration is a polity-creating process in which policy-making influence is shared among various levels of government – subnational, national and supranational (Peters and Pierre 2001). Challenges of the multi-level governance were treated in writings of Scharpf, Marks, Schmitter, Tarrow, Kohler-Koch, Pierson, Sbragia and many others (Hooghe and Marks 2001). The common ground for all

of them is that authority and sovereignty of the state in the international arena is diminished in the EU by the decision-making process and autonomous behavior of the European Commission, European Central Bank, European Parliament, etc. (Jordan 2001).

According to the multi-level governance approach, process of decision-making is shared among actors at various levels, and it is not under the sovereign control of national governments, as the advocates of the state-centric model would argue (Bache and Flinders 2004). That means that specific supranational institutions, such as European Parliament, or European court have and exercise self-contained policy making, which is not being impacted by any actors that belong to the national governments. Beside this, it is important to underline that this theory views political arenas as a coherent unit, which is being deeply interconnected, and while national arenas remain very important part for establishing of national government interests, we cannot say that subnational actors are nested exclusively within them (Hooghe and Marks 2001). Difference between two models is that there is fixed and clear divergence between domestic and international politics, which is being neglected by the advocates of the multi-level governance theory, through arguing that even though national arenas are an integral and irreplaceable part of the European integration, they simply no longer secure a link between supranational and subnational arenas (Marks, Hooghe and Blank 1996). As it was said earlier, national governments share their sovereign rights with supranational levels, and through that create a complex set of relations between many actors.

It is clear that collective decision-making process among states contains a noticeable loss of control for the particular national government. The advocates of the multi-level governance would argue that it is stretched to the European level (Hooghe and Marks 2001). When we are trying to analyze decision-making process we have to state that national governments have a significant role, but, in order to conduct our analysis completely and to successfully explain European policy-making, we have to take into account the independent role of supranational actors as well. In writings of those who advocate multi-level governance approach we can find statements that national governments are substantial actors in the EU policy-making and are important piece of the European puzzle, but their sovereignty and control has partly shifted to supranational institutions (Marks, Hooghe and Blank 1996). Multi-level governance model indicates that we cannot neglect the fact that states have lost some of their sovereign control over creating policy in their respective territories through the process of European integrations (Jordan 2001). Does that mean that states are sacrificing their sovereignty that they draw from the constitutions and the will of the people? We will try to address this issue, which is

the core of our analysis, on the example of the aligning national policies of the candidate countries with the CFSP and CSDP.

The two models of governance gravitate around the question of national sovereignty, and in order to bolster the theoretical part of the paper, we have to address this issue, as well. A very broad definition of external sovereignty is “the lack of overarching authority structures in international relations” (Aalberts 2006), while Lieshout (1999) considers that “a state recognizes no authority above it in its relations with other states”. Lieshout’s definition means that state and its institutions, unconstrained of other domestic or international actors, have the ability to determine their foreign policy and act in this matter.

The issue of national sovereignty lies within the discourse of the “metamorphosis of the modern state system” (Ruggie 1993), while states are bound by the signed international treaties and the international organizations they brought into being. When discussing the EU and models of governance, general impression asserts that states have yielded ground to postmodern setting of political, social, economic and legal space. The academic discourse focuses on the idea of a European identity and Europeanization, which is in the line with not only the idea of changing Europe, and particularly on the changing nature of statehood within Europe. This includes the problems of state sovereignty and authority, but also the increasing levels of integration and eventually constrained sovereignty for the member states (Romaniuk and Stivachtis 2015).

Sovereignty represents a concept that throughout history has gathered a broad spectrum of “denotations and connotations” (Keohane 2002), and with that is often subject of redefinition (Romaniuk and Stivachtis 2015). Since the perception and understanding of sovereignty enable it to be used as a conceptual lens, it has become a significant characteristic of the EU integration process and discussions on the changing nature of state authority (Romaniuk and Stivachtis 2015). Keohane’s understanding of external sovereignty is different from the classical considerations and definitions, i.e. Westphalian sovereignty; he defines it as “a form of self-determination or authority that is “subject to no other state and has full and exclusive powers within its jurisdiction without prejudice to the limits set by applicable law.” When discussing this issue within the context of the EU and two aforementioned governance models, Keohane (2002) argues that sovereignty “is pooled similar to the idea of “shared”, in the sense that, in many areas, states’ legal authority over internal and external affairs is transferred to the Community as a whole, authorizing action through procedures not involving state vetoes”.

### 3 CFSP & CSDP

The European Union has undergone some considerable changes in the area of foreign and security policy, shifting from a modest idea to coordinate foreign policies of the member states, to a platform in which the EU is recognized as an international actor and reliable partner in addressing global issues (Cooper 2007). Exhaustive efforts to create the common foreign policies, which is linked with the core question of national sovereignty, between member states was finally formally finalized in the 1992 Treaty on European Union, when the EU's Common Foreign and Security Policy was established (Gosalbo Bono 2006). The CFSP addresses the international issues of a political or diplomatic nature, including issues with a security or military orientation (Mix 2013). The European Council and the Council of the European Union have the most important and demanding role in formulating CFSP, which is composed of numerous elements. The Treaty of Amsterdam formulated four CFSP instruments:

- Principles and Guidelines (provides general political direction);
- Common Strategies (set out objectives and means);
- Joint Actions (addresses specific situations);
- Common Positions (defines an approach to a particular matter) (European Union 1997).

Further on, the Lisbon Treaty organized CFSP instruments within the four types of Decisions on:

- the strategic objectives and interests of the EU;
- common positions;
- joint actions;
- implementing arrangements for common positions and actions (European Union 2007).

Institutional structures and instruments are created by the EU in order to establish and implement the Common Foreign and Security Policy, since the EU should be a strong actor in the international arena not only regarding economic issues, yet when it comes to the political and security questions as well. For this to be achieved it is necessary to have strong and, what is more important, united voice coming from the Brussels.

According to the EU treaties, issues that the CFSP is dealing with remain under the sole control of the member state governments and they are required to work closely together in order to reach a consensus on particular, often sensitive, issues (Thym 2004). The member states have unified their foreign policy to the extraordinary level on various issues. Yet, the main challenge to the CFSP remains finding the lowest common denominator and maintaining consensus among sovereign member states

(Peterson and Sjursen 1998). It is understandable that national governments have different interest, priorities or perspectives, and with that they have to disagree when it comes to the phase of the policy making. There are many examples on which we can elaborate on different standpoints of the member states with respect to the foreign policy issues, such as invasion of Iraq in 2003, recognition of the independence of Kosovo, etc.

Within the academic circles it could be heard that the Common Foreign and Security Policy does not have one comprehensive strategic model for operating in major areas, which represents their main problem that needs to be addressed (Øhrgaard 2004). Member states may have different views how to tackle some specific problems, which cover issues, for example, is the engagement the best way to encourage desired reforms and behaviors, or there are more preferable tactics that could be conducted. Also, the European Union is being criticized quite often for not having a strong defined strategic approach to Russia and China (Lucarelli and Fioramonti 2010). Although EU member states have and share numerous views with respect to these countries, particular interests are still playing an important role when it comes to the policy making on the EU level. We have to state that the European Union is not a unitary state, and its member states carry on having and promoting their own national foreign policies. Therefore, CFSP remains a common policy of the EU, not a single policy (Mix 2013).

Many scholars argue that Europe needs to continue with strengthening the substance of the CFSP, because it is their only possible real gateway towards being a relevant actor in the international community (Tonra and Christiansen 2004). Even though some member states think that their voice is being diminished within the EU, it is quite clear that it would be even less likely for them to be heard in the global arena by 'performing' individually. Big member states of the European Union, while acting in the individual capacity, in the international community would be considered as 'middle' powers, due to the part of influence that they can exercise within the global arena. Therefore, in order to promote and protect their own interests abroad, strengthening CFSP is much needed modality for them as well, with which they will secure united voice towards global issues (Øhrgaard 2004).

The Common Security and Defence Policy, which the member states have agreed on in 1999, represents an extended arm of the Common Foreign and Security Policy, and it is important to state that the field of work of the CSDP is not only military and defence (Wessels 2004). Namely, CSDP operations are oftentimes made of civilian activities, such as police, judicial trainings, and security sector reform. Therefore, we can understand why today CSDP is mainly focused on peacekeeping missions, conflict prevention, crisis managements, post-conflict stabilization, and



humanitarian mission, rather than conventional military combat actions (Regelsberger and Schmalz 2001).

European officials were keen to create a more vigorous CSDP through enhancing and supporting coordination among EU countries military capabilities. Nevertheless, a significant number of specialized support structures, which are part of the External Action Service, have been established to make the operational planning and implementation of CSDP, such as:

- Crisis Management Planning Directorate (to integrate civilian and military strategic planning);
- Civilian Planning Conduct Capability (office to run civilian missions);
- Joint Situation Centre (intelligence analysis and threat assessment);
- EU Military Staff (to provide military expertise and advice to the High Representative (Regelsberger and Schmalz 2001).

The European Union has through the CSDP established a number of targets for enhancing capabilities and deployable assets, one of the being standing EU army, a number of troops and assets that would be available for EU operations, which should be drawn from national military forces of the member state (Thym 2004).

We have to underline that the majority of CSDP actions have been civilian missions, and EU substantial civilian capacities in areas such as rule of law and police training are essential elements in situations where sustainable development of governance is a main concern (Thym 2004). These forms of civilian capabilities are very demanding, and it is necessary to continually pushing the EU to be more present and active, when it comes to such missions. Many analysts are arguing that civilian operations, which main field would be governance building, or crisis management, is expected to be central figures in the future framework of CSDP operating (Howorth 2001).

Conclusions regarding the products of work of the CSDP are drawn from various perceptions and analysis. Nevertheless, many claim that we have to state that its operations have made some positive impact to the international security (Webber, Croft, Howorth, Terriff and Krahnmann 2004). Even though many missions have been relatively small and they do not attract great attention, we have to notice that European Union's efforts to burden sharing and collective security have been very significant. They are even more significant if we take into consideration that these kinds of actions would probably fail if it was conducted by some other regional organisations, global powers, NATO, or even UN. Many European offi-

cials stress that CSDP have no intention of competing with NATO, rather it is seen as a complementary alternative. (Thym 2004). Even the Lisbon Treaty affirms the leading role of NATO, and states that the CSDP does not seek to compromise any commitments of their member states made towards NATO (Wessels 2004). The functioning of the Common Security and Defence Policy offers the EU to act in situations where NATO, or even United Nations, choose not to become involved into managing the crisis.

National Defence represents one of the core elements of the state sovereignty, and even though many officials of the member states governments perceive further integration as an integral part of maximizing Defence capabilities on the EU level, it cannot be expected that national governments will transfer the decisive voice when it comes to controlling their military forces and assets. Many realists argue that EU member states should act much more courageous when it comes to the Defence initiatives, especially by stretching Defence budget further (Mix 2013). The Lisbon Treaty establishes the possibility of “permanent structured cooperation”, which means that subgroups of member states may voluntarily choose to move ahead on their own in the development of specific Defence capabilities.

An effective and integral CSDP considers an autonomous capacity of the European Union to conduct external operations, but many Europeans still live in belief that traditional military threats remain a situation in which you are in need for military power for effective and successful territorial self-Defence (Regelsberger and Schmalz 2001). However, there are those that do not consider traditional military threats as fundamental security concern. Namely, some Europeans tend to perceive and emphasize threats posed to societies by challenges rooted in economics, demographics, climate, environment, migration, and terrorism (Mix 2013). Therefore, use of military forces in dealing with such treats is quite constrained, and, in accordance to that, it has diminished role within the EU's strategic thinking. The future roles of the European militaries should be in peace-keeping missions, stabilization, as well in crisis management. Also, we have to underline that from the establishment of the CSDP, European military capabilities has not been dramatically increased (Howorth 2001).

Consolidating Common Security and Defence Policy and aligning it with the rest of the EU's standpoints is one of the primary objectives for the European Union (Webber, Croft, Howorth, Terriff and Krahnmann 2004). The European Union is tending to evolve new tools and strategies, in order to create an innovative solution to cope with global challenges, by using all available assets in a coherent and comprehensive manner.

Manners and Whitman (2000) in their discussion on EU member states foreign policies are using the term 'Europeanization', in order to empha-

size their arguments on the constraints of the member states to establish and implement independent and sovereign national foreign policies, due to the EU membership (particularly CFSP and CSDP). The 'Europeanization', as Wong and Hill (2011) define it, represents a "process of identity and interest convergence, so that (to the extent to which occurs) 'European' interests and a European identity begin to take root alongside national identities and interests, indeed to both inform and shape national policies". The academic literature on 'Europeanization', which could be also described as "an ongoing and mutually constitutive process of 'Europeanising' and 'Europeanised' countries" (Major 2005), focuses on analyzing the extent of influence, opportunities and constraints of the EU membership on member states' foreign policy and its postulates (Tonra 2001).

The gravitating idea of the 'Europeanization' is that membership in the Union has a significant influence on the foreign policies of the member states (Allen 1996), which outcome could be, according to Wong (2005), convergence of national foreign policies. The impact of the EU membership on foreign policies of the member states is directly dependent on the size and (perceived or objective) strength of one state. Namely, an influential member state perceives the EU's CFSP and CSDP as an opportunity and tool for strengthening their own national foreign policies (Hill 1993), while other member states have interest, due to the lack of necessary means, to be involved into common EU foreign policy mechanisms (Manners and Whitman 2000).

It is considered within the academic community that the 'Europeanization' of foreign policy has more benefits for smaller EU member states (Allen 1996). However, this impact is not straightforward, since the policymakers in the smaller member states perceive this process twofold: as constraining (interfering in their sovereign right to define and conduct foreign policy), as well as a tool for enhancing their national foreign policies. Manners and Whitman (2000) are underlining that this influence particularly depends on foreign policy orientations, i.e. if the EU is the central forum for achieving foreign policy aims, or they have other channels. In a situation in which smaller member states have no significant part in creating the EU foreign policy, those states are under pressure to converge their foreign policies into the CFSP and CSDP. Therefore, this pressure could make a gradual shift of national foreign policymaking from national institutions to Brussels. Nevertheless, this does not indicate a weakening of a smaller member states' foreign policy, since they often lack bilateral capacities to develop international actions (Allen 1996) and possibilities that EU institutions offer could result in bolstering the protection and promotion of their foreign policy aims.

#### 4 POSITION OF MONTENEGRO WITHIN THE CFSP AND CSDP

A number of studies are underlining that the smaller member states' foreign policy are changing substantially as a direct product of the process of 'Europeanization' (Manners and Whitman 2000, Tonra 2001). This paper will address this issue on the example of European integration process of Montenegro, firstly by noting all the alignments with the EU's CFSP and CSDP, and afterwards with emphasizing particularities that are important for our analysis. Therefore, when it comes to the part of Montenegro in the CFSP and CSDP, officials of Montenegrin government have pledged that it can and it will adopt the *aquis* regarding foreign, security and defence policy of the EU (European Commission 2013). Also, the government has indicated that it does not expect any problem in implementing the *aquis* by the adoption of Accession Treaty. In the Screening report (2013) it is underlined that the main objectives of Montenegro's foreign policy include EU and NATO accession, maintaining good neighborly relations and intensifying regional cooperation in the Western Balkans, as well as enhancing bilateral and multilateral international cooperation. When it is invited, Montenegro aligns itself with the European Union's statements and human rights declaration, but also with Council Decisions on restrictive measures. For example, for the period from September 2012 to September 2013, Montenegro aligned itself to all 38 invited measures (European Commission 2014).

Montenegro's main foreign policy aims, apart from EU and NATO accession, are good neighborly relations and boosting regional cooperation in the Western Balkans. In the Screening report (2013) it is underlined that Montenegro does not and should not have any difficulties in implementing EU's foreign policy courses in this region. Also, country is important for the EU because it can make a positive contribution to EU's foreign and security policy in this region, by maintaining close relations, intensifying political dialogue, and establishing diplomatic and trade liaisons among neighboring countries.

Montenegro fully shares the EU's objectives of promoting peace and stability in this region, and involves at the highest political level with all countries of the Western Balkan. It is noticeable that Montenegro plays a proactive role in regional organisations in the Western Balkans and works closely with all regional countries, because it sees itself as a promoter of more frequent and stable regional cooperation. The country actively participates in the work of regional initiatives and organisations, including the South-East European Cooperation Process (SEECP), the Central European Initiative (CEI), the Adriatic-Ionian Initiative, the EU Maritime Strategy and the EU Strategy for the Danube Region (European Commis-

sion 2013). The country also hosts the Secretariats of the Regional Cooperation Council Task Force for Culture and Society and of the Regional School of Public Administration (ReSPA) (European Commission 2014). It is worth mentioning that Montenegro is the initiator of the 'Western Balkan Six' proposal, which aims at bringing together the region's political leaders in an effort to enhance cooperation on European integration. Beside the multilateral level, Montenegro need to fully challenge bilateral issues with its Western Balkan neighbors. It is necessary to enhance its efforts on searching for mutually acceptable sustainable solutions to all pending bilateral issues.

With respect to the EU policies vis-à-vis third countries and regions, such as Russia, the European Neighborhood Policy countries, the Middle East Peace Process, the Gulf Cooperation Council, the Euro-Mediterranean Partnership, the Transatlantic Dialogue, the ACP countries, as well as Latin America and Asia, Montenegro emphasizes that it foresees no difficulties in implementing CFSP positions (European Commission 2013). Of course, it is clear that Montenegro's ad hoc relations regarding third countries reflect the size of the country and its foreign policy postulates. Nevertheless, Montenegro claims that it has solid bilateral relations with Turkey and the Euro-Mediterranean Partnership countries, and, in July 2008, Montenegro even became a member of the Union of the Mediterranean. Also, Montenegro is working closely with the US in the defence sector through the Programme of International Military Education and Training, and various other programs (European Commission 2014).

Montenegro and its government are fully supporting and have already made progress in adopting and implementing the EU objectives on disarmament, arms control and non-proliferation of Weapons of Mass Destruction. Country takes part in some, but not all international instruments and international export control arrangements (European Commission 2013). Montenegro participates in non-proliferation and arms control regimes including the International Atomic Energy Agency, the Preparatory Commission for the Comprehensive Test Ban Treaty, the Organisation for Biological Weapons Convention and the Organisation for the Prohibition of Chemical Weapons (European Commission 2013). The country's legal framework includes the Law on Ionising Radiation Protection and Radiation Safety (OJ 56/09 and 58/09), the Law on Foreign Trade in Arms, Military Arms and Dual Use Goods (OJ, 80/08, 40/11 and 30/12) and the Law on Export Control of Dual-Use (OJ 32/12) as well as strategy documents and action plans. Yet, government of Montenegro is aware of the need for enhancing its administrative resources, which is something that represents the pervading momentum in the process of creating their foreign policies.

Compliance with international commitments on small arms and light weapons is, in principle, also secured. Montenegro states that it complies with the main EU instruments in this field, by underlining that its national legislation is fully harmonised with the Council Regulation setting up a Community regime for the control of exports, transfer, brokering and transit of dual use items (EC 428/2009), the Common Position 2008/944/CFSP, the Common Position on the control of arms brokering (2003/468/CFSP), Joint Action concerning the control of technical assistance related to certain military end-users (2000/401/CFSP), and the EU's Common Military List (2013/C90/01 CFSP) (European Commission 2013). Yet, it is necessary and obligatory for Montenegro not to stop harmonizing its legislation with the *aquis* in this field, and secure implementation and enforcement of arms control regimes in order to improve its capacity for total implementation of its international commitments. The government of Montenegro totally acknowledges the need to boost its administrative capacity, and to develop a National Strategy to combat WMD proliferation and to increase funding for activities related to the clearance of contaminated territories and construction/renovation of warehouses in line with international standards (European Commission 2014).

Montenegro has reached a good level of preparation for accession, if we are talking in general, regarding the security measures for classified information. The legal framework on security procedures for the exchange of classified information is in place and includes the Law on Classified Information and the Criminal Code as well as the Regulation on the manner and procedure assigning information classification and the Regulation on classified information evidence (European Commission 2014). Existing EU-Montenegro security agreement about security arrangements for protection of classified information, which entered into force in December 2010, allows the exchange of classified information. The Directorate for Protection of Classified Information, established in 2008, coordinates and implements EU security policy in the country and acts as the country's national security authority responsible for security clearance and access to classified documentation and electronic communication (Ministry of Defence of Montenegro 2013).

Montenegro is cooperating with the EU, UN, and other relevant international organisations when it comes to the area of conflict prevention (Ministry of Defence of Montenegro 2013). The country aligns itself with the various European Union's measures and statements, which are linked with conflict prevention. Also, this Western Balkan's country expresses its support to the Common Security and Defence Policy, and also, according to the government's position, Montenegro is ready for accession, if we are taking into consideration situations in which we have to deal with

and tackle the military or civil crisis management (European Commission 2013).

Montenegro signed with the EU in March 2010 the Agreement on the country's participation in the European Union's military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery of the Somali coast, what is also called Operation Atalanta (Ministry of Defence of Montenegro 2013). On the basis of this Agreement up to 3 members of Montenegro's armed forces are taking part in this particular EU crisis management operation. Later on, on 22 February 2011, Montenegro signed a Framework Agreement for country's participation in EU crisis operations, in order to facilitate future involvement of Montenegro in other current or future CSDP operations. Beside this, country is making a contribution to other international peacekeeping missions: for NATO Afghanistan (ISAF) – with up to 45 members since 2010 – as well as for the UN in Liberia (UNMIL) – with 2 members as observers since 2006 – and in Cyprus (UNFLICYP) (Ministry of Defence of Montenegro 2013). Upon the invitation of the EU, Montenegro donated military equipment to the Armed Forces of Mali in June 2013.

Montenegro's role and commitments regarding CSDP mission and objectives is projected to gradually enhance, especially when it comes to the civilian CSDP missions. Even though the county's contributions are relatively constrained, but not at all insignificant, Montenegro expressed their readiness to build capacities and capability with the goal to actively participate to the EU Battle Groups in the future (European Commission 2013). Generally, in the Screening report (2013) it is more time emphasized that, even though Montenegro has limited resources, it has totally subscribed to the EU goals of crisis management, and indicates that it will work on improving its administrative capacities to be ready to actively participate in CSDP activities by the time of accession.

With regard to the European Union's sanctions and restrictive measures, Montenegro aligns itself with EU and UN decisions, when requested. Montenegro's main legal framework to implement EU and UN Security Council sanctions is the Constitution (Articles 82 and 9) and the Law on International Restrictive Measures, which foresees a mechanism, by which the Government has to take decisions for each restrictive measure (European Commission 2013). Montenegro has adopted and implemented all UN Security Council restrictive measures, and it strongly committed to implementing restrictive measures in accordance with the *acquis*. So far Montenegro has joined EU in imposing restrictive measures against Myanmar/Burma, Democratic People's Republic of Korea and against certain persons, entities and bodies in view of the situation in Ukraine.

The purpose of this comprehensive overview was to underline all Montenegrin foreign policy actions 'provoked' by the European integration process, which are related to the achieving required standards and for their future activities within the CFSP and CSDP, as well as to the establishing relations and position within the international community. Therefore, in the case of Montenegro we could observe how 'Europeanization' with respect to the CFSP and CSDP could be perceived as a process of foreign policy convergence, with which represents „a dependent variable contingent on the ideas and directives emanating both from actors (EU institutions, politicians, diplomats) in Brussels, and from national leaders in the member states” (Wong and Hill 2012).

The above mentioned alignments are indicating that the European integration process is influencing Montenegro's foreign policy firstly in the domain of legislative reforms that are necessary for adapting to the EU standards. The legislative reforms (such as those related to disarmament, arms control, non-proliferation of weapons of mass destruction, control of exports, transfer, brokering and transit of dual items, and classified information) represents basis for steadily advancing in the negotiation process, as well as for present and future successful implementation of the CFSP and CSDP. In addition, the European integration of Montenegro affects its foreign policy through strengthening its multilateral relations. A required modus operandi is primarily engaging in highest political level with all countries of the Western Balkan, which is affirmed with the country's active participation in the work of regional initiatives and organisations, including the South-East European Cooperation Process (SEECP), the Central European Initiative (CEI), the Adriatic-Ionian Initiative, the EU Maritime Strategy and the EU Strategy for the Danube Region, etc. (European Commission 2013). Secondly, strengthening Montenegro's reputation within the multilateral arena is achieved with its involvement in the operations related to the area of conflict prevention. With that, the abovementioned arguments regarding the benefits for small states (strengthening and bolstering the national foreign policy), which are direct product of the 'Europeanization' (Hill 1993), obtained its foundation on the example of Montenegro.

The most prominent example of the change in Montenegro's foreign policy, due to the European integration process, lies in country's participation in international missions (crisis management operations, peace-keeping missions, etc.) and imposing sanctions and restrictive measures. The later represents one of the most sensitive issues in conducting foreign policy, therefore the alignments of the candidate country in this matter reflects the country's commitment to the 'Europeanization'. Also, these alignments represent a salient turnover of the foreign policy of small states,



since I would argue, from a realist perspective, that no state of minor or medium 'range' in the international community would interfere in any conflict, if there does not exist specific benefit for their involvement. In this case, the stake is prosperous European integration process. The particularly interesting case for our subject of analysis is EU's decision to impose restrictive measures against certain persons, entities and bodies in view of the situation in Ukraine.

On 15 October 2014, the Council of the European Union issued two press releases declaring the alignment of certain third countries with the EU's most recent restrictive measures related to the situation in Ukraine. The first release declared that Montenegro, Iceland, Albania, Liechtenstein, Norway, and Ukraine have agreed to align their national policies with the EU following Council Decision 2014/658/CFSP of 8 September 2014. This decision, as we noted earlier, amends the listing criteria found in Council Decision 2014/145/CFSP of 17 March 2014, which allows for restrictive measures against those seen to be undermining or threatening the integrity, sovereignty and independence of Ukraine. The amendment also adds 24 persons to the sanctions list. The second release declared that Montenegro, Iceland, Albania, Norway and Ukraine shall also align themselves with Council Decision 2014/659/CFSP of 8 September 2014. This decision amended Council Decision 2014/512/CFSP of 31 July 2014 to expand the list of entities subject to sanctions to include certain Russian financial institutions, and defence and energy companies. The amendments also tighten restrictions on Russian access to EU capital markets and the export of dual-use goods (O'Kane 2014).

Diplomatic relations between Russia and Montenegro date from 1711 (Raspopović 2009), and, historically, Montenegro was relying on the Russian empire, first economically, and then military through its centuries-long struggle for independence. Sharing the same religion and because of the solidarity among Christian people, as well as for specific geopolitical interests, Russian empire was a 'state-protector' of Montenegro in certain periods. Starting from recent years, Russia and its people are being present in Montenegro in relatively large scales. Russian businesses, backed by the state, have infiltrated a number of Balkan economies. The side-effect of accepting Russian investments is enhancing energy dependence (Đorđević 2014) and, more importantly, diminishing both EU and NATO accession in the region. Therefore, in order to achieve and protect its interests in this region, Russia was underlining heavily its ethno-cultural ties and religious links with Montenegro.

Russian investment in Montenegro in recent years had been larger than any other foreign investments in the country. From 2009 to 2011 the Russian Federation had invested more than 300 million USD in wide range of areas,

but mainly in tourist and metal industries (Đorđević 2014). According to the Central bank of Montenegro, in 2013 Russia has invested more than 136 million USD, of which 108 million went to the real estate sector, followed by the intercompany debt of 25 million USD, while investments in companies and banks were 3 million USD (Intellinews 2014). In addition, Russian tourists represent about 1/3 of all tourists visiting Montenegro (300,000 per year), and Russian businesses have acquired a number of major tourist resorts in Montenegro (Đorđević 2014).

Since the Ukrainian crisis has arisen and disrupted the relations within the international community, Montenegro, as an aspirant for the EU and NATO membership (received invitation to start with the accession talks on 2 December 2015), was practically forced to choose a side in the geopolitical strategic dualism – Russia and EU. And, as it was previously stated, Montenegro supported the EU policy of visa bans and freezing of assets of individuals closely connected with the Kremlin. Montenegrin president and other officials tried to minimise the damage in the bilateral relations by emphasizing and repeating that this was not an anti-Russian policy, but it was for the sake of prompt EU integration process and accession to NATO (RT 2014). Yet, I would argue that Montenegro, a country with the population around 620,000 people (size of the twentieth-largest city in Russia), if there was no question of EU (and NATO) integration involved, would never consider imposing these restrictive measures, particularly for two motives.

The primary motive lies in the logic of conduct of small states (in terms of international significance and powers). Namely, in the situation of a big global geopolitical issues and clash between the major powers, a small state would prefer (again from a realist perspective) to stand aside and not interfere in the dispute matter. Yet, in this conflict, due to the Montenegro's membership aspirations, this country had to align with the EU's restrictive measure, and with that made a choice that is against its basic foreign policy postulates that are determined by its size and role that they can materialize globally. Second argument that I would introduce is located in the presented figures from the previous paragraphs. Montenegro, as a small economy that is directly dependent on foreign direct investments and external trade, could not afford deterioration of relations with such a big and important actor of their economy. However, Montenegrin government has chosen the European path, as a more significant and beneficial for the future sustainable development and their geopolitical interests. Having all that in mind, in terms of Ukrainian crisis and EU restrictive measures, it is clear that Montenegro was under pressure to converge its foreign policy into the CFSP and CSDP, in order to preserve a stability of the European perspective (Manners and Whitman 2000).

## CONCLUDING REMARKS

Everything that has been said opens a question that is in the domain of political philosophy – the issue of national sovereignty within the integration processes, since the national sovereignty has become an important attribute of that process and discussions on the changing nature of state authority (Romaniuk and Stivachtis 2015). Indeed, there are many different types of sovereignty, and Keohane (2002), deriving from interpretation of sovereignty articulated by Jean Bodin (sovereignty cannot be divided), underlined that “the external sovereignty represents a form of self-determination or authority that is subject to no other state and has full and exclusive powers within its jurisdiction without prejudice to the limits set by applicable law”. As stated above, Keohane (2002) notes that EU Member States have departed considerably from the classical meanings, i.e. Westphalian understanding of sovereignty.

Nevertheless, I would argue that the process of EU integration means *de facto* trading national sovereignty for the benefits that could be eventually achieved in the future with the EU membership (Wessels 2004). *De facto* because conduct of foreign policy of the candidate countries is being determined among 28 other states, and they do not have an opportunity, or, to be more precise, right to take part in the decision making process on the issues that are related to them as well. Nevertheless, it is an indisputable fact that the candidate countries have the possibility to determine whether to align or not with the some specific EU policy. However, in order to fully achieve the outlined targets, the candidate countries must prove their willingness and, more importantly, ability to adopt and implement various EU policies. Therefore, in our context of analysis the national foreign policy-making is partially shifting from national institutions in Podgorica to the institutions in Brussels.

In this paper I have tried to present how candidate countries are *de facto* trading their national sovereignty for the sake of successful process of EU integration on the case of Montenegro and its foreign policy. That does not indicate a fragility of the small member states’ foreign policy, since they often lack instruments and tools to achieve and protect its objectives within the international community (Allen 1996). Trading national sovereignty (Wessels 2004) represents one challenge on the EU path that candidate countries need to fulfill in order to obtain a seat at the table. And that is completely legitimate conduct of foreign policy, since the EU membership represents an essential determinant of the foundation and postulates of their foreign policies.

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## SAŽETAK

PREDODREĐENA VANJSKA POLITIKA – USKLAĐIVANJE NACIONALNIH  
POLITIKA DRŽAVA KANDIDATKINJA SA ZAJEDNIČKOM VANJSKOM  
SIGURNOSNOM POLITIKOM I ZAJEDNIČKOM SIGURNOSNO  
OBRAMBENOM POLITIKOM: SLUČAJ CRNE GORE

Ovaj rad će analizirati kako i u kojoj mjeri države kandidatkinje, tj. Crna Gora usklađuje svoju vanjsku politiku sa ZVSP-om i ZSOP-om. Teorijski okvir će biti formiran oko dva temeljna alternativna koncepta – upravljanje iz pozicije države i višerazinsko upravljanje. Također, u radu će se ukratko prikazati kako je Lisabonski ugovor utjecao na ZVSP i ZSOP i stvorio ono što imamo danas. Nakon toga, predstaviti će se usklađivanje crnogorske vanjske politike s EU, s posebnim naglaskom na nametnute sankcije u odnosu na situaciju u Ukrajini, zbog višeslojnih odnosa između Crne Gore i Rusije. Sve ovo treba nam omogućiti zaključak utječu li i do koje mjere ZVSP i ZSOP na crnogorsku vanjsku politiku i njene postulate.

KLJUČNE RIJEČI: Crna Gora, politika proširenja, ZVSP, ZSOP, Europska unija.





EC/EU MEMBERSHIP AND AUSTRIA, SWEDEN  
AND FINLAND: NEUTRALITY REDEFINED  
WITH EUROPEAN NORMS?

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ABSTRACT

Based on sociological institutionalism and approaching neutrality from a political perspective, this article investigates domestic political debates on neutrality in Austria, Sweden and Finland. The aim was to answer the question how their concepts of neutrality were reconceptualised in relation to European norms of peace, democracy, liberty, human rights and rule of law during their EC/EU membership applications. In the Austrian case, neutrality was framed to be compatible with membership due to its same embedded normative aspects as the European norms. However, despite similar norms, Swedish neutrality was not argued to be adaptable to the European norms because of the notion of national autonomy and exceptionalism associated with neutrality. Finally, Finnish neutrality, first and foremost conceived and developed out of security concern, was not redefined with reference to European norms as such, but rather considered a security tool to be abandoned once the threat from the East disappeared in order to get fully integrated with the Western Europe. This article comes to the conclusion that neutrality is not merely a matter of security, but also embedded with cultural dimension, resulting in different reactions with European norms, hence different interpretations of neutrality. This would in the future have a certain implication on those countries' roles in the Common Foreign and Security Policy.

KEY WORDS: neutrality, Europeanisation, Austria, Sweden, Finland

1 INTRODUCTION

Towards the final phase of the Cold War, the three European neutrals, Austria, Sweden and Finland, applied for a membership of the then European Community in 1989, 1991 and 1992 respectively. Those three neutrals' prospective close participation in the European family as full members

sparked domestic political debates with regard to the compatibility of membership with neutrality.

This was largely due to the fact that, unlike the international organizations of universal character, a neutral state's membership in a regional organization would give the impression of partiality toward a group of states. In the EC case, the supranational decisions could not only hamper the autonomy of those states, but the Community had also set the aim of becoming a political union. Nonetheless, Austria, Finland and Sweden submitted their applications and gained membership in 1995, with neutrality not phased out altogether. This situation leads to the assumption that the definition of neutrality was subject to change to the extent that it could go beyond the legal meaning and original intent of neutrality.

This research approaches neutrality as a contested concept, the definition of which is to be uncovered from discourses and their contexts. Based on the ontological conception of sociological institutionalism, the core assumption here is that an institution affects an actor, who, in order to develop identities compatible with it, internalizes the norms of the institution, hence the research question:

To what extent were the concepts of neutrality in Austria, Sweden and Finland redefined in domestic political debates in relation to European norms during their applications for EC/EU membership?

It is arguably important to ask this question because this will lead to a better understanding of those states' roles in the formation of the EU common foreign and security policy. Some literature prematurely argued for the incompatibility of neutrality with the mutual defense clause brought about by the Treaty of Lisbon, without paying much attention to their membership application period (Devine 2011). Upon detailed investigation back then towards the end of the Cold War, this may reveal the compatibility with the EU's security ambition in their respective readings of neutrality. In the other scenario, it may be that some of them had already intended to forsake neutrality, in which case the compatibility with the mutual defense clause in Lisbon would be out of question. This will be revealed as the content of this research unfolds in each case study.

## 2 STATE OF THE FIELD

Neutrality has traditionally been studied from the legal and political perspectives. Legal scholars investigate the rights and duties of neutral entities along historical development (Vagts 1952; Verdross 1956). The legal view remained dominant until the end of the Second World War, after which it was gradually superseded by a political notion of neutrality. This was largely because, in legal literature, little was covered about what a neutral state should do in peacetime.

In political science, neutrality is studied along the line of the dominant international relations theory in a given period of time. Since the late 1950s to 1980s, neutral states were considered weak, passive and vulnerable in realist IR literature (Morgenthau 1958). Considered small, a neutral state was normally fused with the study of other small states with a blurred focus on neutrality (Handel 1985; Katzenstein 1985). As for realist literature devoted to neutrality, the object of study primarily dealt with what a neutral state should do to survive in a given geopolitical context (Karsh 1988; Hakovirta 1988). It was largely due to the political approach that the definition of neutrality extended beyond the common legal definition of non-participation in war. From the laws of neutrality, states can customize neutrality according to their specific interpretations (Hakovirta 1988), not least affected by the origins its neutrality (Maude 1982; Vagts 1998).

Neutrality study gained dynamics in the wake of the debate between rationalism and reflectivism around the 1990s. It was during this period that a substantial literature explored a connection between domestic politics and foreign policy, paving the way for social constructivism. Domestic values, preferences, history and norms were given focus, thereby providing insights into foreign and security policies of neutral states (Aigus and Devine 2011). These works brought into light not only divergences between neutrality of states, but pointed to the need to take into account the specificity, belief and values of each neutral (Norman 1993; Nevakivi 1993; Malmberg 2001; Lantis and Queen 1998; Eliasson 2004; Ferreira-Pereira 2005; Kořan 2006). This corresponded with methodological innovative, i.e. discourse analysis, to uncover those hidden facets of neutrality previously understood only in security term.

Recently, attention was paid to the development of neutrality in the EU foreign and security policy framework. In this regard, Karen Devine studied the discursive contents of neutrality in EU neutrals in parallel with the development of the Common Foreign and Security Policy and measured the compatibility with the mutual defense clause brought about by the Treaty of Lisbon (Devine 2011). What is missing in Devine's study is the collation of neutrality with the European norms.

Some works found the reorientation of foreign and security policies of Austria, Finland and Sweden in line with broader European priorities (Möller and Bjereld 2010; de Flers 2012; Rathkolb 2008). In particular, Douglas Brommesson investigated how Swedish foreign policy came to be reoriented along the line of European norms identified as peace, democracy, human rights, liberty and rule of law (Brommesson 2010). Still, these works did not single out neutrality as a separate subject of study, but mingled it with the broader foreign and security policy. Moreover, some other researches argued for neutral states' active contribution to European

security notably in terms of conflict management and the promotion of non-military security solutions (Eliasson 2004; Miles 2005; Strömvik 2006; Väyrynen 2006). Nevertheless, there was a missing connection to substantiate that the neutral states understood these activities to be an integral part of their neutrality.

This research builds on the previous literature by using the findings with regard to the specific content of neutrality of each case study and domestic debates surrounding the application for EC membership. By investigating the content of neutrality as such apart from the broader security and foreign policy and by collating it with European norms, this study will contribute to the field of neutrality study in particular and add to an ontological and epistemological debate in the broader field of Europeanisation study.

### 3 RESEARCH DESIGN

This research tailors a method of content analysis to uncover how neutrality was interpreted in each case study. Because of the limited access to primary sources and my incompetence in German, Swedish and Finnish, only available few primary and secondary sources in English and French will be used. In order to compensate for this problem and to reduce the bias associated with the selection of discourses in secondary literature, I have tried to find and use a variety of sources to crosscheck the accuracy to the extent possible. In addition, a comparison between the three neutral states elaborated below is supposed to make up for the resource problem by bringing about not only a clearer picture of the similarities and differences between them, but also a factor which would explain the different outcome with regard to the internalization of European norms.

In order to understand what choices were proposed in domestic political debates with regard to neutrality and membership, this research argues for the relevance of each case study's specific historical context in which the concept of neutrality had developed. This is because an actor's choices with regard to neutrality had become institutionalised over time, constraining the actor's policy choices by means of eliminating alternative solutions or making the deviation from the path dependency costly. As the process of path dependency is contingent upon the conditions of the preceding stages in the temporal sequence, this theoretical conception necessitates the investigation into the history of neutrality in each of the neutrals. This will later explain the extent to which the path dependency allowed for the reinterpretation of neutrality during the membership application.

The European norms refer to the five core norms identified by Ian Manners from the *acquis communautaire* and the *acquis politique* of the Union: peace, liberty, democracy, rule of law, and respect for human rights

(Manners 2002). As Manners rightly argues, the five core norms clearly have a deep historical context to them attached to Western Europe. Therefore, I argue that the core norms had become “sticky” or well-established in the institution and have strong normative power over candidate states according to the theory of sociological institutionalism.

To analyse the domestic political debates, it is necessary to refer to the ontological understanding of sociological institutionalism. That is, the EU affects a candidate state, which, in order to develop identities *compatible* with it, internalises the norms of the institution. The keyword leading to the answer to the research question is thus *compatibility*. In order to investigate the extent to which European norms were absorbed in the concept of neutrality, it is argued that in cases where neutrality was presented as compatible with European norms, the concept of neutrality was enlarged to include those norms.

In cases where neutrality was primarily tied with security concern without or with relatively much less aspect of identity, it is more likely that neutrality would be abandoned once the security threat disappears. In cases where neutrality is strongly tied to the identity of the country in question, the reconceptualisation of neutrality to include European norms was out of question. Finally, in cases where neutrality was tied to values such as peace, democracy and human rights, it was more likely that the concept of neutrality would be enlarged to incorporate European norms. Nonetheless, since the normative aspects of neutrality were not necessarily confined to the European norms, there were normative aspects of neutrality that were not amenable to interpretations of compatibility with European norms. In such cases, some normative aspects of neutrality were hindrances to the reinterpretation of neutrality as compatible with European norms.

The case studies will be investigated individually in a chronological order of application submission: Austria (1989), Sweden (1991) and Finland (1992). Each chapter begins with the evolution of neutrality, followed by the domestic political debate and closed with an analysis.

## 4 THE AUSTRIAN CASE

### AUSTRIAN NEUTRALITY: A BACKGROUND

The origin of Austrian neutrality could be traced back to 1955. Austria was then demanded by the Soviet Union to declare permanent neutrality based on the Swiss model as a condition for the restoration of its sovereignty. This Moscow Memorandum of 15<sup>th</sup> April 1955 led to the conclusion of the State Treaty for the Re-Establishment of an Independent and Democratic Austria (State Treaty). The declaration of Austrian neutrality came later on 26<sup>th</sup> October 1955 (Neuhold 1994). On that day, the Austrian Parliament

adopted the Constitutional Law on the Neutrality of Austria, stipulating that the country will not join any military alliances or permit the establishment of any foreign military bases on her territory.

Federal Chancellor Leopold Figl, in his press announcement on 23<sup>rd</sup> October 1956, stressed that Austria was “a free state not subjected to any obligations; its neutrality is of purely military nature” (Op. cit. Kořan 2006, 25). This interpretation of neutrality allowed Austria a freedom to make a choice for full membership in any given non-military alliance and organisation according to the Austrian understanding. Subsequently, Austria applied for and gained a seat in the United Nations (1955) and the Council of Europe (1956). This position was also seconded by the so-called Verdross doctrine, arguing for the relevance of neutrality only in wartime (Verdross 1956, 63–65).

The identity dimension of neutrality began to develop from 1957 onwards. The reinterpretation suggested that a neutral country was not only obliged to pursue a policy that eschewed any possibility of getting involved in a war, but also *actively* seek policies that create conditions eventually leading to the abolishment of wars as such (Kořan 2006, 28). Consequently, Vienna demonstrated a high degree of international engagements, including a deployment of military personnel (Meyer 2007, 3) in Kongo (1960), Cyprus (1972) and the Golan Heights (1974). The chancellorship of Bruno Kreisky also brought Austria to the scene of mediation on the international political stage, allowing its people to overlook that their country was only a small country without influence (Meyer 2007, 3). The national consciousness and pride of the Austrians was particularly increasing during this era of active foreign policy with the view of internationalism as active peace builder.

After the end of Kreisky’s term in 1983, Austrian neutrality underwent another transformation by the Foreign Ministers Leopold Gratz and Alois Mock, who brought Austria to the period of “realistic foreign and neutrality policy,” with a focus on regional matters with European outlook (Kramer 1996, 169–170). Foreign policy was supposed to serve nothing, but the “actual needs” and “interests” with the aim to defend the status quo by a policy of natural self-restraint from international activism. In addition to the escalating crisis in the relationship between the United States and the Soviet Union and the reducing importance of the Third World, this narrower interpretation of neutrality was due to domestic recession, rising unemployment and structural crisis in the nationalised industries (Kramer 1996, 172). In turn, this new interpretation of neutrality opened a debate on the prospect of Austria’s membership in the EC, which shall now be addressed in details in the next section.

## AUSTRIAN NEUTRALITY AND EC MEMBERSHIP

The discussion in the governmental circle over the possibility of full membership began as soon as the European Economic Community (EEC) was established by the Treaty of Rome in 1958.

In the late 1950s, to defend the decision not to take a part in the European integration, the then Foreign Minister Bruno Kreisky referred to the commitment made in the Moscow Memorandum (Kořan 2006, 26), that is, to remain not only militarily, but also politically and economically neutral. Any association with the Common Market would make it difficult for a neutral state to escape commitments of politico-military character (Tarschys 1971, 72; Karsh 1988, 126–7).

However, the Austrian attitude began to change at the end of the 1980s under the new coalition between the Social Democratic Party (SPÖ) and the Austrian People's Party (ÖVP), in favour of Austria's accession to the EC (De Flers 2012, 94). Following the fall of the Berlin Wall, several Austrian politicians began to voice that neutrality either was obsolete or needed to be revised. Still, the then Chancellor Franz Vranitzky was for the continuation of neutrality, although needed to be revised, as of yet no stable new security structure had developed in Europe and because of the positive popular view since 1955 considering neutrality to be a part of Austria's identity (Meyer 2007, 6; Kramer 1996, 180; Luif 2003),

On the other hand, according to the ÖVP's foreign policy spokesman, Andreas Khol, neutrality had outlived its usefulness and had to be replaced by solidarity with Europe, a position supported by Foreign Minister Mock (Kramer 1996, 180). According to Mock, aside from economic arguments, national security considerations were in favour of Austria's accession to the EC due to the rapid world integration and new security problems (Kramer 1996, 180).

On the middle ground, the Secretary of State for Integration and Development Cooperation, Peter Jankowitsch, proposed to maintain neutrality, but with a reinterpretation (Jankowitsch 1994, 35–62). According to him, Austrian neutrality, since its inception, had been used for the sake of peace, the very same purpose that the EC aimed to achieve. In the UN, Austria had a voting record that placed the country very close to other West European democracies with regard to the right of self-determination of Third World nations and the campaign against Apartheid. Policy events in the Gulf in 1990 and 1991 also demonstrated Austria's solidarity with international community. This standpoint was also accepted in the government and the parliament (Kramer 1996, 178). Based on the past neutrality policy of Austria, Jankowitsch argued that Austria's external policy has always shared the fundamental values towards a common Western European stance in international politics: the safeguarding of human rights, the

reduction of tension through co-operation and mutual confidence, disarmament and the promotion of a liberal system of economic exchanges and solidarity (Jankowitsch 1994, 57).

Membership negotiation was set for 1<sup>st</sup> February 1993. In the opening session in Brussels, Foreign Minister Mock declared that Austria was ready to accept the principles of the European Union and to adopt its *acquis*, although without raising the issue of neutrality (Kramer 1996, 182). However, in a government statement made in Vienna, it was clarified that Austria was entering as a neutral (Kramer 1996, 182).

#### ANALYSIS

The prominent argument after the collapse of the Soviet Union was in the direction of abandoning neutrality for the sake of solidarity with the European peers. This was largely due to the fact that the threat that had constituted a prerequisite to its neutrality, thereby the restoration of its statehood, was perceived to almost virtually disappear. Nevertheless, politician could not categorically abandon neutrality in favour of membership due to the normative values of neutrality embedded in the path dependency of neutrality. The decision to adopt this policy, its subsequent usefulness and the association with national identity had become locked-in to the extent that politicians were unable to abandon it without the risk of agitating the public. As a result, the politicians were obliged to sustain neutrality, albeit with redefinition.

Because of neutrality's international activist aspect, the government argument was framed to demonstrate this ideological aspect as compatible with the European norms. This came with concrete examples as Vienna did not only actively participate in UN peacekeeping missions, but also acted as a middle man for negotiations and a venue for international organisations. This internationalist aspect of neutrality was realigned to suit with the regional outlook towards the EC membership. Among other things, Austria's voting behaviour in the UN setting was emphasised in the governmental circle to be in the same direction as EC member states. Because of the shared goals of Austrian neutrality and the EC in promoting such norms as peace, human rights, democracy and liberty, neutrality was portrayed compatible with the membership.

As will be seen in the next two chapters on Sweden and Finland, Austrian neutrality was not instilled with a relatively strong sense of national autonomy vis-à-vis the West and the East or the high security sensitivity vis-à-vis the USSR in comparison with Sweden and Finland respectively. As a result, Austria faced the least difficulty in redefining its neutrality along the line of European norms. This point will be further



elaborated in the closing chapter putting the three case studies into perspectives.

## 5 THE SWEDISH CASE

### SWEDISH NEUTRALITY: ORIGIN AND DEVELOPMENT

The root of modern Swedish neutrality can be traced back to the 19<sup>th</sup> century. Having ceased to be a great power following the Great Northern War, Sweden under King Karl XIV adopted a neutral stance with the aim to avoid the involvement in the Middle East conflict, laying the foundation for the principle of “non-participation in alliances in peace time, aiming at neutrality in the event of war” (Wahlbäck 1986, 8; Ferreira-Pereira 2005, 466–8). Unlike its Austrian counterpart, Swedish neutrality was not founded on any legal instruments, but political practices. This flexibility would later allow the country a large room of maneuver in the interpretation of neutrality.

As the Second World War developed, Swedish neutrality was challenged. Sweden allegedly perpetrated a violation of its neutrality. From 1940 to 1943, Stockholm permitted a regular transfer of German troops and equipment from Norway across Swedish territory to Germany and Finland (Karsh 1988, 56; Hicks 1965, 184–6). In response to the criticism, the Swedish government was of the view that the rule of neutrality did not apply to the transport of belligerent troops across neutral territory to an occupied area where hostilities had ceased (Wahlbäck 1986, 49). Notwithstanding, this alleged flaw in Swedish neutrality would emerge again in the domestic debate on neutrality and EC membership for the forsaking of neutrality.

During the Cold War, the government reiterated its preparedness to fulfil its obligations under the UN Charter vis-à-vis the collective security system, albeit with the reservation of neutrality in case of division into power blocs inside the UN (Norman 1993, 306). It is also during this period that the Foreign Minister Östen Undén further developed Swedish neutrality. According to him, not only was it necessary to refrain from any commitment that might impair Sweden’s status as a neutral in wartime, it was also of paramount importance to pursue a policy that inspired and sustained the confidence of the antagonistic blocs in Sweden’s ability and determination to remain a neutral in wartime (Norman 1993, 307). This was manifested in the increase in armed forces, which were not only for the sake of the credibility of its neutrality, but also used for UN peacekeeping operations considered to be of its own security interest. This active participation helped to make the Swedish neutrality universal in the eyes of the

organisation's members, bringing the UN to rely on its contribution for the purposes of mediation and reconciliation (Karsh 1988, 120).

Another main theme in Undén's non-partisan foreign policy was that Sweden should follow an independent, objectively charted course between the East and the West (Norman 1993, 307). In practice, this was translated in Sweden's condemnations of both the US and the USSR (Karsh 1988, 120; Melbourn 2008, 134; Fox 1965, 776). Also, by siding with and providing generous development assistance to newly liberated Third World, Palme strengthened Sweden's national autonomy vis-à-vis the Western and Eastern blocs (Mellbourn 2008, 135).

The Swedish wish to stay autonomous vis-à-vis the East and West was also the origin of the Swedish *exceptionalism* as an alternative between Capitalism and Communism. Palme further integrated the role of Sweden in the world with the furtherance of the Swedish Social Democratic model of economic and social development as the middle way between those two opposing camps. This Swedish course of neutrality was not only chosen out of realistic security concerns, but also had a higher ideological value as such (Mellbourn 2008, 135). This normative side was further strengthened by the economic success of the welfare state mythologised with the long peaceful existence of the country outside the wars as a result of its adopted neutrality. Neutrality thus weighed heavily on the emotional scales of the population with the support of virtually all citizens (Ferreira-Pereira 2005, 468).

Seen in this light, Swedish neutrality was not the option to stay passive out of troubles of world conflicts, but a tool for activism and an expression of virtues and values, a normative aspect of neutrality.

#### SWEDEN AND EC MEMBERSHIP: DEBATES ON NEUTRALITY

As in the Austrian case, membership of the EC was inconceivable before the end of the Cold War due to the perceived incompatibility with neutrality to participate in the supranational European organisation (Lassinantti 2001, 103), coupled with the perception of Swedish neutrality as antithetical to the EC considered conservative, capitalist, colonial and catholic (Miles 1997, 187–9; Aigus 2011, 378). However, when the Conservative came into power in September 1991, Prime Minister Carl Bildt underlined Sweden's transition from a reluctant to an eager European. In his statement of 18<sup>th</sup> November 1991,

The policy of neutrality could no longer be adequately applied as a description of the foreign and security policies. We wish to pursue within the European framework. We will pursue a policy with a clear European identity. (Op. cit., Norman 1993, 310)

Furthermore, he declared his position vis-à-vis neutrality that,

The hard core of Sweden's security policy would continue to be non-participation in military alliances, with an obligation to maintain an adequate and independent defence capability to enable us to be neutral in the event of a war *in our immediate vicinity*. (emphasis added) (Op. cit., Norman 1993, 310)

According to this so-called 1992 formula of Bildt, the expression "in our immediate vicinity" meant that once Sweden moved outside its neighbourhood, it was free not to be neutral as in the case of the Bosnian War, in which Stockholm took part in peacekeeping operations under NATO (Ferreira-Pereira 2005, 469). This amounted to the shift in co-operation framework from the universal one under the UN to the regional one under NATO to achieve the same purpose. Bildt further argued that international legal neutrality was not a self-evident choice for Sweden if the Balts, in its vicinity, were threatened militarily (Malmborg 2001, 177).

Disengagement with Swedish traditional neutrality was intensified by the discourse of the false myth of neutrality (Möller and Bjereld 2010, 379). Sweden arguably deviated from neutrality by allowing the transit of German troops through its territory and later arranging to receive assistance from NATO in the event of an attack against Sweden. If the state was never really neutral, then neutrality had a false relationship to the identity of the nation-state (Möller and Bjereld 2010, 379). This was also supported by the Permanent Under-Secretary of State for Foreign Affairs, Sverker Åström (Huldt 1994, 143).

Criticising the Bildt government for having too light-heartedly abandoned traditional Swedish neutrality, the Social Democrats conditioned membership upon Sweden's status quo; "naturally membership is favoured if we can only keep Sweden as it has been up to now" (Op. cit., Huldt 1994, 125). Likewise, Lars Werner, the leader of the Left Party was of the view that membership would imply giving up neutrality, while Birger Schlaug, spokesman for the Environmentalists, noted that Sweden would be giving up its voice in the world and that the country would now become a member of a military pact (Huldt 1994, 130).

Returning to power in 1994, the Social Democrats under Prime Minister Ingvar Carlsson brought Sweden into the European Union on 1<sup>st</sup> January 1995. This came with the announcement that Sweden should not only engage in Europe and the Baltic Sea region, but again deal more with the Third World and UN (Malmborg 2001, 177).

## ANALYSIS

As could be discerned, the domestic political debate revealed that, irrespective of parties, neutrality was viewed incompatible with membership. This leads to the assumption that Swedish neutrality was not reinterpreted to demonstrate its compatibility with European norms to a large extent.

In connection with Stockholm's desire to distant itself from conflicts between great powers, Swedish neutrality served Sweden's autonomy cause vis-à-vis the two opposing blocs during the Cold War as concretely manifested in the Swedish condemnations of both the USA and the USSR. This notion of autonomy as an independent and sovereign state was subsequently tied with the idea of Swedish exceptionalism as a successful welfare state, a middle way between Capitalism and Communism. This was further strengthened by the Swedish alignment with the Third World and small states in its support for their right to self-determination and independent development policy, with the implication that Stockholm was against colonialism. This independent position with regard to the West and the East led to Sweden's trusted role as mediator and spokesman of small newly independent states in the bipolar world order. In short, national autonomy, in addition to its security sense, had established itself in the ideological sphere of Swedish neutrality.

This distinct identity associated with neutrality, in turn, constituted the main hindrance for the Swedish neutrality to be interpreted in such a manner as to demonstrate compatibility with membership, since national autonomy would come to no sense if independence in decision-making would be largely constrained by supranational power of the Community. Also, given the colonist status of member states, the Community was perceived to have adopted the colonial cause, which was against the ideological aspect of Swedish neutrality in favour of the independence of Third World countries. In addition, as a middle way of welfare state, an alternative to Capitalism and Communism, this exceptionalist aspect of Swedish neutrality stood distant from the Capitalism-oriented Community. Because of these reasons, membership and neutrality were antithetical to each other, and the absorption of European norms into Swedish neutrality was thus hardly conceivable.

This incident simply reaffirms the relevant role of the path dependency in limiting alternative interpretations of neutrality. A set of policy associated with neutrality during the Cold War had become locked-in and embedded in national identity to the extent that politicians were unable to forsake neutrality altogether without arousing public discontent. At the same time, institutional choices of neutrality during the membership application did not allow the concept to completely absorb European norms in order to demonstrate its compatibility, i.e. to manifest that Sweden could

still be a good member with neutrality sustained. This dilemma could seem to explain the inception of the 1992 formula, merely a confusing message of the government's aspiration to abandon neutrality while appeasing the public of the continuation of this policy.

It could be discerned that, as in the Austrian case, the debates about neutrality in Sweden were undertaken with a notable reference to the European norms and identity and with a remarkable concern about its compatibility with the membership, as the sociological institutionalism would explain. However, unlike the Austrian case, the rhetoric about solidarity with member states was formulated in separation from Swedish neutrality. In other words, solidarity was not integrated in the new concept of neutrality as such.

## 6 THE FINNISH CASE

### FINLAND'S NEUTRALITY: ORIGIN AND EVOLUTION

Finland's geo-strategic position between stronger neighbours turned it into the traditional battleground between these powers (Karsh 1988, 84). In particular, Finland was long perceived by Russia as an important strategic location as a buffer state. The control over the Finnish territory had been the aim of Russia, for fear that Finland would become a springboard of an attack against it by Sweden and Germany (Karsh 1988, 84). In order to distant itself from great powers' conflicts, neutrality was officially declared at the outset of the Second World War in September 1939 (Nevakivi 1993, 36). As the War developed, Finnish neutrality was put to test.

Following the Soviet invasion of Poland and claims over the Baltic States, the Finnish representatives were invited to Moscow to sign a treaty of mutual assistance based on a similar model as with the Balts (Nevakivi 1993, 36). Considering the defence treaty inconsistent with neutrality to the extent of *de facto* identification with the Soviet Union, Helsinki outright rejected (Nevakivi 1993, 37; Karsh 1988, 88). Finland was later given a chance of a negotiated peace instead of an unconditional surrender. By this way, Finland remained independent, albeit with destructive remnants of war in the country.

Following the Second World War, Finland found itself in the middle of the two opposing blocs. Given the experience of the previous failed negotiations with serious consequences, the Finnish leadership advocated a more flexible line towards its Soviet neighbour (Karsh 1988, 90-1). Coupled with the looming conflicts of the Cold War, the Finns, desiring to remain outside the turbulences, agreed to sign with the Soviet Union the Treaty of Friendship, Cooperation and Mutual Assistance (FCMA) on 6<sup>th</sup> April 1948. The military obligations therefrom were of unilateral nature. While

the Soviet Union was required to provide Finland with military support, Finland had no reciprocal obligation. Soviet troops were to be dispatched to Finland not automatically, but only in a case of necessity and upon Helsinki's approval, the position which the incumbent President Passikivi stressed from the beginning (Nevakivi 1993, 41). It could also be discerned that the treaty did not imply Finland's political engagement with the Soviet Union in the sense that Finland would be included in the Soviet bloc. In connection with this, President Passikivi, based on his hypothesis that the Russian interests in Finland were only of strategic nature, affirmed in September 1947 his commitments to stay out of any hostile action or alliances directed against the Soviet Union, but "in other respects and before all in defending our democracy we belong to the Nordic and Western countries" (Op. cit., Nevakivi 1993, 41).

Despite Finland's cautious foreign policy manoeuvre under President Kekkonen in rendering official positions in the UN impartial vis-à-vis the East and the West, it happened that Finnish delegates to the UN abstained from voting on resolutions against the Soviet Union after the suppression of the Hungarian uprising (1956), intervention in Czechoslovakia (1968) and occupation of Afghanistan (1980) (Karsh 1988, 93). This avoidance of criticising the Soviets raised doubts in the West. If Finland wished to identify with the west, what could then explain this seemingly controversial action?

This brings us to the notion of Finlandisation associated with the FCMA Treaty. Despite its distinguished feature vis-à-vis the treaties that the Soviets concluded with their Eastern bloc countries to the effect that Finland was not officially integrated into the bloc, the idea of Finlandisation had a negative connotation of Finland's relationship with the Soviet Union (Maude 1982, 3). In practice, this was seen in the government's censorship of political criticism about Soviet actions. This fostered the original American and British views that Finland had been "compartmentalised" in terms of identity politics (Wahlbäck 1981).

However, in the Finnish eyes, this was crucial to their country's survival. Article II of the FCMA Treaty committed Helsinki to mutual consultations with the Soviet Union in the event of military threat. The perceptions of Soviet foreign and defence policy were thus relevant for Finnish leaders; it was in the Finnish interest for their leaders to sympathise with Soviet security concerns (Maude 1982, 6). Otherwise, they might be surprised by a demand for the implication of the military clauses in the FCMA Treaty. It could thus be inferred that, paradoxically, *because* of its wish to identify with Western democracies, Finland had to impose self-restraints with regard to the criticism of those Soviet actions; otherwise, it would have been occupied and completely incorporated in the Soviet bloc.

Besides, Kekkonen actively sought to promote a more stable and peaceful international environment that would, in turn, accommodate a more favourable setting for Finnish-Soviet relations (Karsh 1988, 93–4). This active component of Finnish neutrality was manifested in a various foreign policy instruments. In this regard, Finland became a forum of many bilateral and multilateral interactions such as the SALT negotiations (1962–1972), bilateral talks between the two powers in the late 1970s and early 1980s, and preparatory talks for the Conference on Disarmament in Europe (1983). Other prominent examples were the Finnish initiatives and sponsorship of the CSCE.

#### FINLAND AND EC MEMBERSHIP<sup>1</sup>

Sami Moio conceptualised the debate on membership as interplay between two major political persuasions: nationalist-realist and western-liberalist (Moio 2006, 439–64). The key difference between them was the question of how to manage relations with the Soviet Union/Russia and Western Europe. While nationalist-realists put emphasis on neutrality and non-alignment as the best way to secure the survival of the Finnish statehood, their western-liberalist counterparts often supported the idea of political and military alliance with western countries for the same end.

The dominant narrative of neutrality during the Cold War was of nationalist-realist nature, the presidents in favour of neutrality subjugating the other argument. However, the geopolitical transition brought about by the end of the Cold War seriously undermined the dominant political standpoint. The political debate on the country's neutrality became heated between late 1991 and late 1994 along the internal political struggle over membership of the EC/EU.

The nationalist-realists argued that EU membership did not guarantee Western Europeans' readiness to provide military aid in case of Russian aggression. Therefore, Finland had to continue the "politics of loyalty", i.e. neutrality, to earn the trust from Russia by remaining outside the European family. Given Finland's geopolitical situation, Finland should not confuse its eastern neighbour.

Against neutrality, the influential argumentation of the westernisers rested on the claim that, with EU membership, Finland was "returning to Europe". This conception of the EU and Europe was strategically interconnected in order to create an image that the Cold War policy of neutrality had, in fact, been pushing Finland "away from Europe". To further substantiate this argument, the Chairman of the Social Democrats and Director of

1 Because of the lack of access to resources on this topic, the content in this section, unless otherwise indicated, is obtained from Sami Moio's work (Moio 2006, 439–64).

the Finnish Institute of International Affairs, Paavo Lipponen, argued that, in order to defend European values against external enemies, the Finns, as Europeans, had adopted neutrality to give necessary security guarantee to the Soviet Union without making Finland part of the Soviet Empire (Lipponen 1994, 65–6). Seen in this light, neutrality was not embedded with European values as such, but considered a tool to prevent the expansion of Soviet influence at the expense of Finland being compartmentalised from Western democracies. With the collapse of the Eastern bloc, neutrality should be abandoned to allow Finland to return to Europe.

In response to this argument, the traditionalists created a geopolitical alternative to replace European integration and support neutrality: Nordic integration. This regional cooperation was a logical conceptual continuation of the nationalist-realist foreign policy tradition, according to which neutrality should always remain the backbone of Finnish geopolitical doctrine. Nordic political cooperation was seen as a saviour of this tradition and a real alternative to EU membership, since the constructed notion of European integration was based on an imbalance of power between politically powerful and weak states. In contrast, the Social Democrats' Chairman Lipponen was of the view that EU membership "will help Finland to repel any military threats" (Op. cit., Palosaari 2013, 8). This view was widely shared in the parliament.

Nevertheless, instead of abandoning neutrality altogether along with Finland's declared commitment to the CFSC, official documentation and domestic debate stressed non-alignment as a continuing key element of Finnish foreign and security policy (Palosaari 2013, 8). The government regarded the CFSC's aims to lie in general issues such as peace, security and the promotion of human rights, underlying that the responsibility for defence would remain national with the possibility of independent national decision-making (Palosaari 2013, 8). The reasoning for this argument was the then embryonic state of the CFSC in the 1990s, making it possible to argue that the CFSC only complemented the national policy and did not come into conflict with it.

Towards the closing of membership negotiation, the official national interpretation was that Finnish military non-alignment and the CFSC were compatible with each other. Together with this, many members of the parliament underlined that the Treaty of Friendship, Cooperation and Mutual Assistance with the Soviet Union no longer defined the international role and identity of Finland; it was replaced by EU membership, European values, non-alignment and independent defence (Palosaari 2013, 9).



## ANALYSIS

Finnish neutrality had been primarily tied with security need against its eastern neighbouring superpower throughout its history. Because of this imperative, neutrality, according to Finland's perception, was the soundest option available not to be included in the political sphere of the Soviet Union. The former's wish to identify with Western democracies was thus largely constrained by the policy of neutrality. Nevertheless, the Finnish leadership, in the declarative sphere, tried to give a message to the West to reaffirm its democratic value.

In this regard, the prominent view after the Cold War demonstrated that Finnish neutrality was a false policy placing the country in the wrong camp in terms of identity politics. As a result, Finland was argued to have lost its identity as a real Western European state in the eyes of important Western political actors. By acceding to the EU, Finland would locate itself in the correct reference group of states, thereby eliminating the embarrassing notion of Finlandisation. It could thus be inferred from this dominant view that neutrality, an obstacle to identification with the EU, would not need to internalise European norms to demonstrate its compatibility with membership.

Unlike the Austrian case, Finland did not demonstrate the compatibility of its neutrality with membership in terms of what had been achieved under the umbrella of neutrality such as peacekeeping and the promotion of human rights and democratic values around the globe. Instead, the compatibility was demonstrated in the sense that the CFSC would merely *complement* national defence, which would still remain in the national competency with the emphasis on national defence only for Finnish territorial integrity. In other words, Finland did not equate membership with the adoption of the Third Pillar of the Maastricht Treaty, and neutrality was thus conceived to be a separate part from the CFSC.

All in all, Finnish neutrality, in the context of EU membership, seemed to be reconsidered from security perspective along with ideological view in the sense that the concept should be gradually abandoned in order to allow the country to get fully integrated with its Western counterparts. The absorption of European norms into neutrality was thus not found in the Finnish case.

## CONCLUSION

Based on the ontological conception of sociological institutionalism, this research has thus far investigated the domestic political debates on neutrality and EC/EU membership towards the end of the Cold War against the backdrop of the specificity of neutrality in Austria, Sweden and Finland.

Conceived and developed first and foremost out of security concern, Finnish neutrality was not invested with such ideational values as its Austrian and Swedish counterparts, and was thus most likely to be forsaken once the threat from its eastern neighbour disappeared. Furthermore, Finnish neutrality was embedded with Finland's wish and need to identify with Western democracies. As a result, upon the end of the bipolarity, Finnish neutrality was perceived to be a hindrance for Helsinki's full identification with the EU. In domestic political debate, Finnish neutrality was to be abandoned in order to adopt European identity at large. In other words, there was no reinterpretation of neutrality itself with reference to European norms.

In contrast, invested with normative values, Austrian neutrality was an object of a debate on the reinterpretation of the concept with European norms. With an international activist aspect of the concept in promoting peace, human rights, liberal values and rule of law in the UN framework, the government demonstrated that this normative aspect was compatible with the European norm counterparts. In this respect, Austrian neutrality was framed as adaptable and thus consistent with solidarity with the European regional grouping sharing the same values and goals.

Although with similar international activist content, Swedish neutrality found itself in a more difficult situation to demonstrate the compatibility with European norms. This was largely because of the association of Swedish neutrality with national autonomy and exceptionalism vis-à-vis not only the East but also the West. In this regard, this notion of autonomy as an independent and sovereign state was tied with the idea of Swedish exceptionalism as a successful welfare state, an alternative or a middle way between Capitalism and Communism. This was further strengthened by the Swedish alignment with the Third World and small states. Consequently, in spite of the shared goal with the Community in the promotion of peace, human rights, and rule of law, absorption of the European norms into Swedish neutrality was not found; neutrality was instead conceived to be a separate part of Stockholm's wish to adopt European identity and goal.

This research, by approaching neutrality from political perspective against the backdrop of historical development in each case study, reveals that neutrality was not merely a security matter, but was embedded with cultural dimensions beyond the origin of neutrality as a derivative of war for a state to stay out of conflicts. Consequently, the evolution of neutrality was not only a matter of security concern, but also depended on the normative side of the concept. All in all, the specificity of neutrality in Austria, Sweden and Finland reacted with the norms of the European grouping in a different way, resulting in different interpretations of their respective neutrality.

For a research on neutrality and Europeanisation to come, I hope that the findings of this research, i.e. the foundation of path dependency of neutrality laid during the membership application, will contribute to a better understanding of how this has been affecting the development direction of the EU common foreign and security policy ever since.

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## SAŽETAK

EZ/EU ČLANSTVO I AUSTRIJA, ŠVEDSKA I FINSKA:  
NEUTRALNOST REDEFINIRANA EUROPSKIM NORMAMA?

Na temelju socijalnog institucionalizma i promatrajući neutralnosti iz političke perspektive, ovaj članak istražuje domaće političke rasprave o neutralnosti u Austriji, Švedskoj i Finskoj. Cilj je bio odgovoriti na pitanje kako su se njihovi koncepti neutralnosti rekonceptualizirali u odnosu na europske norme mira, demokracije, slobode, ljudskih prava i vladavine prava tijekom aplikacije za članstvo u EZ/EU. U austrijskom slučaju, neutralnost je uokvirena da bude kompatibilna s članstvom. Međutim, unatoč sličnim normama, švedska neutralnost nije bila prilagodljiva s europskim normama, zbog nacionalne autonomije i iznimne povezanosti s neutralnošću. Konačno, finska neutralnost, prije svega zamišljena i razvijena radi sigurnosnog interesa, nije redefinirana u odnosu s europskim normama, već se smatra sigurnosnim alatom koji bi bio napušten kada bi nestala prijateljstva s istoka, kako bi se u potpunosti integrirali sa zapadnom Europom. Ovaj članak dolazi do zaključka da neutralnost nije samo pitanje sigurnosti, već je povezana s kulturnom dimenzijom, što rezultira različitim odnosom naspram europskih normi, otkuda potječu različita tumačenja neutralnosti. To bi u budućnosti moglo imati određene implikacije na uloge tih zemalja u zajedničkoj vanjskoj i sigurnosnoj politici.

KLJUČNE RIJEČI: neutralnost, europeizacija, Austrija, Švedska, Finska.

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