



◆ *EUROSCOPE*



The Newsletter of the Sussex European Institute

*A Jean Monnet Centre of Excellence
A Marie Curie Research Training Centre*

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A Happy New Year to all our readers and a special welcome to the third cohort of the students on the Diploma in Contemporary European Studies who arrive on 8 January 2001. Our new DICES students (all young practitioners in the EU candidate states of Central Europe) will add to the bustle of SEI and, judged by their predecessors, bring talent and energy and a keen appreciation of the importance of European integration for their own countries but also for the continent as a whole. This is not merely economic. Europe in the 20th Century well deserved Mark Mazower's description of "Dark Continent". It is a big leap from the horrors of the first half the 20th century in Europe to the horse-trading and bad temper surrounding the negotiations of the Treaty of Nice. But there is a bigger picture and Nice, for all its faults as a process, is a better way to sustain political stability and integrate across the continent than those attempts based on ideology and force earlier in the century.

In the context of Nice, four short articles in this *Euroscope* consider issues emerging from the European Council. Two articles by Helen Wallace and David Bostock consider the recent Intergovernmental Conference at Nice, Alan Mayhew writes on the enlargement of the EU, and Peter Holmes and I consider the extension of Commission competence in trade emerging from Nice in the context of repositioning the EU in the post-Seattle debate in the WTO.

The other major point I would pick up from recent events is the significant shift in the EU position on Enlargement signalled by the latest EU Strategy Paper (www.europe.int/comm/enlargement/report_11_00/index.html). This paper at last suggests a timetable for completion of the various negotiating chapters still open, including important ones such as structural funds and agriculture. This puts pressure

on the member states to make progress and gives candidates the incentive to take seriously the strictures in the progress reports on specific issues. The need for such an indicative timetable has been apparent for some times (♦ see last edition of *Euroscope*). The Commission proposals also put pressure on member states by proposing their important issues fall to particular presidencies with a strong interest in their substance (environment to Sweden, agriculture to Belgium, regional policy and structural funds to Spain). It also gives the Danish presidency at the end of 2002 the opportunity to close the process that began with the Copenhagen Council of 1993 Thus the Commission has constructed an incentive structure that should help keep the process on track.

Allowing for politics (those French Presidential elections again, as well as German elections in 2002). There is at last plausible date for Accession treaty signature in December 2002. Ratification could take up to two further years but with luck the new member states could enter in the second half of 2004 or on 1 January 2005.

Returning to SEI business I cannot finish without recording my thanks to Paul Taggart who going on leave during 2001. Paul has been an extremely successful convenor of the MA in Contemporary European Studies over the last 3 years. He has been an invaluable support to both Helen Wallace and me and his presence will be missed by both students and colleagues.

Finally a word of thanks to Henrike Mueller who finishes her stint as editor of *Euroscope* and as a Research Assistant in CEPE (see CentrePages). Henrikes input on both tasks has been marvellous and her presence in SEI will be much missed. We wish her well in her new post at FT Deutschland in Berlin.

Jim Rollo**In this issue:**

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Current Issues**Nice and After**

Helen Wallace

A long weekend in the south of France as the winter months draw in sounds magical. Yet this was not quite the atmosphere of the European Council meeting held from 7-10 December 2000, when the European Council met to conclude the recent Intergovernmental Conference (IGC). On the contrary the mood was irritable and the negotiations fierce, with, so it seems, unusually blunt arguments among the participants. It is, always dangerous to predict how the impacts of an IGC will work out in practice -- after all almost everyone misread the significance of the Single European Act, negotiated in 1985. Yet some features of the process that produced the Treaty of Nice already stand out in sharp relief.

The Framing of the Agenda

The deliberately constrained scope of the IGC produced, as they say, a very focused agenda -- a handful of core institutional issues, with no package of policy proposals that would offer mitigating substantive benefits to the member states. Everything was left to depend on questions of power, especially the relative power of the member states -- and on worries about the potential power of the not-yet-member states. Already at Maastricht in 1991 the question had hovered in the debate of whether a much larger Germany deserved an explicit increment of voting power. Already the ugly squabble that produced the Iouannina Compromise in 1994 had made explicit the question of how many votes were needed to BLOCK, rather than to ACCEPT, collective decisions. Already in Amsterdam in 1997 the then member governments had gaggled on the issue of relative power as represented by the allocated voting weights in the Council of the European Union and by the composition of the College of Commissioners.

In Nice -- arid disturbingly in the preparatory conclave in Biarritz -- a sharp divide had emerged between the 'larger' and the 'smaller' member states. That tension erupted in the closing stages of the Nice European Council, to be sharpened by the argument, led by the French, uncomfortably in the Council Presidency, about whether Germany should be treated as larger than the other large member states. The out-turn is an extraordinarily complex formula for reaching decisions in the Council (as and when it votes): a rather large proportion (73.4% or thereabouts) of reweighed votes; a majority of member states; and consenting states representing at least 62% of the population of the EU. No simplification of procedures to be found here, no lightening of the constraints on agreement.

The Methodology of the IGC

As the name suggests, these events show the EU in its most unvarnished intergovernmental mode of decision-taking. 'Chief executives' from the member states meet to make strategic bargains on the basis of rationally constructed strategies - perhaps. Nice was marked more by confrontation among these chief executives than by collusion. Top politicians battled over four days and nights, increasingly weakened by sleeplessness, to find mutually acceptable formulae. Since the heart of the agenda was about their relationships with each other, it was hard for anyone else to get a look in. The Commission was distanced from the process and other political actors were kept well beyond arm's length.

Maybe this is only what one should expect of an exercise to draft an international treaty. But this time observers of the IGC had another model to observe. The Charter on Fundamental Rights, also tabled in Nice, was drafted by a very different process, involving not only governmental representatives but also national and European parliamentarians. While views vary about the Charter, its content, status and method of invention, its mode of drafting does produce for the first time in the EU a functioning alternative to the European Council.

Bad Guys and Good Guys

Nice was different from previous recent IGCs in that this time there was less prior indication of particular member states with systematically 'singular' or 'exceptionalist' positions. At Maastricht and Amsterdam, after all, British governments had many points of root-and-branch opposition to some of the key proposals on the agenda. In Nice the British government had several tightly articulated defensive concerns -- what they had chosen to call their 'red lines', especially related to extensions of qualified majority voting (QMV). But otherwise the British were set on course to play a constructive role in the middle of

the pack. Moreover the British were parents of one of the most important policy initiatives under discussion, namely the development of autonomous European defense capabilities.

Thus the difficult issues became more visibly exposed and to a wider range of both defensive responses and biased propositions. On the few critical policy questions put forward for extensions of QMV there were a plurality of objectors -- the French on aspects of trade in services and intellectual property matters (notably audio-visual and cultural), the Spanish on the rules governing allocations from the structural funds, as well as the British, Swedish and Irish on taxation and social security. Complex articles bear the marks of these battles, with one or two of the governments from smaller member states labouring to salvage a strengthening of the collective rules, as the Finns did on trade issues.

Predictably the hardest fights were over the distribution of voting weights in the Council and over ways in which additional criteria might help particular countries. This had been a carefully prepared section of the draft treaty, with many person hours and considerable ingenuity devoted to producing 'rational' formulae as an aid to decision-makers. When it came to the crunch rational criteria gave way to special pleading, as new variants of the proposals were produced to justify this or that government's acute concern. Thus the imperfect correlation between voting weights and population size reflects the variations of success of individual member governments in pressing their cases. On the one hand the larger countries are protected by the population rule as well as the weighting that emerged. On the other hand the governments from the smaller countries added the caveat that there must be a majority of member states as well. Here we should note not only the French reluctance to accept a stronger influence for Germany

but also the way in which a group of smaller countries banded together in an effort to protect their scope for influence.

Charting the Road Map for Enlargement

The preamble to the Nice Treaty has enlargement of the union as its predominant focus. Thus valuably the Treaty includes an extensive reform to the system of European courts to manage the increasing workload. This is perhaps the most important reform in terms of the qualitative improvement to the functioning of the system. And of course an agreement at Nice as such had become a necessary condition of proceeding with the critical parts of the accession negotiations.

Beyond these points it is less clear that the Union's institutional house has been set in order. No strategic decision was taken about how to adapt the composition of the College of Commissioners. Instead there is to be a slide towards a more representative college, with one Commissioner from each member state, and with a deferred and unanimous procedure for a possible reduction, once the membership of the Union reaches twenty seven. Even less elegantly voting weights have been assigned to a further twelve potential member states (the question of Turkey was avoided). Absent from the room governments from these countries could not defend themselves against those incumbent members which sought to assign lower values to their voices. Poland was eventually accorded the same voting weight as Spain, in line with its population size, and similarly Lithuania got a weighting appropriate to its size, but Romania and Latvia fared much less well

Here we can see how power and representational considerations overshadowed more practical measures that might enable a much larger Union to function efficiently. Here 'non-treaty

reform' is left to bear the burden of adjustment and thus much rides on the internal reforms now being led by Neil Kinnock within the Commission and another attempt at internal reform of the Council after the slender changes made in mid-2000.

Yet another IGC

It was also agreed in Nice that another IGC would be convened in 2004. It will be charged with the 'Nice left-overs', to include another look at the distribution of policy competences between the Union and the member states, the status of the Charter on Fundamental Rights, the possible 'simplification' of the Treaties, and the role of national parliaments in the institutional architecture. Oh, and by the way, the European Council did remember at the end that there were also some issues of democratic legitimacy, accountability and transparency that would still need to be addressed.

◆ 13 December 2000

Nice guys sometimes win....

David Bostock

It's tempting to be negative about the negotiations and substance of the draft Treaty of Nice: the longest ever European Council to agree a treaty, but no policy or institutional advance to rank alongside the SEA, Maastricht or Amsterdam; timidity in extending qualified majority voting; an Augustinian approach to constraining the size of the Commission, with no hard decisions until we are twenty-seven; complicated arrangements for qualified majority voting in the Council which are more likely to excite statistically inclined EU researchers ("what is the probability that a Baltic voting alliance could swing a Council decision?") than to enlighten the poor old European citizen; nothing done to resolve the hard institutional issue of how the Council of Ministers can operate in a

much larger Union; bad feeling and accusations of intergovernmental bullying; a bit of a shambles all round. Wouldn't the time have been better spent playing with Baby Leo?

But temptations are there to be resisted. Qualified majority voting was the dominant form of EU decision-taking before Nice and will be even more so after it: Nice achieved relatively little there because there was not much left to achieve. Twenty-seven Commissioners will be too many but it should be no surprise that Member States continue to insist that a body with the large role of the Commission should contain one of their own: consider what the British press and British public opinion would make of a Commission with no Brit among its members. Large Member States' ensuring that they can throw their weight about is nothing new: the voting weights in the original Treaty of Rome permitted the three large countries to vote through a Commission proposal against opposition from the three small. And the occasional infelicity of logic or drafting is only to be expected. That's negotiation: messy compromise (the UK abatement, the 1.27% Own Resources ceiling) often has a better chance of success than someone's logic trumping someone else's.

Consider instead what the millennial IGC achieved. It broke the normal EU law of just-in-time decision-taking by looking ahead, proposing voting weights for the Luxembourg Six and the Helsinki Six, and doing so with reasonable fairness in most cases ("proposing" because the decision is for negotiation between the Union and each applicant). It went beyond the original Council/Commission remit and dealt with other institutions and bodies as well – though perversely with the Court of Auditors (one member from each Member State, come what may) and perfunctorily with the European Central Bank and European Investment Bank, inhabitants of the ECOFIN peninsula of EU affairs

apparently discovered late in the day by the IGC explorers. It agreed some potentially far-reaching changes in the treaty provisions on the Community courts, permitting a much-needed improvement in this aspect of the Union's governance.

It's not surprising that the agreement reached at Nice has been seen as taking a large preparatory step towards enlargement: going through the Nice hoop was a necessary condition for enlargement; only the prospect of enlargement would have caused the Member States to undergo the masochistic delights of this negotiation. It's even less surprising when one turns from the Nice decisions on treaty reform to the other recent discussions and decisions about enlargement endorsed in the Nice European Council conclusions. The European Council endorsed the conclusions of the 4 December meeting of the General Affairs Council, and thus the GAC's support for the negotiating "road map" in the Commission's enlargement strategy paper of November. It noted the report of the ECOFIN Council on the exchange rate aspects of enlargement: when ECOFIN starts taking something seriously, that something is for real. The European Council voiced the hope that some new member States would be able to participate in the 2004 European Parliament elections; applicants with whom negotiations have been completed will take part in the IGC that is to be convened in that year. Post-Nice, enlargement is for real. For which applicants when and on what terms are the next, and hard, questions.

.....though they also leave some Nice questions to be answered.

Like any big EU negotiation, Nice poses questions analytic and predictive, institutional and political. Here are just a few.

- What does the negotiation about voting weights in the Council, seats in the

European Parliament and the nomination of Commissioners reveal about Member States' perceptions of where power and influence lie in the Union?

- How often might the new second and third requirements for a qualified majority bite?
- Will the Nice provisions for enhanced cooperation be used with more enthusiasm than those of Amsterdam?
- How will the enhanced powers of the Commission president affect the institutional balance in the Union? (At last the Parliament will have a means short of a vote of no confidence for putting pressure on the Commission: demand that the president reshuffle or seek resignations).
- Did Germany get a good enough deal in terms of its relative influence in the Union: an explicit voting weight equal to France, Italy and the United Kingdom, offset by greater implicit voting weight any time the population threshold for QMV comes into play, a bigger share of seats in the Parliament, all sweetened by the promise of a further, competence-delimiting IGC in 2004?
- Does the distinction drawn by British ministers between those subjects behind the "red lines" where "the veto" must remain and other decisions portend a new attitude towards QMV: goodbye, Luxembourg compromise?

We can – if I may be permitted one last terrible pun – have a nice time thinking about these and other questions in the months to come.

◆ 15 December 2000

Enlargement of the EU: An Analysis of the Negotiations with the Central and Eastern European Candidate Countries

Alan Mayhew

Since early 1998 six countries have been actively negotiating for accession to the European Union; five central European states (Czech Republic, Estonia, Hungary, Poland and Slovenia) and Cyprus (referred to as the Luxembourg Group). They were joined by six others at the beginning of 2000 (Bulgaria, Latvia, Lithuania, Romania and Slovakia in central Europe, and Malta) called the Helsinki Group.

Considerable progress has been made in these negotiations, especially with the first six countries. However while the negotiations with the second six have accelerated, there is a general perception that those with the first six have progressed very slowly.

As the active negotiations with the 'Luxembourg' group of countries enter their third year, there is a strong case for insisting that the real negotiations have hardly begun. While with this group of countries all negotiating chapters are now 'open', no negotiations have taken place on the core areas; indeed officially the core areas of the negotiation have still not been identified.

Factors determining the opening negotiating positions of the parties

The scope for negotiation in an accession is limited. This is essentially for two reasons:

- the negotiation is about the conditions for joining a club. This involves the new member taking over the rules of the club – in this case the *acquis communautaire*;
- unlike most clubs, new members are not accepted with a majority vote of existing members but only on a unanimous vote. Thus not only must the whole club be satisfied that the accession is in its interest, but each individual member must be satisfied. This eliminates much of the flexibility

which is needed to accommodate the real needs of the candidate countries.

The 'club' system of accession should be contested on a variety of moral, political, strategic and economic grounds. But the current accession is being dealt with no differently from previous accessions and member states are always tempted to put short-term national interest before medium-term strategic European interest. It must therefore be assumed that this will be a constraint on enlargement throughout the process.

The current state of the negotiations

It is difficult to justify the term stagnation applied to the current state of the negotiations on a superficial view of what has already been achieved. However it is important to look behind the headline achievements. There are several worrying signs:

- The Member States have only barely entered the negotiations, having left the running to the European Commission. Where the Member States have intervened, the intervention has been inconsistent. They have made unbelievably optimistic promises to the candidates while reinforcing the Commission's tough stance in the EU Common Positions.
- The Commission, which is playing the major role at this point in the negotiations (as in past enlargements), is institutionally far weaker today than in previous enlargements. This makes it more difficult for the Commission to help to broker compromises than previously. However its recent 'Strategy Paper' on enlargement hopefully marks a new, more dynamic, phase in Commission involvement.
- The Member States refuse to consider any change to the financial perspective agreed at Berlin as a matter of religion, even though they all realised at Berlin that the adopted financial perspective was excessively approximate. This

does not exclude small changes within the overall limits of that perspective but it means that an enlargement nearer the end of the current financial perspective would be preferable to many delegations.

- Unofficially the French and the German Governments are unwilling to reach the core areas of negotiation before their national elections in 2002. The French Presidency of the Union in the second half of 2000 has made it abundantly clear that it is not interested in promoting enlargement. The discussion about the long-term aims of the Union has tended to spill over into the negotiations. Union and some applicant country politicians have started to use the enlargement in their political platforms, frequently distorting the truth for political ends.
- The emphasis being put on verification of implementation of the *acquis* today suggests a severe lack of trust but also opens up many avenues for opponents of enlargement to exploit.

The problem for the applicant countries in the face of delay is to maintain voter and parliamentary support for the process of accession preparation, with no clear promise that accession will take place in the life of most Parliaments. Without firm commitments to enlargement from the Union, legal and institutional preparation for accession is seen by many to be an opening of the markets of central Europe to west European companies without any counterpart from the Union. Resistance is bound to grow and the pace of accession preparation to fall.

The problem for the EU-15 Member States is that the longer the process takes the more the political platform is likely to be dominated by nationalistic politicians who are both against enlargement but also against the European Union itself. On the other hand a well-prepared enlargement, in which the majority of the electorate can be won over would be worth striving for.

The Nice European Council and the Commission's Strategy Paper

While Nice may have been a milestone in the history of the Union for some wrong reasons, it has opened the way for further progress on the enlargement negotiations. The Presidency conclusions also support the Commission's Strategy Paper on enlargement published in November 2000.

Together the decisions map out a rough timetable for the conclusion of the negotiations with the first group of candidate countries, a group which may well contain ten of the current twelve negotiating countries. Even with some slippage, this would suggest that the first accessions could take place in 2004 or more likely 2005.

These decisions may well put more urgency into the negotiations from the Union side. However Nice has done little to change some of the fundamental reserves of the member states on enlargement - the size and distribution of the structural funds or the free movement of workers for instance. Before we shout 'success', member states will have to fundamentally review some of their positions in order to meet the aims of the Commission strategy. But Nice has added to the level of certainty about the final outcome of the enlargement process.

The enlargement of the European Union is a vital further step in the direction of the completion of the new post-Cold War political and economic arrangements on the European Continent. Over ten years after the overthrow of Communist regimes and eight years since the European Union declared at Copenhagen that the central European associated countries could become members of the Union, their accession is still some years away.

The Union does not dispose of an infinite 'window of opportunity' for enlargement. The unpredictability of the world today is such that one of any number of accidents

could destabilise the Continent with the result that the process of reunification of west and east is brought to an early end. It is important therefore to finish the negotiations with the candidate countries as expeditiously as possible.

◆ 'Enlargement of the EU: An Analysis of the Negotiations with the Central and Eastern European Candidate Countries' is an abstract of SEI Working Paper, No. 39

EU Commercial Policy after Nice

Jim Rollo & Peter Holmes¹

The Treaty of Nice by amending Article 133 of the Rome Treaty extended Community competence in the field of commercial policy to include services as well as goods. Until now services has been mixed competence meaning that member states could conclude separate agreements (consistent with their Treaty obligations) and de facto had a veto in the 133 Committee which manages EU commercial policy. In principle therefore the change moves services from mixed competence and unanimity to Community competence and qualified majority.

The extension of competence however excluded audio-visual services as well as education, health care and public services apparently at French insistence. Investment is, beyond trade related issues, also excluded from Community competence. Further, there are other constraints. Where the Treaty requires unanimity for internal decisions eg taxation it is also required for external policy decisions (◆ for full details of the new Article 133 see

¹ We are grateful for comments from Alasdair Young. All errors are our own.

http://europa.eu.int/comm/trade/faqs/rev133_en.htm).

What are the implications of the new position after Nice?

Leaving aside the exemptions for the moment the general move should strengthen the position of the Commission in international negotiations since it makes it more likely that it can deliver the member states for whatever agreement it reaches in negotiations in the WTO. This may in turn reduce the ability of individual member states to threaten to hold up a services agreement unless it gets its way in an unrelated WTO negotiation eg agriculture. The fact remains however that even where majority voting is provided for in the Treaty a member state may sometimes urge its colleagues not to press a matter to a vote.

A senior French trade official, asked to comment after Nice on why it was so hard to get member states to transfer the full competence to the Community for the Common Commercial Policy (in place since 1957) said that he saw the key problem being that as international negotiations broadened, "trade" negotiations were increasingly coming to concern matters traditionally seen as part of domestic policy.

What is the relevance of the exceptions?

In principle the exceptions are very important. Audio-visual was a big sticking point in the end-game of the Uruguay Round as a result of principally French concerns about the threat that liberalisation might represent for national film and television industries and national culture more generally. French doubts about the potential impact of liberalisation of education and other traditionally publicly provided (in Europe at least) services under the GATS have also surfaced recently (see for example *Le Monde* 2/10/2000). This general approach is sometimes characterised as *l'exception*

culturelle. The concept is not referred to anywhere explicitly in WTO texts, but it is worth noting that films were separately treated in the original GATT 1947, though given the circumstances of the time, this may well have been motivated by balance of payments concerns. Article III (10) of the original GATT states: "The provisions of this Article shall not prevent any contracting party from establishing or maintaining internal quantitative regulations relating to exposed cinematograph films and meeting the requirements of Article IV." Article IV lays down "*Special Provisions relating to Cinematograph Films*". Countries are authorised by it to maintain quotas governing the origin of films shown in their cinemas, (subject to certain conditions). The Article concludes "Screen quotas shall be subject to negotiation for their limitation, liberalization or elimination."

How important are these exceptions and do they undermine the increased room for manoeuvre that the Commission seemed to have obtained at Nice?

In principle the answer is clearly yes. In practice, as far as audiovisual is concerned, the answer is less clear. For a few years after the end of the Uruguay Round the rhetoric between the French government in particular and the US entertainment industry was very sharp. Recently however, the heat has gone out of the American language. This seems to reflect the realisation that US films attract in excess of 2/3rds of the cinema and TV audiences in France. French audiences are voting with their feet.

The reasons for this are not clear but one neat piece of empirical research suggests that the reason may lie in the quality of French films produced under protection of national quotas. Partick Messerlin²

² Messerlin, Patrick, 2000, *The Common Audio-Visual Policy* in Pierre Sauve ed GATS 2000: New Directions in Services Trade Liberalization (Brookings, 2000)

(Sciences Po' Paris) examined French TV audiences for French films produced before and after support for the industry was introduced. He concluded that audiences for older films were higher despite them having been shown more often and usually later in the evening than newer films. This suggests that whatever else the quotas are doing they are not producing effective competition for foreign movies or for older French films. There may therefore potentially be more sound and fury than actual substance round this as a negotiating issue for the US at least.

The same may be true on education and health where in its Uruguay Round offers the Community entered horizontal exemptions for public provision, explained by a Commission official in the following terms: "...the EC has taken an exception under these horizontal commitments which permits member states to freely subsidise public sector without being obliged to extend subsidisation to foreign service suppliers."

Retention of mixed competence may embed these exemptions and encourage piecemeal country by country approaches, but it is unclear that a QM exists now or will exist in the future to remove the exemptions from the GATS schedules. It is not clear that we could expect large numbers of cases in which a majority of member states are willing to fight hard to make other member states open their public service sectors to non-EU operators.

Conclusion

the extension of community competence and QMV to trade in services will help the Union represented by the Commission to be more flexible and, probably, effective in future negotiations in the WTO. The areas where the veto remains are important but for the moment, even given excitement over *l'exception culturelle* they may be less

problematic than the difficulties at Nice suggest.

Conference Reports

ESRC Conference One Europe or Several? The Dynamics of Change across Europe

21st – 22nd September,
Sussex European Institute

Some 70 people took part in the second Programme Conference, held at the SEI, the purpose of which was to take stock of the interim findings of the projects; to mull over how these relate to the overarching themes of the Programme; as well as to discuss current policy developments. A number of themes emerged from the conference discussions.

Firstly, it was noted that Europe is marked by the proliferation of flows across the continent – flows of people and ideas, as well as goods, services, and capital. As a consequence Europe's traditional political, economic, societal, and geographical borders have become perforated and 'fuzzy'. Second, and perhaps in response to the aforementioned, new forms of governance are being experimented with that are at odds with the traditional routines of European integration over the previous 50 years. These relate not only to the attempts by current member states to adapt to the changing policy and political demands of the new economy, but also to the efforts of the central and eastern Countries to come to terms with the dual processes of Europeanisation and Globalisation.

However, it was also noted that the traditional European Union model of integration has shown a reasonable degree of resilience, projecting a pattern of EU-isation across the continent, especially as candidate (and would be candidate)

countries seek to adapt to EU templates. Thus a third theme is the emergence of tensions between EU-isation and new versions of Europeanisation that present challenges to some of the conventions of the EU. Developments in the 'real' economy do not entirely coincide with the assumptions on which the EU's *acquis communautaire* is based. In the security field (internal and external), the challenge now is not simply to strengthen collective capacities to 'manage' security better, but also to establish cross-continental values as the bedrock for collective commitments.

A fourth theme addressed was uneven development. Contemporary Europe is not only characterised by persistent differences between countries, but also with countries – between regions, economic sectors, societal groups, and between the politically influential and the unempowered. While this raises the issue of who are the main beneficiaries and promoters of Europeanisation, it also raises the question of whether complementarities can be forged out of these evident divergences. On the one hand then, Europe is now witnessing both dynamic change at a country level and on a transnational European scale. On the other, static immobilism persists. Not all would-be reforming countries of central and eastern Europe are yet locked into a process of effective Europeanisation and modernisation. Similarly, within parts of western Europe there are significant forces of resistance to Europeanisation.

In the light of this new and contrasting evidence, the question of 'One Europe or Several?' takes on various different meanings. In terms of political, economic and social organisation, there are still several Europes, in spite of the apparent magnetic power of the EU and its policy templates. In terms of the responses of the engaged and the disengaged, 'Europe' as a project has different connotations and consequences. In terms of future

paradigms for European integration - and – not just EU integration – there are competing models of political, economic and societal developments.

SEI News

Opposing Europe Update

Aleks Szczerbiak

The SEI's 'Opposing Europe' network has continued to develop and expand over the last few months. Launched at a one-day conference in June and co-ordinated by Aleks Szczerbiak and Paul Taggart (see Euroscope No 18) it now encompasses over forty scholars working on Euroscepticism and the effects of the EU on domestic party systems. The network includes country and regional specialists from a range current and prospective EU member states including: France, Germany, Italy, Belgium, the Scandinavian countries, Spain, Portugal, Poland, Hungary, the Czech and Slovak Republics, Slovenia, Bulgaria, Estonia and (of course) the UK. The proceedings of the workshop have been published as an SEI working paper.

The highlight of the network's first six months was the submission of a successful application to hold a workshop at the April 2002 European Consortium for Political Research Joint Sessions to be held in Turin. But the network will also be very active on the academic conference circuit over the coming year with three panels planned for the April 2001 Political Studies Association Annual Conference in Manchester. These will be held jointly with the PSA Specialist Groups on Comparative West European Politics and Communist and Post-Communist Politics. We have also submitted proposals to host two panels at the May/June European Community Studies Association of the US Conference in Madison, Wisconsin and for a panel at the August/September American Political

Studies Association Conference in San Francisco.

Finally, in order to institutionalise and further extend the network we have submitted a bid for the ESRC Research Seminars Competition. If successful, this would involve organising a series of seminars at the LSE, Leicester, Cambridge and Durham as well as Sussex involving representatives from these institutions and specially invited guests from Central and Eastern Europe.

If you would like to join the 'Opposing Europe' network or would like a copy of the workshop proceedings then please contact Dr Aleks Szczerbiak (email: a.a.szczerbiak@sussex.ac.uk).

'Letter from Mitrovica (II.)'

Catherine McSweeney

Dear all,
I'm just back from my second driving lesson: OSCE can't give me a contract without a driving license, so I've been doing two hours per day at the local 'autoshkolla'. My driving teacher is a gentle, dignified Albanian man in his sixties. He's very well respected and known in the southern, Albanian half of the town, having worked as head of Mitrovica's municipal administration in the 1980s. Like most Albanians in Kosovo, he lost his job in 1989, when Milosevic revoked Kosovo's autonomous status, and has worked since then as a driving teacher to support his family. As we drove through the town in the car many older people smiled and waved at him. I had to stop the car dozens of times for him to get out and greet them, in the traditional Albanian fashion (arms on shoulders, repeating 'a je mire? Shum mire' back and forth between them!). I asked him where his home is, and we worked out that in fact we are

neighbours. I was very surprised to hear that he lives with his Albanian family in the Serb half of the town. Before the conflict Mitrovica wasn't separated out into Serb north and Albanian south, as it is now – in fact Albanians made up half the population of the north. But during and since the conflict, a process of 'cleansing' and separating has taken place on each side of the river Ibar: Albanians have fled southwards, and Serbs the French Sector. A few hundred Albanians remain in the north part of town – mostly those who were too elderly or poor to make the move across the river to a safer life in the south. They live as prisoners in their own homes, unable to leave their apartments even to go shopping without an armed escort by KFOR soldiers. Their front doors have been reinforced with steel protection. In fact, I discovered that driving teacher was speaking about his old apartment in the north – now he lives with his wife's brother in the south. He was thrown out of the north, together with 1,700 other Albanians who had chosen to remain there after the conflict, in a bout of violence in February this year.

After my driving class I returned to my apartment in the Serb north. As always when they hear my footsteps on the stairs, the three adorable children living in the apartment next to mine popped their heads round the door. 'Bonjour' said Milosz, a sweet 5-year old boy, who has picked up bits of French from the KFOR soldiers living on the first floor (the French sector). Today, was the feast day of their family's patron saint - His sisters, beckoned me to come inside – yesterday they are Orthodox - and their mother had prepared 'slatka' (sweets). They are terribly poor. She offered me a glass of water and a spoonful of pear confiture, prepared from those big lumpy yellow pears sold in the market. We communicated through the broken English spoken by the girls. They enthused over photos of their old house in south

Mitrovica, where they had a garden to play in and a lovely big dog. He was shot by 'terroristi' on the same day in September 1999 that Albanians set fire to their house, forcing them to flee to the north. Like my driving teacher, they are now living squashed into a tiny, cold apartment with their grandparents. They are probably occupying the apartment of an Albanian, but they have little choice – there's so much pressure for accommodation and other minorities have been forced to move away from Albanian areas to the north. Now, very few Serbs live in the southern part of town: the Orthodox priest and his family live in the Orthodox church close to the OSCE building, surrounded by French KFOR tanks and troops.

Serbs and Albanians are not the only ones suffering; other ethnic groups who had a strong presence in Mitrovica before the war have suffered greatly. Before the conflict there were over 6,000 Bosniacs (Slavic Muslims) living in the town. A Bosniak friend of mine remembers worshipping in the same mosque as Albanians. Now they are hated by both communities – disliked by Serbs for sharing the Albanians' religion, instinctively hated by Albanians for sharing the language of the Serbs. Just over a thousand Bosniaks have remained in Mitrovica.

The Turkish minority also suffered – many Turks from Mitrovica are now living in refugee camps in Turkey, waiting for the situation to improve so that they can return. And just a handful of Gorani families remain – the Gorani are Slavic Muslims, named after the mountain Goran in south of Kosovo. They are renowned for their cafes and patisseries, and own the favourite haunt of internationals living in Mitrovica, Cafe Shar.

◆ Extracts from an email letter from Catherine McSweeney (MACES 1999/2000)

RESEARCH IN PROGRESS SEMINARS

Tuesdays 2.15 - 3.50 pm - Room A71, SEI
see also: <http://www.susx.ac.uk/Units/SEI>

9.1.2001	No seminar
16.1.2001	Christ Stevens, IDS; EU Relations with African, Caribbean Countries
23.1.2001	Alan Dashwood, University of Cambridge; A Lawyer's Perspective on the Treaty of Nice
31.1.2001	George Kolankiewicz, UCL; Social Citizenship and Social Integration in Poland
6.2.2001	Ray Barrell, NIESR; The Economics of British Membership of EMU
13.2.2001	Kornelia Wohanka, PhD, SEI Changing an Entrenched Policy - The 1992 policy paradigm shift of the Common Agricultural Policy of the EU
20.2.2001	Henrike Müller, PhD, SEI
27.2.2001	Sir Nigel Wicks Lamfalussy Report on EU Financial Market Integration
6.3.2001	Cas Mudde, Edinburgh University; Populism in Eastern Europe
13.3.2001	SEI Plenum

Congratulations!!!

The following research students will graduate in January 2001:

Aladair Young; Ulrike Hotopp; and Sung-Hoon Jung

'In Brief'

Adrian Favell presented papers on the integration of immigrants in Europe at conferences at the University of Geneva in October, and at the University of Zürich in December. The latter will appear in a special edition of the *Swiss Political Science Review*, to be published in Spring 2001.

Peter Holmes lectured at the Department of Economics Banja Luka, in Bosnia (21st – 22nd October). In November he presented at a conference on “Competition policy and the new Economy” at Stanford University. He also presented work for European Commission on software patents at: “Response to the EC consultation on software patents”: Computer Software Services Association open members meeting.

In December, he took part in the SEI Training programme for Czech Officials in Prague (7th – 8th December). He also presented work on trade and risk at *Direction des Relations Economiques Exterieurs* (Trade Ministry), in Paris (12th December), and was a member of a doctoral *jury de thèse*, at the Université Paris-I, (13th December).

Olexander Hryb presented a paper on the “New European order and the societal security of Ukraine” at the School of Slavonic and Eastern European Studies’ (University of London) conference on “Between the bloc and the hard place: moving towards Europe in post-communist states” (4th – 6th November 1999). The paper is to be included in a book which is to be published as a result of the conference later this year. He also delivered a paper at the 5th ASN Convention at Columbia University (13th – 15th April) entitled “Soviet ethnography heritage and the revival of ethnogeopolitics

in Russia and Ukraine”. A revised version of this paper was also presented at the REECAS Center at the 6th Annual Northwest Regional Conference for Russian, East European and Central Asian Studies (22nd April, University of Washington, Tacoma).

Maryla Maliszewska participated in the Third International Summer School in ‘Economics on Trade, Technology and Delocalisation’ organised by CEIS at the University of Rome, Tor Vergata in October.

Laura Maritano participated in the Association for the Study of Modern Italy – ASMI Conference “City Identity. The Italian City in the Industrial Era” at UCL. She presented a paper on “Immigration and Understandings of Space in Turin” on the panel “Immigration and the city” (24th to 25th November).

Jim Rollo attended the Wincott Lecture given by David Henderson (12th October), and the British Council conference on “Greek - UK Relations” organised by British Embassy Athens; ELIAMAP, Athens, and LSE, Hydra (13th – 15th October). On 19th October he gave a presentation on the “Economics of EU Enlargement” at the School of Central Banking, Bank of England, and on 27th October attended a seminar on Trans Atlantic Relations at Chatham House.

Between 1st – 5th November he attended a conference of “Competition Policy & the New Economy” at the Institute for International Studies, Stanford, California, where he also gave a paper on “Making Britain Love the EU”. On 9th November, he gave a presentation on “Trust and Trade” as part of the RIIA International Economics Programme Trade Seminars held at Chatham house. Along with Peter

Holmes, he presented a second paper on “Trust and Trade” at the SEI Research In Progress Seminar (14th November). Between the 22nd – 25th November he attended the British Council conference on “Britain, Turkey and New Europe”, held at Selsdon Park, Croydon.

On 30th November & 1st December he attended the RIIA conference on “Economics Politics and the Euro: Implications for Business” held at Chatham House, during which he gave a paper on “Britain and EMU: Analysing the Options”. On 6th December he visited Brussels to attend the “Trade Policy, Economics and Business” seminar organised by APCO/NERA. He also took part in the training for Czech Government Officials at the Ministry of Foreign Affairs in Prague (6th – 9th December). On 15th December, he presented a paper on “Conditions and Alliances for EU International Leadership” at a Workshop run by DG Research and Development on “Global Trade and Globalising Societies: Challenges to Governance and Sustainability, The role of the EU”.

Enric Ruiz-Gelices attended the conference on “International Migration: New Patterns, New Theories” at Nottingham Trent University, 11th – 13th September. He presented a joint paper (with Russell King and Adrian Favell) on ‘International Student Migration in Europe and the Institutionalisation of a European Identity’.

Alex Szczerbiak attended an Institute of Public Affairs conference in Warsaw, Poland on “A Constitution for an Expanding Europe”. Presented a paper on “Decline and Stabilisation: Changing Attitudes Toward EU Membership in Poland” (6th - 7th October). On 7th November he participated in a briefing for the new British Ambassador to Poland at

the Foreign and Commonwealth Office. He presented a paper on “Dealing with the communist past? The Politics of Lustration in post-communist Poland” at the Centre for Democracy and Society seminar at the School of Slavonic and East European Studies, University of London. (With Paul Taggart) he also submitted a successful bid to co-direct a workshop on ‘Opposing Europe: Eurocepticism and Political Parties’ at the European Consortium for Political Research 2002 Joint Sessions of Workshops in Turin, Italy (see article on Opposing Europe network update page) (◆ for more information see the last issue of *Euroscope*).

Helen Wallace convened at the SEI the 2nd Programme Conference of the ESRC ‘One Europe?’ Programme, 21st & 22nd September (◆ see conference report on p. 11) Between the 8th - 21st October, she visited China, giving lectures at Fudan, Beijing and Renmin Universities, and the Chinese Academy of Social Sciences, and the Shanghai Academy of Social Sciences.

On 30th October, she was an invited participant in the French Presidency of European Commission colloquium – European Research Area at the Sorbonne in Paris. On 3rd November, she spoke at the 25th ‘birthday party’ of the *Jahrbuch für Europäische Integration*, and on 9th & 10th November, delivered a paper at the *Arbeitskreis für Europäische Politik*, Bonn.

Between 23rd - 25th November, she directed the Antalya 2000, the British Council high level seminar on “Turkey and Britain in the New Europe” at Selsdon Park Hotel, having made preparatory visits to Ankara, during early September. On 7th December, she also took part in the SEI Training Session for Czech Officials.

SEI Publications

David Dyker

'Eastwards enlargement of the EU and economic performance in the CEECs - the static and dynamic effects', *Economies in Transition, Eastern Europe and the Former Soviet Union. Regional Overview, EIU, No.3, 2000*

Adrian Favell

'Bruxelles: capitale européenne au coeur d'un état-nation éclaté', in 'Europe: regions et communautés contre les nations', special edition of *Panoramiques*, edited by Dominique Pélassy and Catherine Wihtol de Wenden, Nov 2000, no.49, pp. 110-115.

'L'eupéanisation, ou l'émergence d'un nouveau « champ politique »: le cas de la politique d'immigration' in *Culture et conflits*, special edition edited by Virginie Guiraudon on 'Sociologie de l'Europe: Mobilisations, elites et configurations institutionnelles', Dec 2000, pp.157-189.

'Immigration and European integration: new opportunities for transnational political mobilisation?' written with Andrew Geddes), in *Challenging Ethnic Relations Politics in Europe: Comparative and Transnational Perspectives*, edited by Ruud Koopmans and Paul Statham, Oxford: Oxford University Press, Dec 2000.

Philosophies of Integration: Immigration and the Idea of Citizenship in France and Britain, London: Macmillan/New York: St.Martin's Press 1998, pp.288. (Paperback revised 2nd edition with new preface and index, forthcoming March 2001)

'Multi-ethnic Britain: an exception in Europe?' in *Patterns of Prejudice*, vol.35,

no.1, special edition edited by John Solomos, forthcoming January 2001.

'Integration policy and integration research in Western Europe: a review and critique', in *Citizenship Today: Global Perspectives and Practices*, edited by T. Alexander Aleinikoff and Doug Klusmeyer, Washington, DC: Brookings Institute/Carnegie Endowment for International Peace, forthcoming early 2001(report prepared for the Carnegie Endowment 'Comparative Citizenship Project'), pp.40.

Peter Holmes

"The Economic Impact of Patentability of Computer Programs" Report to the European Commission DG Internal Market" by Robert Hart, Peter Holmes, John Reid; London Intellectual Property Institute, issued by DG Internal Market Oct 2000 see: www.europa.eu.int/comm/internal_market/en/intprop/indprop/softpaten.htm or www.europa.eu.int/comm/internal_market/en/intprop/indprop/studyintro.ht

D.Young et al. A.Kemos, O Leon, P.Holmes and M.Basle "Telecommunications Policy" forthcoming in *Competitiveness and Cohesion* Eds R.Hall, A.Smith, L.Tsoukalis OUP (2000)

Holmes P and Seabright. P, "Industrial Policy after Maastricht: What is Possible?" pp.39-68 in Neven, Damien J./Röller, Lars-Hendrik (eds.) (2000): *The Political Economy of Industrial Policy: Does Europe have an Industrial Policy?* Berlin: Edition Sigma.

Peter Holmes, Jim Rollo and Alasdair Young "The European Trade Agenda after Seattle" in "Beyond Seattle: a new Strategic Approach in the WTO 2000", edited by Falautano I., and Guerrieri P., in *IAI Quaderni no.11, Rome October 2000*

Peter Holmes and Alasdair R. Young
 "Emerging Regulatory Challenges to the
 EU's External Economic Relations" (Paper
 for CEPE DG Education project)

Peter Holmes and Robert Read
 "International Competition policy"
 forthcoming as Ch 17 of J.McMahon ed.
 Agriculture and the Uruguay Round.

Peter Holmes "The regulation of
 competition and competition policy at the
 regional and global level" pp.127-153 in
 Global regionalism and economic
 convergence in Europe and East Asia: the
 need for global governance regimes edited
 by Paolo Guerrieri and Hans Eckart
 Scharrer, Baden-Baden, Nomos, 2000

Peter Holmes and Alasdair Young
 "Deregulating and Liberalising
 Telecommunications: The European View"
 Chapter in preparation for book to be
 edited by IAI Rome

Peter Holmes and Alasdair Young
 'European Lessons for Multilateral
 Economic Integration: A Cautionary Tale'
 in Globalization under Threat: The
 Stability of Trade Policy and International
 Agreements Ed Z.Drabek, E.Elgar,
 forthcoming.

Olexander Hryb

'New Ukrainian Cossacks - Revival or
 Building New Armed Forces' published in
 the Ukrainian Review, Spring '99, vol.46,
 No.1, pp.44-54.

Alex Szczerbiak

Review of Gabor Toka and Zsolt Enyedi
 (eds.) 'Elections to the Hungarian National
 Assembly 1994: analyses, documents and
 data,' *Political Studies*, Vol 48 No 3, June
 2000, p629

Review of Jan Adam, 'Social Costs of
 Transition to a Market Economy in Post-
 Socialist States. The Case of Poland, the
 Czech Republic and Hungary,' *Europe-
 Asia Studies*, Vol 52 No 4, June 2000,
 pp763-764

Review of Stephen White et al, eds,
 'Developments in Central and East
 European Politics 2', *Political Studies*, Vol
 48 No 4, pp887-888

Review of Frances Millard, 'Polish Politics
 and Society,' *Political Studies*, Vol 48 No
 4, June 2000, p893

(with Paul Taggart) *Opposing Europe:
 Party Systems and Opposition to the
 Union, the Euro and Europeanisation*, SEI
 Working Paper No 36, October 2000

Review of Jean Grugel, ed, 'Democracy
 without borders: transnationalisation and
 conditionality in new democracies,'
Political Studies, Vol 48 No 5, p1064

'Polish Public Opinion: Explaining
 Declining Support for EU Membership',
Journal of Common Market Studies, Vol
 39 No 1, March 2001, forthcoming

'The New Polish Parties as Membership
 Organisations,' *Contemporary Politics*, Vol
 7 No 1, March 2001, forthcoming

Impact Assessment and European Integration Policy

Alan Mayhew
 Slawomir Tokarski

Preparation for accession to the European
 Union implies major policy changes for the
 candidate countries. These changes are
 particularly complex for the countries of
 central and eastern Europe, which are still
 in the final stages of the transition process
 from central planning to the market
 economy.

In planning for the 'accession transition', it is important that the candidate countries assess the impact of policy and legislative changes on their societies and economies before accession, rather than finding out the hard way after accession. Impact assessment of these changes is also an important input for the determination of their negotiating positions with the Union.

This paper was prepared originally as a discussion paper for the Polish civil service as that country prepares for accession to the European Union. It considers the specific way in which impact assessment techniques can be used in the preparation of accession, which is somewhat different from the normal use of these techniques in general government. The various ways of identifying those areas of Community legislation, which may cause significant problems for the candidate country are also considered.

The paper concludes with an analysis of three actual examples of impact analyses,

where these techniques have been used in the assessment of the affect which EU directives will have on the domestic economy.

◆ This is an abstract from the SEI Working Paper, No. 38, 'Impact Assessment and European Integration Policy' by Alan Mayhew and Slawomir Tokarski

◆ *The editor of Euroscope is XXXX All SEI-affiliated faculty, students and staff are encouraged to submit information for the 'In Brief' and 'Publications' sections of Euroscope. Longer, substantive pieces are also welcome. All items for the Spring Term issue on disk or via email, please, to the editor by the last week of the term.*

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37. Alasdair Young, Peter Holmes and Jim Rollo November 2000
The European Trade Agenda After Seattle
38. Sławomir Tokarski and Alan Mayhew December 2000
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