



Foreign & Commonwealth Office

Interview with Theresia Töglhofer, The German Council On Foreign Relations (DGAP), 27 June 2014

1. A Foreign Office official spoke to Theresia Töglhofer on 27 June. The focus of the discussion was an assessment of the enlargement process in the Western Balkans, its impact upon security and stability in the region, and the future challenges that the policy faced.

The positive benefits of enlargement policy on security and stability in Europe

2. The discussion began by noting the important role the EU has had on security and stability, including the UK's security, through enlargement. As well as a direct conflict reduction role, enlargement has had a positive effect on economic prosperity in the EU.
3. Töglhofer noted that a relative improvement in Kosovo-Serbia relations was a demonstrable example of how the EU can have a positive, stabilising effect through the incentive of EU enlargement; the dynamic of bilateral disputes can change significantly when viewed through the prism of EU accession. It can also send a powerful signal to other prospective candidates, too, and it is noticeable that countries such as Croatia and Serbia do not have the same destabilising effect in the region as they did in the 1990s.
4. The EU can help provide for longer-term stability in the region if it draws the right lessons from linking accession progress to the resolution of bilateral issues; Western Balkans countries often have had differing levels of capacity, which makes progress variable. For instance, Serbian accession was held up by the failure to extradite alleged war criminals to the International Criminal Tribunal for the former Yugoslavia (ICTY). The arrest and extradition of alleged war criminals was made part of the conditionality process. Action by Serbia on this had cleared away this obstacle to accession. This "Copenhagen plus" criteria, which includes additional conditions of "good neighbourly relations" for Western Balkans countries has undoubtedly helped bring about bilateral progress between countries which would otherwise still be in deadlock.

The risks of the enlargement process to newly acceded EU Member States

5. Töglhofer noted that one of the weaknesses to the current enlargement process was the risk that, once in the EU, enthusiasm for further reform in newly acceded Member States could diminish. The EU, therefore, needed to do more to ensure countries lived up to their reform commitments once they were inside the EU. Instruments ensuring the respect of democracy and the rule of law should be deployed more consistently in Member States and acceding

countries, as there were complaints that the Cooperation and Verification Mechanism (CVM) is used to assess some countries but not others.

6. A way to make the system fairer might be to apply a mechanism for the safeguard of democratic and rule of law standards on all EU Member States. Some discussion of this idea had taken place in Germany. In 2012 Minister Westerwelle suggested that the European Commission should be equipped with new instruments to address rule of law abuses in member states. The Future of Europe group had a more moderate suggestion, stating that:

“The possibilities to ensure respect for the fundamental values under Article 2 of the TEU should be strengthened. To this end, a new, light mechanism should be introduced enabling the Commission to draw up a report in the case of concrete evidence of violations of the values under Article 2 of the TEU and to make recommendations or refer the matter to the Council. It should only be triggered by an apparent breach in a member state of fundamental values or principles, like the rule of law.”

A mechanism of this kind would probably lead to an increase in EU competence in this area.

7. Applying standards previously only expected of candidate countries to existing EU Member States might also help resolve bilateral disputes which blocked the accession process; good neighbourly relations conditions could be applied to existing Member States to stop the enlargement process being hijacked by national causes such as the Macedonia naming issue. However, peer pressure from other Member States would still be crucial.

The future of EU Enlargement

1. Töglhofer thought that the dynamic of future EU enlargement was likely to change. Political factors driving momentum are less strong than in the case of previous enlargements (e.g. the accession of post-Soviet states). At the same time scepticism toward new enlargements has been on the rise within the European Union and its member states. The challenge, therefore, will be to sustain enthusiasm and incentives for reform when future enlargements will take many years.
2. A further challenge will be the extent to which domestic considerations in existing Member States influences enlargement in the future. If, for instance, the accession of a state is not dependent upon successful reform, but on the public opinion of a Member State, tested through a referendum, then the incentives for reform are significantly undermined. These blockages are likely to lead to a rise in political horse trading which will further complicate progress. If future enlargement is to make progress, then EU Member States will need to work hard to steer the policy through these obstacles.