



The profile of the Visegrád Countries in the Future of Europe Debate

*Working paper by David Král, EUROPEUM Institute for European Policy
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Introduction

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

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

The position of the Visegrád countries in the Convention

The Visegrád countries all belong to the so-called 'accession states' which, on the basis of the Laeken Declaration of December 2001, have the right to send their delegates to the European Convention.² At the same time, the position of these countries is limited by the Convention's rules of procedure. Thus the V4 states have the right to comment on the Convention's proposals and submit their own ones, but they cannot block the consensus among the current member states. Consequently the Visegrád representatives in the Convention took a rather low profile in its deliberations. There are, however, other reasons for this slightly deferent

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

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

position. The first is their insufficient experience with EU membership, often making the identification of national positions difficult and provoking a hunt for likely allies on particular issues among present member states. Another motive is the uncertainty regarding their prospects for membership. Even though the support for EU accession had constantly been very high in all the V4 countries, the Treaty of Accession was signed as late as April 2003, and the accession referenda were held as late as the spring of 2003, at the time when the Convention was coming to an end. The endeavours of the Visegrád governments were therefore focused primarily on the completion of the accession process and discussions on the negotiated terms of accession until the very moment when the referenda took place, rather than on the debate over the future architecture of the Union.

On the other hand, the position of the Visegrád countries in the Convention was reinforced by their relative strength, both in the enlarged EU as a whole and in relation to the other accession and candidate countries. Leaving aside Romania and Bulgaria, where the target date of accession is not until 2007, it is the V4 countries that are the largest among the candidates and this will be reflected correspondingly in their structural power and ability to influence the policies of the Union of 25 members.

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

As far as Hungary and the Czech Republic are concerned, their size inside the post-accession Union will put them among the so-called 'middle-sized countries'. Not surprisingly, the main allies of these countries in the Convention were the representatives of similarly sized countries such as Austria, Portugal and Greece, as well as Belgium and the Netherlands. This even gave rise to an informal group of countries who called themselves originally 'friends of the Community method' and later 'like-minded countries'. Their Convention attendees communicated closely and consulted their governments' positions although we cannot really point to any consistent coordination. This also largely applies to Slovakia, the smallest of the V4 countries.

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

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

We can assume that all the Visegrád countries tend to be pro-European³ in the sense that they support the further deepening of integration at both the economic and the political levels. In connection with the debate that has stirred around the Convention and the speculation about a possible variable geometry of an EU of 25+, the Visegrád countries show that they want to belong to the European hardcore. This is to a large extent predetermined by the fact that these states have accepted the obligation to implement the Schengen *acquis* and the goals of the economic and monetary union, including the single currency. At the same time, they are strongly opposed to any measures that would evoke the dangers of petrifying permanent or quasi-permanent divisions inside the EU or create a multi-speed Europe.⁴

The courage to belong to hardcore Europe also brings some problems. The pressure exerted in the Convention by some member states to frame the progress of European integration in other areas can hardly be acceptable to the Visegrád countries. An obvious example is the intended move forward in security and defence policy. The attempts by some countries (France, Germany, Belgium and Luxembourg or the so-called ‘Gang of Four’) to set up ‘structured cooperation’ as well as ‘closer cooperation’ in the field of defence policy, which might lead to a defence union, would almost certainly mean a weakening of the role of NATO as the main guarantor of security for the Visegrád countries. This indicates another pattern of the future profile of these states in the EU – they tend to act as ‘Atlanticists’ rather than as ‘Gaullists’. This position was especially evident in the case of Poland during of the Iraq crisis, which correlated with the key Convention negotiations. Poland did not leave anyone in doubt that it will avoid doing anything that could possibly endanger its good relations with Washington in the fields of security and defence or that could possibly weaken the role of NATO in Europe. A slightly more reserved stance was taken by the other Visegrád governments, who tried to balance between the Franco-German tandem and the American-British axis.

Another domain where the Visegrád countries interests largely converge, as also shown in the Convention, is the field of justice and home affairs (JHA). These countries will be at the eastern periphery of the enlarged Union, which will be confronted with the reality beyond the ‘paper curtain’, as the area beyond the future EU border is sometimes called. There are fears that the V4 countries alone could not tackle the problems of transborder crime, human trafficking, drugs, terrorism etc., and that the current EU framework is too loose to offer them sufficient solutions. Therefore, one of the priorities for the Visegrád countries is the coordinated action by the Union on issues concerning internal security, including the gradual communitarisation of those areas of the standing third pillar, which are based on the inter-governmental principle, the assignment of executive tasks to Europol and its equipment, etc. It is not surprising that the government representatives of the V4 countries advocate such progressive measures as the setting up of the European Public Prosecutors’ Office or the European Border Guard.⁵ The importance that the Visegrád countries attach to the JHA agenda is also reflected by the fact that the cooperation in preparation for the adoption of the Schengen *acquis* is one of the priorities of the current Czech presidency of the Visegrád group.

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

⁴ Ibid.

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

Hence we come to another area of growing importance for the Visegrád group, which fosters a kind of privileged attitude as Europe's 'immediate neighbourhood'. Apart from providing an effective protection of the area of freedom, security and justice as stipulated in the Amsterdam Treaty, their foremost interest is to stabilise the situation beyond their borders to the utmost extent. In this respect, the representatives of the group can feel comfortable, as the provisions on Europe's immediate neighbourhood were incorporated into the Constitution as Title VIII.⁶ These provisions are, however, very general and there are questions as to how they will be implemented and to what extent the Visegrád group will converge on the idea of where to implement them. Poland is extremely interested in stabilising and setting up privileged relations with the Ukraine⁷ along with Belarus and Moldova, while the attention of Hungary will probably turn towards the Western Balkans. The Czech Republic can take a more relaxed stance with the absence of an external border. The long-term goal of the Visegrád countries remains to eventually incorporate its neighbours into the EU.

Internal cleavages in the Visegrád group – confirming the 'big versus small' division?

Returning to the more specific questions that were the subject matter of the Convention, by taking a look at the positions of the V4 government representatives, we can see that on many technical issues their positions were alike. This relates to the enhanced role of the European Parliament in the legislative process, the standardisation of the co-decision method, the extension of qualified majority voting (QMV) to other areas, the refusal of the idea of a Congress as a new body in the institutional architecture of the Union, the preservation of the right of initiative of the Commission within the Community method of regulation, the support for a double-hatted European foreign minister and other questions. As was previously noted, however, these were the issues on which a broad consensus was achieved among a substantial number of Convention attendees, not only the government representatives. But conversely, on the issues that turned out to be the most controversial or problematic ones, the positions of the government representatives of the Visegrád group were different.

As the most obvious example, we can point to the different stances taken on the question of the permanent presidency of the European Council. Danuta Hübner, the Polish Minister for Europe was the only representative from the V4 group who expressed support for the Franco-German proposal to create the post of a quasi-permanent president of the European Council, albeit conditioned by the necessity for a clearer specification of his/her position and competencies. The representatives of the Czech Republic, Hungary and Slovakia were initially opposed to this concept but even their positions diverged. Jan Kohout (Czech Republic) and Péter Balázs (Hungary) acknowledged the need for reform of the current system of rotation and advocated the idea of a team presidency consisting of several countries, while the Slovakian representation, headed by Ivan Korčok, insisted on keeping the status quo.

Similarly divergent positions appeared on another key issue concerning the nomination and election of the European Commission president. Ms Hübner expressed certain reservations about the concept of the election of the Commission president by the European Parliament, fearing this might endanger the impartiality and independence of the Commission. The Czech and Slovakian representatives basically supported the idea. Hungary was the only country that

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

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

took a positive view on the alternative proposal, being the direct election of the Commission president by EU citizens, which the other V4 representatives did not even realistically consider. On the subject of the Commission's accountability, only Slovakia advocated that the European Council has the right to censure the Commission as a whole or the commissioners individually.

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

In broader terms, the cleavage of the Visegrád group can be described by an active participation of the Czech Republic, Hungary and Slovakia in the 'like-minded countries' group, which Poland did not join. This confirms the tendency that was well observed as the Convention was drawing to its end, wherein the most controversial issues created a split across the Union between the small and the big states, with Poland belonging to the latter. The Polish willingness to play the 'big' card was further demonstrated at the Wroclaw summit of the Weimar Triangle, when Poland was invited to discuss many crucial issues on the future of the EU with France and Germany, including the common agricultural policy, cohesion policy, transport policy, European security and defence policy and institutional issues in the future EU architecture.⁸ Seeing Poland hook up to the big countries, many were surprised when Mr Janusz Trzcinski, the Polish alternate for Danuta Hübner, took part in a recent meeting of the 'like-minded' group in Prague. The Polish representatives were invited by their Czech hosts owing to the awareness of their links to V4 countries and the recent V4 summit in Tale, referred to below.⁹

What stance should be taken by the Visegrád group at the IGC?

After the Convention had reached the final deal, an open question remained as to what extent the V4 countries will act together at the upcoming IGC. The interest in the coordinated approach of the V4 states in this respect was expressed by the Polish Prime Minister Leszek Miller at the Visegrád Summit in Tale, Slovakia in June 2003.¹⁰ He also highlighted areas in which the Visegrád countries should aim at a common position – e.g. the idea of a team presidency, the mode of the appointment of the Commission president, the Commission composition, issues of security and defence and or the preservation of the Nice formula for QMV.¹¹ The coordination of V4 positions at the IGC is one of the priorities of the current Czech presidency of the Visegrád cooperation.

Apart from this, however, more dividing lines are likely to appear. Even among the Visegrád group, issues that certain individual states would like to see re-opened are likely to come up.

⁸ See the Office of the President of the Republic of Poland (www.prezydent.pl), as retrieved from DGAP website.

⁹ Testault, Jean-Luc (2003), "Small EU states prepare for a fight on bloc's new constitution" Agence France Presse, 31 August (retrieved from http://quickstart.clari.net/qs_se/webnews/wed/ci/Queu-enlarge-constitution.RXL9_DaV.html).

¹⁰ For the official conclusions of the summit, please refer to the Visegrád cooperation website (<http://www.visegrad.org>).

¹¹ For further information, see the news website of the Embassy of the Republic of Poland in Washington, D.C. (http://www.polandembassy.org/News/Biuletyny_news/p2003-06-26.htm).

These issues do not necessarily have to be the same among the V4 countries, and even if they are, they do not have to have the same priority.

In the case of Poland, at least two points emerge, whose renegotiation will be strongly advocated by the present Polish delegation. The first one is a controversial aspect of qualified majority voting, which according to the current draft, requires the assent of half of the member states and represents at least 60% of the population of the Union. The necessity of preserving the Nice formula has already been highlighted by Prime Minister Miller during the Tale V4 summit; Poland will try to convince its Visegrád partners in this respect, because the current system is largely favourable to them too.¹² Poland will be strongly opposed to the current clause in the draft Constitution along with Spain. The question remains open as to what extent the other Visegrád countries or even other like-minded countries will also make this their top priority at the IGC.

Another question surrounds the idea of *Invocatio Dei*, or more modestly a broad reference to Christianity in the preamble, recalling the divine inspiration of the European Constitution, similar to that found in the Polish one. The Polish political scene is unified in this respect, which cannot be said about the other Visegrád countries, although confessional streams that support *Invocatio Dei* do exist there. This will probably be even more controversial than the QMV construction. The governments of other countries will be very cautious. As this is a matter of a symbolic rather than a fundamental nature, it is possible that Poland will succeed in getting this clause in the Constitutional Treaty in return for its support on another issue as a ‘trade-off’.

As far as the Czech Republic is concerned, it seems that the first priority will be the renegotiation of the composition of the European Commission. For the Czech Republic, the principle of striking the balance between the member states is extremely important. The proposals to do away with the rotating presidency and reduce the European Commission create a two-tier system, which the Czech Republic views as a fundamental removal of this balance principle from the Union’s architecture, and when taken together, are hardly acceptable. Thus, if Mr Kohout has agreed to a permanent president of the European Council, we can expect that he will fight fiercely for the preservation of one commissioner per member state. Similar attitudes can be expected among the Hungarian and Slovakian government representatives.

Conclusions

Although the V4 states often defended the same or similar positions in the Convention, on many important issues their stances diverged. This situation is likely to be repeated at the upcoming IGC and it basically confirms the tendency that can be traced back, for instance to the EU accession negotiations or the Iraq crisis. At the Convention, as elsewhere, no substantial coordination occurred. Therefore, we can hardly expect the Visegrád countries to act as a compact bloc inside the EU.

In some areas, the interests of the V4 states will converge – for instance communitarising large portions of the current third pillar, restoring and keeping strong transatlantic ties in the

¹² To assess the relative change in the voting weight of the member states by the proposal in the draft Constitution compared with the Nice formula, please refer to a study by Richard Baldwin and Mika Widgren (2003), *Decision-making and the Constitutional Treaty – Will the IGC Discard Giscard?*, CEPS Policy Brief No. 37, Centre for European Policy Studies, Brussels (see <http://www.ceps.be>).

area of security and defence or the enhancing relations with Europe's immediate neighbourhood. In this respect, the Visegrád group will be supported by other countries in the region, especially Austria and Slovenia. A certain harmonisation of Central European stances goes well beyond the Visegrád cooperation and encompasses other entities like the Central European Free Trade Agreement (CEFTA) and the Central European Initiative. Austria, for instance, was one of the main advocates behind the recent meeting of 'like-minded' countries in Prague at the beginning of September 2003. In this connection we could also mention the Ferrero-Waldner initiative in June 2001, when the Austrian foreign minister presented the idea of strategic partnership and closer cooperation of the Central European region in the EU.¹³

Moreover, one must not forget that the Visegrád cooperation itself has had its ups and downs. A mere year ago, internal divisions over the question of the Benes Decrees left many experts extremely sceptical about the future of the Visegrád group as such. It is difficult to say what would have happened to the V4 if the Hungarian political party Fidesz had remained in power. Further, the level of institutionalisation of the group is not exactly the same as that of Benelux or the Nordic Cooperation.

In many other matters, the interests of the V4 group will diverge more or even move towards opposition. A typical example is the reform of the Common Agricultural Policy, where we can expect absolutely different positions from Poland and the Czech Republic. This is likely to become far more exemplary of the Union of 25 members than it is now – in the view that it will be a Union of shifting coalitions rather than one of compact blocs.¹⁴ The Visegrád countries will act in a more pragmatic than visionary manner when joining the club. This can be explained by the importance of justifying the benefits of the European integration process to the domestic electorate, a situation that the political representatives in France, Germany or other 'traditional' member states do not face.

¹³ Palata, Lubos (2001), *Co-operation or Empire*, Foreign Policy Association, New York.

¹⁴ This view is also expressed in Heather Grabbe's article on "A Union of Shifting Coalitions", *Warsaw Business Journal*, 2 June 2003.