

Notes

- 1 This chapter builds on research undertaken at the European University Institute in 1998 and published as Grabbe 1999.
- 2 Meaning 'lighthouse' in French, the acronym stands for 'Poland and Hungary Assistance for the Reconstruction of the Economy', but the programme was later extended beyond these two countries.
- 3 For analyses of the EU's association policy towards CEE up to 1993, see Sedelmeier 1994 and Torreblanca 1997.
- 4 This summary is based on Sedelmeier and Wallace 1996.
- 5 For an account of how policy developed through different EC/EU enlargements, see Preston 1997.
- 6 '*Acquis communautaire*' is the term used by the EU to refer to all the real and potential rights and obligations of the EU system and its institutional framework. The accession *acquis* is the whole body of EU law and practice, and its definition is discussed in Section 2.6.
- 7 Council Regulation 622/98, article 4.
- 8 Much more detail on the content of the Accession Partnerships is provided in the case-studies. This table is intended just to illustrate the wide range of tasks they contained.
- 9 To use a characterisation of capitalist systems in Western Europe developed in Rhodes and van Apeldoorn 1998 from Albert 1991.
- 10 However, the Amsterdam Treaty resulted in an extension of Community competence in justice and home affairs, and a slight increase in the European Parliament's role in decision-making: see Manin (1998).
- 11 *Uniting Europe* 9, 1/6/98.
- 12 *Financial Times*, 16/6/97.
- 13 '*The EU ... will not grant 17 years as it did for Spain ... but at the very most five years ... in well-defined sectors*' and for this reason '*the applicants must make the necessary effort during the pre-accession period ...*', Assemblée Nationale (1998), pp. 36–37.
- 14 Corfu European Council 1994, *O.J.* 1994, C 241/381.
- 15 *Uniting Europe* 2, 13/4/98.
- 16 *Uniting Europe* 9, 1/6/98.
- 17 N.B. Greater policy convergence is not necessarily the same thing as higher levels of compliance with different parts of the EU's *acquis*. The CEE applicants were working from a much lower starting-point than member-states in terms of institutional development, human and financial resources, and economic capacity, so their capacity to adopt the *acquis* fully was much less than that of a West European state. However, the EU's impact on their political economies is likely to have been much greater precisely because these starting conditions meant that EU policies met with less resistance (in terms of existing policies and institutions) than would have been the case in the EU-15.
- 18 As termed by Wallace and Wallace (2000).

- 19 As Klaus Knorr puts it, 'Power arises from an asymmetrical interdependence.' (Knorr 1977, p. 102).
- 20 Radaelli 2000, p. 26.
- 21 SAPARD = Special Accession Programme for Agriculture and Rural Development.
- 22 ISPA = Instrument for Structural Policies for Pre-Accession.
- 23 Author's interviews with the Spanish coordinators of twinning programmes and British twinning agents, 2001.
- 24 *Démarches* are issued as part of EU foreign policy by unanimous inter-governmental agreement between the member-states.
- 25 The most extensive overview of all the transition countries is the four volumes edited by Karen Dawisha and Bruce Parrott for Cambridge University Press; the volume on CEE is Dawisha and Parrott 1997.
- 26 Ferenc Vissi, interview, Budapest, April 1999.
- 27 Interview with Vladimir Kissiov, Bulgaria's chief negotiator, January 2001.
- 28 EEC = Treaty establishing the European Economic Community, signed in Rome on 25 March 1957.
- 29 Article 1 of Directive 90/364.
- 30 TEU = Treaty on European Union, signed in Maastricht on 7 February 1992.
- 31 The 1992 Maastricht Treaty had established a structure of three 'pillars' for the Union. The first pillar comprised the single market, the second was the common foreign and security policy, while the third comprised justice and home affairs. The significance of the pillars was that the first was in the jurisdiction of the EU's institutions (the European Parliament, Commission, Council and Court of Justice), while the second and third were reserved to inter-governmental cooperation between the member-states. The 1997 Amsterdam Treaty then moved most of justice and home affairs into the first pillar (and hence under the remit of the EU's institutions), leaving just police and judicial cooperation in the third pillar. The formal pillar structure was removed in the Constitutional Treaty produced in 2004.
- 32 *Financial Times* 22/5/00.
- 33 Quoted in *Financial Times* 22/5/00.
- 34 Interview, Diamantopoulou cabinet, CEC, Brussels, February 2001.
- 35 CEC press release, 29 January 2001, IP/01/127.
- 36 Proposal reported in *Die Welt*, 8/7/98.
- 37 *Agence Europe*, 21/3/01. This was one of only two DCPs where the full College of Commissioners was involved. Normally, the Enlargement Commissioner alone approved the DCPs, but the transitional period on FMP was so politically sensitive that Verheugen needed the explicit support of his Commission colleagues.
- 38 *Uniting Europe* 96, 24/4/00.
- 39 Commission press release IP/01/561, Brussels, 11/04/01.
- 40 *Financial Times*, 12/4/01.
- 41 Commission negotiating position quoted in *Agence Europe*, 15/5/01.
- 42 *Agence Europe* 30/3/01.
- 43 Duna TV Satellite, 1600 GMT, 12/6/01, reported by BBC Monitoring.
- 44 *Financial Times*, 4/3/02.

- 45 Update on the Commission's enlargement website, January 2002: <http://europa.eu.int/comm/enlargement/negotiations/chapters/chap2/index.htm>
- 46 Research for this chapter began during the author's visiting fellowship at the Western European Union Institute for Security Studies in 1999. Initial findings were published in Grabbe 2000a and 2000b.
- 47 The UK and Ireland have opt-outs from Schengen that include a 'selective opt-in', whereby they do not normally participate in migration policy measures. Denmark is a member of Schengen, but until March 2001 it had a special arrangement whereby it had opted out of the third pillar: see Monar 1999. Denmark then exercised its opt-in right in March 2001.
- 48 For details of the Amsterdam negotiations, see Petite 1998.
- 49 This process is referred to as the Schengen 'ventilation' exercise: see Adrian Fortescue's evidence in House of Lords 1999.
- 50 'Council Decision of 20 May 1999 concerning the definition of the Schengen acquis', *Official Journal of the European Communities*, L 176/1, 1999/435/EC, 10/7/99.
- 51 Note: the wording for the tasks given in the first column reflects the wording in the individual Accession Partnerships, but it is not necessarily a direct quotation because this table presents a shortened summary of the tasks.
- 52 In addition to the bilateral agreements, there was a prior multilateral readmission agreement between Poland and the Schengen countries (including Germany) signed in March 1991: see Pastore 1998 on the development of the readmission treaty system.
- 53 The Catch-Up Facility was established following criticism of the financial support offered to the five candidates not starting negotiations in the first round (Bulgaria, Latvia, Lithuania, Romania and Slovakia). The Luxembourg European Council in December 1997 decided to provide additional support to them in areas identified as deficient in the Commission's Opinions, including justice and home affairs.
- 54 *Uniting Europe* 4, 27/4/98.
- 55 *Uniting Europe* 2, 13/4/98.
- 56 This status is conferred bilaterally and is not harmonised across the EU.
- 57 However, they were still subject to checks by police within each country, and police have additional powers in border areas: see Bort 2000.
- 58 Border controls were abolished in 1995 between seven Schengen countries; Austria and Italy were able to lift border controls in 1998, while Greece was allowed to do so in 2000.
- 59 *Neue Zürcher Zeitung*, 18/10/99.
- 60 United Nations High Commissioner for Refugees 2004.
- 61 Reported in the Hungarian economics weekly *HVG*, 4/9/99, no. 99/35.
- 62 Commitment made in the Hungarian position paper for the last five chapters of negotiations submitted to the EU on 29 November 1999, reported in *HVG*, 6/12/99, no. 99/42.
- 63 János Martonyi, Hungarian Foreign Minister, press conference in Budapest, 26/11/99, reported by *Bridge News*, same date.
- 64 Proposal made by Zsolt Németh, Political State Secretary, Hungarian Foreign Ministry, reported on Hungarian radio, 3/6/99 (BBC Monitoring Service).

- 65 Hungarian radio report, 20/2/99 (BBC Monitoring Service).
- 66 János Martonyi, then Hungarian Foreign Minister, interviewed on Hungarian radio, 5/1/99 (BBC Monitoring Service).
- 67 Relations with Ukraine feature as a central priority in successive annual 'exposés' of Polish foreign policy and other documents: 'Priorytety polskiej polityki zagranicznej' (Priorities of Polish foreign policy), published on www.ms.gov.pl.
- 68 *Polish Daily News Bulletin* (government briefing service), 12 February 2002.
- 69 Foreign Minister Włodzimierz Cimoszewicz quoted in *Polish Daily News Bulletin*, 11 February 2002.
- 70 Council Regulation 2317/95.
- 71 According to Bulgaria's chief negotiator, Vladimir Kissiov, in January 2001.
- 72 Nickolay Mladenov, Member of the Bulgarian Parliament, Sofia, January 2001.
- 73 *Agence Europe* 7232, 30/5/98.
- 74 'Negotiations: Chapter 24 – Justice and Home Affairs', summary on the Commission's website, January 2002: www.europa.eu.int/comm/enlargement/negotiations/chapters/chap24/index.htm.
- 75 'Negotiations: Chapter 24 – Justice and Home Affairs', summary on the Commission's website, January 2002: www.europa.eu.int/comm/enlargement/negotiations/chapters/chap24/index.htm.
- 76 'Negotiations: Chapter 24 – Justice and Home Affairs', summary on the Commission's website, January 2002: www.europa.eu.int/comm/enlargement/negotiations/chapters/chap24/index.htm.
- 77 Reported in the Czech daily *Hospodarske Noviny*, 1/6/99.
- 78 The author is grateful to Judy Batt for this point.
- 79 The author is grateful to Boyko Todorov for this formulation.

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