Slovakia and the Limits of European Integration

Study for the Project “Forum for Eureka”

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1. Introduction¹

The aim of this study is to explain the underlying factors behind discernible Eurosceptic tendencies in Slovakia by tackling the following research question: How can we explain Slovakia’s views on the limits of European integration?

The study considers Slovakia’s integration strategies as a dependant variable, whereby the term ‘integration strategy’ denotes a set of the country’s policy and institutional preferences in the EU. (See Malová et al., 2005). Drawing on Europeanization literature (Featherstone and Radaelli 2003, Schimmelfennig and Sedelmeier 2005, Pridham 2002) that has been dealing increasingly with the impact of new post-communist EU member states on the study of European integration this particular study considers two key independent variables that help explain the nature of Slovakia’s preferences and behavior in the European Union. First, it identifies the nature of the country’s accession process into the European Union and the nature of its EU membership that is marked by a number of limitations through the existence of several transitional arrangements for the achievement of full-fledged membership in the European Union. Hence, it focuses on a set of international factors that have framed and largely constrained the country’s path into the EU and its place within it. Second, it assesses the degree of domestic politicization of the EU membership. In other words, it looks at the degree to which Slovakia’s political parties have presented a differentiated set of preferences within the European Union. While focusing primarily on the attitude of the political elite, the study also presents a summary finding of public opinion surveys toward the main policy and institutional issues discussed within the European Union since the EU enlargement in 2004.

The study focuses on the period from the accession process to 2007. It does not attempt to answer big questions but rather through a case study of Slovakia’s changing preferences within the European Union it strives to tap into a more comprehensive debate on the nature of EU membership and the corresponding views on the limits of European integration. It

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combines both the analysis of the international environment and its impact on Slovakia and the analysis of changing domestic preferences of relevant political actors for Slovakia’s role within the European Union. Thus, it uses Robert Putnam’s two-level game approach as an essential metaphor for the overall framework of the study (see Putnam, 1988).

In terms of research, the study surveys the elite views pronounced by Slovakia’s politicians toward a) key strategic issues of deepening and widening of the EU (institutional and policy reform, EU enlargement, EU financial perspective) and b) key policy areas necessary for the completion of Slovakia’s full-fledged membership in the EU (four freedoms of the Single European Market, the adoption of the euro, the extension of the Schengen area). It also presents the available domestic and international (Eurobarometer) findings on changing public trends toward the aforementioned issues of EU widening, EU deepening and the completion of EU enlargement from 2004 (full extension of the four EU freedoms, enlargement of the Eurozone and the Schengen area). The study presents its findings based on evidence gathered through analysis of speeches, official documents as well as secondary sources, such as news, studies and supporting evidence gathered through elite interviews with policymakers. Since Slovakia has a new government as a result of parliamentary elections in June 2006 the analysis of data up to the complete 3rd year of Slovakia’s membership in the EU (May 2007) allow us to capture more fully the changing dynamics of the domestic level of analysis. The same applies to the international level of analysis with the most recent enlargement of the EU to Bulgaria and Romania in 2007.

The case study of Slovakia’s preference formation within the European Union helps us develop two conclusions relevant for a body of literature on international relations and on Europeanization. First, drawing on literature on two-level games the case study demonstrates that the ability of domestic actors to perform in an international arena depends crucially on whether the interacting parties within a given international system also happen to belong to the same international regime of shared rules and norms. As this study shows, Slovakia’s capacity for preference formation and thus for a greater realm of public policy action has been enhanced by membership in the EU. In the case of successful candidate countries the European Union appears to strengthen rather than to weaken the state as a capable international actor. This specific finding seems to testify to a more general claim that the
European Community enhances the role of states. (Moravcsik, 1994) However, the case of Slovakia additionally illustrates that the enhanced position of a state is not just a matter for the study of grand intra-EU bargains (Moravcsik, 1999). The latest round of EU enlargement also provides fertile ground for the investigation of external factors of integration to promote state-building process in Europe. (Grabbe, 2006, Vachudova, 2005). The empirical contribution of this study stems from the fact that the emergence of Slovakia’s EU policy (dependent variable) had principally to do with its shift from an outsider to an insider of a particular international regime (the European Union). Whereas before accession into the European Union Slovakia could respond to the acquis (independent variable) largely with a single foreign policy goal of wanting to join, since EU entry Slovakia’s responses could take on a much more diverse form. Therefore in the case of an asymmetric international position of the negotiating parties the model of two-level games makes analytical sense only if – contrary to Moravcsik’s claim – we assign priority to the international regime that represents an explicit object of the international bargain (in this case EU membership) as the exclusive agenda-setter.

Second, this study draws on a body of literature on Europeanization that claims that both candidate countries and member states are subject to effects of the same independent variable, namely the bulk of acquis communautaire\(^2\). (Börzel, 1999, Schimmelfennig and Seidelmeier, 2005) Yet, Slovakia’s particular example shows the increasing importance of studying and understanding the complexity of new member states’ EU policies as exogenous responses to policymaking demands of the European Union. Slovakia as a member state no longer has the EU as its foremost foreign policy goal whose fulfillment depended almost exclusively on a successful one-way transfer of EU rules and norms into the domestic Slovak legislative and political setting. The disappearing asymmetry of the post-2004 Slovak-EU relations meant that the European Union became less a matter of foreign affairs and more a subject of public policy. Slovakia within the EU - as opposed to Slovakia outside the EU - possesses the ability to pronounce its own preferences. This study therefore argues that literature on Europeanization must be concerned with a detailed and systematic study of such preferences in order to understand better the interactions between the body of the acquis and individual EU member states.

\(^2\) The term acquis communautaire is not used here just in a strict legal sense but refers to the whole set of EU legal, political and institutional norms and demands.
In the case of post-communist Central European states the EU accession assigned the
overriding primacy to foreign policy goals such as the achievement of membership in the
European Union. However, EU membership, contrary to EU candidate status, creates a new
operative space for the formulation and implementation of a country’s public interests
whereby the term operative space denotes the country’s ability to assert its array of
preferences. With the gradual transition from a status of a candidate country to its EU
membership, Slovakia’s operative space has been enhanced. The emergence of Slovakia’s EU
policy is thus a direct consequence of a new setting of international relations that in today’s
Europe help transform the traditional term of foreign policy. In practical terms this means that
while as a candidate country during accession talks Slovakia responded to the evolving EU
acquis almost exclusively with compliance or promises of future compliance, Slovakia as an
acceding country and as a member of the EU responded to the demands of the EU with a
variety of preferences.

Recent Europeanization literature (Pridham, 2005, Featherstone and Radaelli, 2003, Grabbe
2006, Vachudova 2005) stresses the importance of domestic politics in explaining the
responses of the candidate countries to the incentive of EU membership. This argument
though applies primarily to the precarious period of interactions between the EU and
candidate countries preceding the firm locking-in of the latter by the former in an advanced
state of accession talks. Indeed, the case of Slovakia’s domestic political developments during
the mid-1990s represents an exemplary case confirming the relevance of domestic politics’
explanations for variation in the post-communist states’ responses to the possibility of EU
membership. Astute observers of that period came to the conclusion that this country’s
transition to post-communist rule was “a borderline case between that of more advanced
Central European and lagging South-East European countries.” (Szomolányi 2000: 16) and
due to its undemocratic domestic political practices Slovakia was excluded from EU
accession talks at the EU summit in Luxembourg because it represented “the one clear-cut
instance of failed response to democratic conditionality” set out by the Copenhagen criteria in
1993. (Pridham 1999: 1223). It was only after “Slovakia’s democratic awakening” (Bútora,
1999) that Slovakia’s politicians made a full use of the EU incentives.
Yet, this contribution does not engage the precarious period concerned with a critical evaluation of the EU’s democratic conditionality. Its primary focus is the latter period of interactions between the EU and Slovakia (2000 – 2007) that led to a gradual materialization of the country’s EU policy in the form of distinct ideas and predilections as responses to EU demands. These preferences became most distinct during the debates on the future of Europe in the aftermaths of the agreement on the Treaty of Nice (2000) and in the contexts of the Convention on the Future of Europe (February 2002 – July 2003) and the Intergovernmental Conference (October 2003 – June 2004) on the EU Constitution.\(^3\) As Slovakia’s position vis-à-vis EU institutions and member states shifted from 2000 onwards the study emphasizes the importance of international relations explanation for the emergence of a new EU policy characterized by diverse elements ranging from compliance with EU standards (such as the desire to adopt rules in line with the Schengen system or the Eurozone) to opposition to possible EU \textit{acquis} (in areas such as social or tax policy). The reason for highlighting the importance of changing international regime for the country’s ability to utter new preferences stems from the fact that an important part of the content of Slovakia’s nascent EU policy was not endogenously connected to the logic of accession process.\(^4\) Rather, a whole set of Slovakia’s preferences had exogenous sources outside the terms and bounds of the accession process.\(^5\)

Hence, the case of Slovakia’s EU policy illustrates the limits of historical institutional arguments (George, 1985, Sandholtz, 1993) that generally favor path-dependant explanations “that shifting national preferences are an unintended consequence of prior integration.” (Moravcsik, 1999: 489) Rather, the empirical finding of the study serves as a partial confirmation to rationalist explanations of domestic responses to the offer of EU membership. A recent seminal work on the impact of the EU on candidate countries identified that domestic political elites complied with the EU \textit{acquis} because compliance imposed relatively low or minimal costs “on the power base of ruling elites” (Vachudova 2005: 75). In the case of Slovakia this cost was high under the Mečiar led coalition government from 1994 to 1998 but by 2000 the cost of compliance was low as EU requirements corresponded broadly with

\(^3\) Officially named as “The Treaty Establishing the Constitution for Europe”.

\(^4\) Examples of preferences endogenously connected to the logic of accession process are the aforementioned goals of joining the common currency or entering the Schengen regime.

\(^5\) Good examples are strong preferences in the area of EU justice, security and defense policy, direct taxation or social standards.
the thrust domestic political and economic agendas. While domestic factors are a powerful tool in explaining the pursuit of an overriding foreign policy priority such as EU membership, they hardly suffice to capture the consequent emergence of a country’s EU policy. The latter is only possible as the *sine qua non* result of an altered international environment that no longer demands just compliance but also calls for action of countries.
2. Foreshadowing of Slovakia’s EU Policy

This part maps the very nascent emergence of Slovakia’s EU policy that resulted from the shift of Slovakia’s position of a candidate country in 1999 and early 2000 to a serious contender for membership in the EU firmly locked in the accession talks by 2001. It identifies the first openings for the articulation of Slovakia’s EU policy as responses to the agenda set by the EU alongside the contents of the enlargement talks. Namely, the year 2001 becomes the beginning of a broad debate on the Future of Europe in the aftermath of the Treaty of Nice that allotted the EU of fifteen member states the institutional room for enlargement to as many as twelve new member states but that did not necessarily prepare the EU institutions for effective action of a larger Union. The study thus first identifies the conclusions of the Treaty of Nice and the subsequent calls for a new debate on the reform of the Union that should also include all candidate states. Against this backdrop, the study then identifies the initial glimpses of Slovakia’s exogenous preferences for the EU. At this pre-accession state, however, their full-fledged emergence still remained constrained by the asymmetric relationship between the Union and Slovakia.

The following lines analyze the Slovak elite political visions and attitudes towards the future of the European Union. They illustrate that even though the Slovak discussion on these issues became institutionalized the country lacked an in-depth debate and differentiated concepts on the reform of the European Union. The course of the discussion on the functioning of the future enlarged European Union reflected in part other priorities of the Slovak political scene. The quality of the debate on the future of Europe also mirrored the insufficient foreign policy expertise across the political parties in Slovakia. The existing concepts on the reform of the EU largely supported implementation and further development of federal principles. However, in general the discussion remained underdeveloped and at this stage especially more advanced euro-skeptic or euro-critical positions were lacking. In fact, by September 2001, not a single Slovak politician had contributed a substantial view to the discussion on the Union’s future shape. In the eight months following the Nice summit, the country did not contribute a single thought-provoking opinion to the debate on the future of the European Union. It confined itself to reactions by Slovak diplomats to the opinions of politicians from EU member states. For instance, in response to a speech by French Prime Minister Lionel
Jospin, who offered a notion of the Union as a federation of strong national states, former Slovakia’s Foreign Minister, Eduard Kukan, said he preferred the vision of German Chancellor Gerhard Schröder, who advocated a more integrated Union with a clear division of powers (Sme daily, May 30, 2001). In a speech at the end of April 2001, Schröder proposed that the European Commission could become a European cabinet, while the Council of Ministers could become a chamber of states similar to the Bundesrat, the upper chamber of the German parliament. Although Schröder’s proposal went too far, given the Union’s existing institutional structure, according to Ján Figel’, Slovakia’s chief negotiator with the EU, the Union’s smaller members were better off endorsing and actively supporting its supranational organs. Figel’ reasoned that small countries sometimes found it difficult to communicate with partners in larger states on an equal basis; consequently, Figel’ argued, a more efficient European Commission should be encouraged, as well as a stronger European Parliament, and more balanced relations between the Union’s common organs and its member states (Zsilleová, 2001).

2.1. National Convention on the European Future of Slovakia

During the Nice summit, the EU called on candidate countries to present their views on the future of Europe. In reaction to the Union’s call, the Foreign Ministry founded the National Convention on the European Future of Slovakia, which convened for the first time on May 14, 2001, in Bratislava. The convention was a forum for representatives of the cabinet, parliament, political parties, non-governmental organizations, the academic community, trade unions, and churches. Its main objective was to debate and to seek consensus on the issues to be discussed at the upcoming Intergovernmental Conference. With the First Meeting of the National Convention on the European Future of Slovakia, the country became the first EU candidate country to open a nationwide public debate on the future shape of the European Union (Sme daily, May 15, 2001).

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6 See www.eurokonvent.sk for more details on both the history and the contents of this body.
A brief debate on the future functioning of the European Union was held during the First Meeting of the National Convention in May 2001. The floor belonged primarily to members of the Slovak National Council (the Slovak Parliament). They expressed their support to general principles of the European Union’s reform however, they dealt with no particular agenda of reform. The majority of presentations called for the strengthening of federal principles of European integration. In particular Jozef Migaš, then Chairman of the Slovak National Council and the leader of the Party of the Democratic Left (SDL - Strana demokratickej lavice), underlined in his speech the importance of the National Convention that is of a great benefit to all citizens. He said the European Union had to be turned into the Europe of citizens. He promoted the federalization of Europe and the strengthening of the European Parliament’s position.

The Second Meeting of the National Convention on the European Future of Slovakia was held on October 1, 2001. The floor belonged primarily to representatives of major coalition and opposition political parties. Representatives of churches and non-governmental organizations also took part in the discussion. Apart from some reservations of the Movement for Democratic Slovakia and the Christian Democratic Movement (KDH - Krestansko-demokratické hnutie) related to strengthening of federal principles of integration, the majority of speakers encouraged Slovakia to tend towards further development of integration based on common community principles. Debates at the Meeting commenced on the basis of a comprehensive report issued by the Working Group of the Ministry of Foreign Affairs. This report called for a strengthened position of the European Parliament. It supported the proposal that the Charter of Fundamental Rights becomes a legally binding document. It called for a more precise delimitation of powers between the European Union and Member States, reflecting the principle of subsidiarity and expressed a general support to the strengthening of community principles within the future enlarged European Union. In addition to the position of the Working Group the SDL was the only political party that submitted a contribution to the debate. Represented by Peter Weiss, Member of Parliament and Chairman of the Committee of Foreign Affairs of the Slovak National Council, it outlined the party’s approach to the reform of the EU’s institutions.

7 A notice on the First Meeting of the National Convention on the European Future of Slovakia can be found at www.konvent.sk.
Key contributions from within the executive came from the Prime Minister and the Foreign Minister. Mikuláš Dzurinda, that time Slovak Prime Minister and Party-leader of the Slovak Democratic and Christian Union (SDKÚ - Slovenská demokratická a kresťanská únia) said cautiously that it was too early to estimate whether the future Europe would be based on federal, confederal or some other principles. He placed emphasis on the future general application of the principle of subsidiarity. According to Dzurinda, there was no alternative to Slovakia's membership in the European Union. Dzurinda emphasized that the tragic events of September 11, 2001 brought the forefront of integration’s priorities the areas of foreign and security policies. Dzurinda underlined the importance of the National Convention in fostering the Slovak debate on the future of Europe and in aspiring to some common positions that could be presented abroad.

Eduard Kukan, Slovak Minister of Foreign Affairs, said the discussion on the future of the Union should answer questions related to the EU’s adaptation to the new post-Cold War arrangements, to the Europe’s global economic position and to the need for a broad public involvement into the European events. According to Kukan there was no need to establish a new European Union, but to accommodate its mechanisms to the EU's new position. Kukan also briefly addressed some issues related to the Union’s agenda of reform resulting from conclusions adopted in Nice. Namely, the position of national parliaments should be viewed in the complex perspective of a more general need for the strengthened parliamentary principles. Eduard Kukan emphasized that the delimitation of powers between the Union and Member States is especially important to promote national identity of Member States and to the improvement of transparency of European decision-making procedures.

One major contribution on the limits of integration came from Vladimír Palko, Chairman of the KDH???? and of the Committee of National Security and Defence of the Slovak National Council who criticized activities of the European Parliament (EP), the institution that regularly passes recommendations related to culture and ethic issues including human life, family, human dignity and social security. The KDH was convinced there was no reason to delegate the decision-making powers in this area to the European Union. Vladimír Palko considered the cultural and ethic issues to be the most sensitive ones and would like to keep the related prerogative powers under a sovereignty of Member States. In connection with this
demand Palko informed the floor the KDH was preparing the Draft Declaration on Cultural and Ethical Sovereignty of the Member and Candidate States to be submitted to the National Parliament.

The Third Meeting of the National Convention on the European Future of Slovakia was held on March 4, 2002. The meeting was addressed by the President of the Slovak Republic who expressed his support for the idea of European federation. Responding to the First Meeting of the Convention on the Future of Europe held in Brussels on February 28, 2002, the National Convention on the European Future of Slovakia adopted common conclusions. These reflected the support of the National Convention to the equal representation of Candidate States within the European Convention and demanded their representation in the Presidium of the Convention.

In his speech Rudolf Schuster, President of the Slovak Republic, called for “more European Union”. According to Schuster, the European Union should be turned into a global power. Schuster criticized Slovak political parties for their failure to participate more actively in the domestic discussion on the European future. The Slovak President outlined his own vision on the future of the European Union. As a possible model for Slovakia he cited the successful experience of smaller countries like Ireland, Finland, Sweden and Portugal. Rudolf Schuster considered the EU based on federal principles to Slovakia's advantage, "A model of federation has been tied to the area of Central Europe since the time of Milan Hodža." The Slovak President challenged the Slovak political actors to come up with positive initiatives and not to define Slovakia's position vis-à-vis the European Union in negative terms.

2.2. Beyond the National Convention

Apart from the work of the National Convention politicians and political parties presented their own statements and preferences vis-à-vis the European Union. This part therefore offers a brief survey and analysis of declarations, political statements and views of national authorities and major political parties. The analysis focuses on their attitudes towards some

8 SME, Schuster by chcel federatívnu úniu, March 5, 2002.
9 Rudolf Schuster, President, reflected in his note his moderate and rather critical attitude to the Declaration on Cultural and Ethic sovereignty of Member and Candidate States.
specific issues related to the reform of the European Union (the European Constitutional Treaty, division of powers, the Charter of Fundamental Rights and a role of national parliaments). It also contains views on a broader vision of the future of the Union (federal principles versus intergovernmentalism) and on the economic model of the Union.

Even though the national discussion related to the mentioned above issues was partially institutionalized in the form of the National Convention on the European Future of Slovakia, Slovak political leaders have presented no principal attitudes concerning the future functioning of the Union until the beginning of 2002. First, Mikuláš Dzurinda, former Slovak Prime Minister, addressed the floor at the Humboldt University in Berlin on February 19, 2002 and presented his view on the reform of the European Union.\footnote{The speech of Mikuláš Dzurinda, Prime Minister of the Slovak Republic, “The Debate on the European Constitution – A Slovak View”, Humboldt University, February 19, 2002.} Dzurinda was speaking at the place where the German Prime Minister presented his vision of the enlarged and integrated Union on May 12, 2000. Dzurinda emphasized that the Europehood is embodied first and foremost in “a model of culture and civilization” promoting common values of liberal democracy, civil society and individual rights. The Slovak Prime Minister said the need of bringing the Union’s institutions closer to citizens was “one of the greatest challenges the Union had ever been facing”. He supported the idea of the European Constitution or the European Constitutional Treaty, a political and legal document that should have been passed to define basic principles of the Union. In his opinion, this document should:

- summarize actual results of the integration process and trace its further development
- make relations within the Union more transparent
- ‘translate’ the Union’s functioning into the ‘language’ that can be understood by ordinary citizens

Dzurinda assumed the European Constitution to become “a further acknowledgement and material expression of the European accord” after the adoption of the common European currency. It is quite uncertain, however, whether and then the political will becomes favorable for its adoption. The Laeken Declaration speaks on a long-term horizon.”

The former Prime Minister dealt also with the division of powers in his speech. Referring to the principle of subsidiarity, he favored the idea that European institutions should have dealt
„exclusively with the issues that are efficient and meaningful to be solved at this level. A form should not prevail over the content.” The European Union should deal with issues crossing national borders (organized crime, environment), with advantages of coordinated performance (food safety, consumer protection), removal of barriers (economy) and the effectiveness of common policy (common defense, foreign policy, protection of external borders). In his speech, Dzurinda called for a “legally binding character of the Charter of Fundamental Rights” and he appealed for consolidation of security and defence in Europe. Even though Slovakia is still convinced the security of future Europe shall be based on the trans-Atlantic cooperation, “Europe itself,” Dzurinda says, “is eligible to become a strong global actor and to take its full responsibility for the future of the world.” Summa summarum, that time Prime Minister called for further integration, for transparency and simplification of the Union’s fundamental treaties and its legislative framework and for its stronger involvement in the world affairs.

Eduard Kukan, Slovak Minister of Foreign Affairs in 2002 - 2006, addressed the European Policy Center in Brussels on March 7, 2002. In his speech, he emphasized that, like other Candidate Countries, Slovakia had been excluded, thanks to the ‘course of history’, from the full participation in the gradual process of European integration. He said that “the Treaty of Nice was not ambitious enough”. Speaking on the post-Laeken agenda and objectives of the Convention of the Future of Europe, the Slovak Minister of Foreign Affairs overlapped in many respects with the attitudes of Mikuláš Dzurinda, that time Slovak Prime Minister. He divided the Convention’s objectives into three fundamental groups:

1. democratization, transparency and effectiveness
2. division of powers
3. the European Union’s fundamental treaties

Referring to reforms in the first group of objectives, Eduard Kukan underlined the need for a well-balanced strengthening of both the European Parliament and national parliaments. As to the division of powers, he promoted a firm application of the subsidiarity principle. He was convinced that “longing for the Union that functions effectively, we cannot be bound by the intergovernmental principle. Should a decision-making mechanism be flexible and effective, it will necessarily lead to further strengthening of the community principle.” The Slovak
Minister of Foreign Affairs based his attitudes on a premise that “whatever is useful for the Union, is useful also for Member States and, vice versa, whatever is good for Member States, is good for the European Union, too”. Speaking about the Union’s new fundamental treaties, Eduard Kukan supported the idea of the European Constitution dividing the contemporary European legislation into the Fundamental Treaty and a group of other provisions of present agreements.11

The National Council of the Slovak Republic (the parliament) passed the Declaration on Cultural and Ethical Sovereignty of Member and Candidate States submitted to the National Parliament by the Christian Democratic Movement (KDH) even though it was refused by the Slovak Government on January 30, 2002. 59 representatives from a number of 101 voted for the Declaration, 15 of them voted against it, 20 representatives refrained from the voting and 7 of them did not vote at all. The Declaration was supported by representatives of the KDH, HZDS, SDKÚ, OKS, DS (the Democratic Party - Demokratická strana, DS), SNS (the Slovak National Party – Slovenská národná strana) and PSNS (the Right Slovak National Party – Pravá slovenská národná strana).12 The Declaration primarily called for “observing the principle of sovereignty of Member and Candidate States in the sphere of ethics and culture leaving decisions on cultural and ethic issues (such as protection of life and human dignity from conception to death, protection of marriage and families appreciated as fundamentals of the society) and decisions on related issues of health care and education under the exclusive power of Member and Candidate States fully respected by the Union.” The Declaration considers the principle of subsidiarity to be “a reliable principle governing the division of powers which should be respected even in the sphere of ethics and culture”.

The Declaration substantiated the attitudes of the Slovak National Council, but it was not a legally binding document. Even though it defined these attitudes precisely, its effectiveness in terms of practice is uncertain. The European Union has no common standards related to the above mentioned cultural and ethic issues nowadays. The Declaration defines Slovakia’s position towards the Union in negative terms. It brought no positive initiatives for future

integration process. The Declaration does not define explicit cultural and ethical standards\textsuperscript{13}, nevertheless, its opponents consider it to be useless and nothing, but “the KDH’s attempt to misuse the authority of the Slovak National Council and to sanctify their own ultra-conservative attitudes to family and marriage, to people’s reproductive behavior, abortions, sexual education and relations of the society to minorities of different sexual orientation and to upgrade these attitudes to the position of an undisputed feature of the Slovak national identity.”\textsuperscript{14}

Debates on the Declaration brought to life a division of political views of members of the Slovak Parliament into the supporters of conservative and liberal values. Passing the Declaration, the coalition and opposition parties voted in an agreement, which is unusual in Slovak politics. Members of Slovak parliament had miscellaneous reasons for their positive vote – for example, František Šebej, Chairman of Committee of the European Integration of the Slovak National Council, voted in favor of the Declaration as an expression of his criticism of some centralizing tendencies in the European central administration.\textsuperscript{15} Cultural and ethical issues are not in the Union’s powers and there was no formal response to the Declaration from the European Union.

Besides debates held within the National Convention on the European Future of Slovakia and particular statements of Slovak political leaders, political parties in Slovakia developed no comprehensive answers to questions related to European institutions that were raised on the basis of conclusions of the Nice Conference and specified by the Laeken Declaration in December 2001. New political parties established within the electoral term of 1998-2002 did not either present any legible concept related to Slovakia’s future position within the enlarged European Union yet. Following its political programme, the New Citizen’s Alliance (ANO - Aliancia nového občana) pretends to be a liberal party attached to the values of free market and civil liberties. Pavol Rusko, Party-leader, says, “it would be better at the moment to begin with such a model of European institutions that would respect national states and their cultural identity”. Rusko considers the integration process to be “developing in stages” thus it is

\textsuperscript{13} The Declaration just requires these issues to be decided by Member or Candidate States.
\textsuperscript{14} A response of Peter Weiss, Chairman of the Committee of Foreign Affairs of the Slovak National Council. See SME, January 31, 2002.
\textsuperscript{15} See SME, January 31, 2002.
easier, in his opinion, to advance from “confederation to federation” on the basis of gradual delegation of powers and gradual approximation than through “shocks and oppression depriving the Member States of their substantial powers related to taxation and tax redistribution.” Similarly, the SMER, another newly established political party, has presented no conception related to the reform of the Union’s institutions. The SMER formally pretends to be a party pursuing the middle course policy “respecting both a role of the market and a role of the state competent to keep the order and observance of law.”

As to the well-established political parties, in the 1990s and at the beginning of the 21st century the strongest one - as to the election preferences - the Movement for Democratic Slovakia (HZDS) markedly failed to develop any concepts regarding the future of integration. In its attempt to regain some international credibility following the negative experience of the Mečiar-led coalition government between 1994-1998 the HZDS has generally abstained from euroskepticism and critical views of Slovakia's integrationist efforts. The Slovak Democratic and Christian Union (SDKÚ) of Mikuláš Dzurinda, is also lacking in a deeper integration conception. The Hungarian Coalition Party (SMK - Strana Maďarskej koalície), the party operating at the Slovak political scene for several years, avows to the principle of subsidiarity related primarily to language, cultural and political identity of Hungarians’ minority in Slovakia. The Democratic Party (DS) welcomes conclusions of the Laeken Conference and, “a statement on the need to reduce the Union’s bureaucracy and centralism in the Closing Declaration” in particular. The DS drew general attention “to risks of the German Chancellor, Gerhard Schröder’s conception based on federal principles which is partially promoted by the Slovak Ministry of Foreign Affairs. They consider the European Union of these days to develop in a ‘multispeed’ manner since not all the Member States participate at such substantial arrangements like the Treaty of Schengen or the European Monetary Union.”

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17 A political programme related to the party’s middle course policy was adopted at the SMER’s Second Ceremonial Meeting in December 2001. See the SMER’s web page related to December 16, 2001.
18 The speech of Mikuláš Dzurinda, former Prime Minister, in Belin mentioned hereinbefore makes the exception, but it was presented from the standpoint of the Slovak Prime Minister.
In comparison with other Candidate States, the Slovak discussion seemed insufficiently developed. Even though it has been quickly institutionalized in a form of the National Convention on the European Future of Slovakia, there was a lack of deeper involvement of political parties and a need of significant differentiation of their political attitudes. In the Czech Republic, a broad public discussion arose responding to *A Manifesto on Czech Euro- realism* published by a group of politicians gathered around Václav Klaus and his Civil and Democratic Party (ODS - *Občiansko-demokratická strana*) \(^{21}\). Visions of the country’s accession to the Union and of the further reform of common European institutions and policy are undoubtedly more developed and politically differentiated in Poland. Polish attitudes varied during the similar period of 2000 – 2001 from the ones of the ruling Union of Democratic Left (SLD) welcoming the accession of the country to the European Union and further development of integration processes to the anti-integration League of Polish Families (LPR) openly refusing Poland’s accession to the European Union. \(^{22}\)

The Slovak discussion was determined by a generally declared consensus of political parties concerning the primary purpose of the country’s accession to the European Union. Even the Slovak National Party (SNS) has formally declared its support to the accession of Slovakia based on the principle of the intergovernmental agreement. The Slovak discussion on the European Future was institutionalized not long ago and the Slovak political scene entered the ongoing discussion only in the time of the Intergovernmental Conference held in 2000. Since Mikuláš Dzurinda’s government had come to power in 1998, the country primarily concentrated its efforts on catching up with the other Candidate Countries’ lead in accession negotiations as Slovakia started its accession talks only in February 2000, nearly two years later than its Visegrád neighbors. \(^{23}\) A demand for a positive Slovak contribution to the European debate on the Union’s reform became highly pressing in 2002. Excluding the attitudes of some state authorities - the Slovak Ministry of Foreign Affairs in particular - and

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\(^{23}\) Hungary, Poland and the Czech Republic along with Estonia, Slovenia and Cyprus started their accession negotiations in March 1998.
several political statements and declarations, the society was, however, missing a broader political and national participation and development of some comprehensive attitudes towards the agenda of the EU’s reform. This situation came about particularly due to different national priorities resulting from Slovakia’s late involvement in the accession negotiations. Furthermore, Slovak political scene remained unstable, in official pronouncements it differentiated little in matters of foreign policy and generally showed little consistent interest in detailed matters of international relations and European integration. The political parties lacked expertise in foreign affairs and specifically in matters of European integration. These factors also help explain the underdeveloped state of the Slovak debate on the future of the European Union.
3. Slovakia and the reform of EU institutions and policies

Slovakia’s public debate over the content of the EU Constitution illustrates the country’s new position as an active participant – as opposed to a mere recipient – of the European integration process. The activities and results of the Convention on the Future of Europe provoked various reactions on the part of ruling coalition and parliamentary opposition representatives. In spite of the relatively limited public debate on the future of the European Union\(^\text{13}\), forming the country’s official positions for the Intergovernmental Conference became the source of a political conflict, as it demonstrated blurry boundaries between foreign and internal policy issues within the EU context and foreshadowed future pressures on redefining domestic institutional relations in order to improve Slovakia’s performance on the field of European integration.

3.1. The Convention on the Future of Europe

Cabinet and parliament officials who represented Slovakia in the Convention on the Future of Europe did not have a clear mandate of institutions that nominated them to this body. Consequently, during the Convention’s discussions, they represented primarily themselves. The only guideline for parliament representatives was the assembly’s resolution regarding the cabinet’s report on up-to-date deliberations of the Convention on the Future of Europe and the National Convention on the European Future of Slovakia adopted on February 26, 2003. In the document, deputies of the National Council of the Slovak Republic endorsed 5 general priorities: adopting a new constitutional treaty, incorporating a reference to God, preserving the exclusive jurisdiction of EU member states regarding cultural and ethical issues, strengthening the principle of subsidiarity and incorporating the principle of protecting the rights of ethnic minorities into the draft of the EU Constitutional Treaty. Simultaneously, deputies bound parliament’s representatives and their substitutes in the Convention to forward these priorities at the Convention’s deliberations. In respect to the cabinet, deputies required it to submit to the assembly Slovakia’s general position regarding the Union’s future institutional reforms.
The Slovak Government’s representative in the Convention did not receive any official brief. On April 30, 2003, the Ministry of Foreign Affairs submitted to cabinet’s deliberations the *Draft Position of the Slovak Republic Regarding the Main Issues Discussed by the Convention on the Future of Europe*. However, the cabinet refused to discuss the document, especially due to reservations presented by ministers for the Christian Democratic Movement (KDH). This predetermined the coalition government’s political disunity regarding the country’s priorities in the field of the Union’s institutional reform.

### 3.2. Slovakia’s preferences in the Intergovernmental Conference (IGC) 2003 - 2004

Ministerial responses to the proposal of the Foreign Ministry for Slovakia’s position in the IGC mark the first real instance of the emergence of Slovakia’s EU policy. The most essential reservations were expressed by the Ministry of Interior, which basically rejected the text of the Constitution for Europe. Some of the Ministry’s reservations – such as the refusal of abolishing border-crossing checks between individual member states – were at least confused and unprofessional, since they evoked disapproval of Slovakia’s basic commitments ensuing directly from the Agreement on Accession to the EU.

The Ministry of Labour, Social Affairs and Family proposed to preserve the right to veto in the field of taxation policy and expressed disapproval with further harmonization and unification of social policy. The Ministry of Justice refused proposals to establish the post of European Prosecutor and introduce minimum standards pertaining to member states’ internal criminal proceeding. Other ministries presented rather technical observations and comments.

The comments and amendments of most ministries – except those proposed by the Interior Ministry that stood no chance of being accepted by other EU member states – could be incorporated into Slovakia’s official position during the process of defining the government’s priorities or conveyed on the technical level. However, the executive’s
endeavour to shape the country’s single position met with differing opinions of individual ruling coalition partners.

The best way to illustrate the problem is the fact that the cabinet needed three attempts to approve *Positions of the Slovak Republic for the Intergovernmental Conference of the European Union between 2003 and 2004*. The cabinet first discussed the document on September 16, 2003. The Party of Hungarian Coalition (SMK) proposed that incorporating the principle of protecting the rights of ethnic minorities into the Union’s constitutional fundament should be among Slovakia’s priorities; however, this requirement was unacceptable for SMK coalition partners. The KDH also had several reservations regarding Slovakia’s official position; the most important of them was the refusal to accept the Charter of Fundamental Human Rights as an integral part of the constitutional treaty.

The cabinet’s deliberations were postponed and ministers agreed to involve deputies of the National Council of the Slovak Republic in the debate over the country’s official position at the Intergovernmental Conference. Although parliament’s opinions are not binding for the cabinet, the EU institutional reform provided an opportunity to establish a new way of communication between the executive and the legislative power against the background of changing relations between Slovakia and the EU following the conclusion of accession negotiations.

On September 23, 2003, parliament passed a resolution in which it endorsed the cabinet’s intention to change the final document’s name into the “EU Constitutional Treaty” at the Intergovernmental Conference; to incorporate a reference to Christianity into the Constitution’s Preamble; to preserve the existing principle of one country – one commissioner; and other amendments in line with vital interests of the Slovak Republic.

Parliament explicitly defined the following vital interests of Slovakia: rejecting the proposed voting mechanism based on the qualified majority principle in order to preserve the weight of smaller member states, as well as preserving the principle of unanimity, especially in the field of foreign policy, defence, taxation, criminal law, judicial and police
co-operation, asylum and immigration procedures, culture and social security. Deputies also endorsed preserving the principle of rotating presidency of the European Council.

On September 30, 2003, the cabinet repeatedly discussed the proposal of Slovakia’s official position for the Intergovernmental Conference. Three KDH ministers openly declared they would not support the proposal. At the time, the cabinet had only 15 ministers because Defence Minister Ivan Šimko was removed on September 24, 2003, and his replacement Ivan Liška was not appointed until October 10, 2003. Of the remaining 15 ministers, only 10 members took part in the meeting. In order to pass the resolution, the cabinet needed a majority of all ministers, i.e. eight votes. Given the attitude of KDH ministers, it was plain that the resolution would not pass; therefore, the cabinet repeatedly postponed its deliberations.

This time, passing of the resolution was made impossible due to lingering opinion differences within the ruling coalition, in combination with insufficient involvement of those ministers who supported the resolution from the beginning, i.e. absent ministers for the ANO, SDKÚ and SMK who were abroad. As a result, the cabinet approved the make-up of the official delegation representing Slovakia at the opening of the Intergovernmental Conference in Rome on October 4, 2003, but could not agree over the delegation’s principal mission.

Another immediate result of postponing deliberations over Slovakia’s official position at the Intergovernmental Conference was that on October 1, 2003, Prime Minister Mikuláš Dzurinda had to depart for the summit of Visegrád Four countries’ prime ministers regarding the EU institutional reform without his country’s official position.

A special cabinet meeting held on October 2, 2003, two days before opening the Intergovernmental Conference in Rome, approved the country’s official position, as recalling several ministers from their business trips abroad finally broke the cabinet’s deadlock. Conflicting opinions and lengthy negotiations are nothing unusual in coalition cabinets. Nevertheless, this was Slovakia’s first practical experience with implications of political players’ conflicting attitudes to Slovakia’s direct participation in the Union’s
negotiating and decision-making procedures. Hence, it was likely that political attitudes regarding particular EU issues would play at least equally important role as attitudes to domestic problems.

The approved official position of the Slovak Republic viewed the submitted draft of the Constitution for Europe as a solid fundament for future deliberations of the Intergovernmental Conference. During the Conference, the country was determined to open the issue of the European Commission’s make-up. In the Slovak Government’s perspective, it is Slovakia’s chief priority in the field of the Union’s future institutional organization. It was Slovakia’s vital interest to preserve a strong European Commission. Therefore, the country regarded the introduction of two categories of Commission members proposed by the Convention as unjustified, as it did not guarantee preserving the Commission’s existing position. Slovakia supported preserving the “one country – one commissioner” principle that guaranteed equal position of all Commission members. In terms of efficiency, it did not see a difference between the Commission comprising 20 or 25 members. In the case the “one country – one Commissioner” principle is not endorsed by a majority of EU member states, Slovakia would support a just rotation mechanism of the Commission’s presidency.

The Slovak Republic endorsed changing the document’s title into EU Constitutional Treaty and using that title throughout the document’s text. The cabinet believed that the term “treaty” better captured the document’s contractual nature, i.e. the fact that it is member states that establish the Union, delegated to it powers circumscribed by the Constitutional Treaty and decide on its organizational structure. Similarly, the attribute “constitutional” expresses the content side of the document that governs the basic mechanisms of the Union’s functioning whose nature is similar to relations that are usually governed by a constitution. Slovakia would also support incorporating a reference to Christian values into the Constitutional Treaty’s Preamble, depending on concrete proposals to amend the document’s wording.

As far as other priorities are concerned, Slovakia advocated changing the proposed Study I-24 so that a qualified majority comprised at least 60% of all member states and 60% of the Union’s population. Slovakia saw the principle of unanimity to be the sufficient guarantee
that further areas of EU competence would not be subject to decision-making by a qualified majority, unless approved by all member states. However, should most participants of the Intergovernmental Conference agree with a proposal that such a change must observe the general procedure applicable to revisions of EU constitutional fundamentals as prescribed by Study IV-7, Slovakia would endorse it.

The proposed draft of the Constitution for Europe envisaged preserving unanimous decision-making in the field of taxation, social policy and defence. The Slovak Republic would not support any proposals that seek to extend qualified majority decision-making to other areas. In the field of economic and social cohesion, the country opposed the proposed drift from unanimous toward qualified majority decision-making following January 1, 2007. Slovakia would also further defend the principle of unanimity in the field of criminal law, judicial and police co-operation, asylum and immigration procedures, and culture. The country’s final priority was preserving the principle of rotating the post of the European Council’s permanent chairman and presidency of sectional councils; here, Slovakia required that specific criteria and pattern of rotation are exactly circumscribed and incorporated into the final text of the EU Constitutional Treaty.

In the field of the Union’s Common Foreign and Security Policy (CFSP), Slovakia was prepared to support the clause on solidarity between individual member states in the case of terrorism attacks and natural or industrial disasters. The country also supported strengthened co-operation in the field of the CFSP, provided it observed the conditions stipulated by the constitutional treaty draft as well as broader conditions pertaining to strengthened co-operation, with a possibility to involve all EU member states; however, in this respect Slovakia advocated an increase in the quorum of participating countries from one third to one half of all EU member states. If the IGC opened the issue of establishing the post of the Union’s Foreign Affairs Minister (Study I-27), the Slovak Republic would advocate a precise circumscription of his position in respect to the European Council chairman as well as his powers and responsibilities in respect to the European Council on the one hand and the European Commission on the other. In the field of the Union’s Common Security and Defence Policy (CSDP), Slovakia opposed the concept of two-tier Europe that created exclusive groups of member states that permanently achieve a higher
level of integration; consequently, Slovakia supported co-operation in the field of mutual defence but was against any models of structured co-operation (Study I-40, Paragraph 6) that might lead to a permanent division of EU member states in terms of the CSDP.

Along with other countries, Slovakia opposed establishing the post of a permanent chairman of the European Council and advocated preserving the Council’s rotating presidency. Similarly, the country did not view the proposed transfer of exclusive powers in the field of adopting European legislation to the Council for General Affairs and Legislation (Study I-23) as necessary and opposed establishing such an institution. Finally, Slovakia called for a specification of the term “significant number of member states” in the provision allowing so-called civic initiatives (Study I-46) to require the European Commission to submit a suitable proposal of a legal initiative in order to implement the constitutional treaty.

For Slovakia, deliberations of the Intergovernmental Conference represented the initial test in its new role of an equal political player of the EU that simultaneously faces internal and external pressures and has to overcome its own difficulties and limitations in respect to its performance in the field of European integration. Slovakia’s participation in the process on the Union’s institutional reform provides a certain test about its potential and deficiencies regarding the active approach to the phenomenon of European integration as after the signing of the accession treaty in April 2003 Slovakia gained an observer status in EU institutions and since 1 May 2004 the country has been a full-fledged member state of the EU. The new position within the club rather than outside of it offered a new framework for conducting Slovakia’s public and foreign policy. Slovakia’s EU accession turned attention of domestic political and administrative structures to the issue of adapting the country’s decision-making and control mechanisms to function in the substantially larger political and administrative space of the European Union. Whereas throughout the accession process the institutionalization of Slovakia’s integration policy was characterized by the one-sided model of adopting EU rules and standards, EU membership has facilitated a number of changes. Most poignantly, in terms of the country’s operative space, membership in the EU was no longer a foreign policy priority. Rather the Union’s problems have primarily become the matter for domestic policymaking.
Although a comprehensive assessment of the country’s performance within the enlarged EU is going to take some years, on strategic decisions of EU institutional and policy design Slovakia’ leaders have broadly behaved in line with a supranational role conception that understands the Union as an autonomous entity “primarily designed for finding policy solutions in the interest of a common European good.”

Slovakia’s behavior in the course of negotiations on the contents of the EU Constitution during the Intergovernmental Conference (IGC) illustrated the government’s overriding concern with achieving an agreement on the new EU treaty. The IGC ran from October 2003 to June 2004 and following the failure of EU leaders to reach a deal on the EU Constitution at the EU summit in December 2003 Slovakia urged a prompt search for a compromise.

Despite its fairly elaborate official governmental position, the Slovak leadership ultimately focused on a very limited set of priorities at the IGC.

Throughout the first months of the duration of the IGC Slovakia (i.e. Slovak government) exhibited great flexibility in its positions and indicated willingness to compromise in order to achieve an agreement on the Constitutional Treaty. Whilst the principle ‘one country one Commissioner’ was at the core of the country’s position and on this issue Slovakia received broad backing from other acceding countries and many current member states, the government appeared more willing to accept different formulas defining qualified majority voting (QMV) – a crucial matter of the IGC. At the beginning of December 2003 Prime Minister Mikuláš Dzurinda stated that if Nice and the outcome of the Convention are not acceptable, “it is necessary to find a third alternative, a new formula.”

Depending on the context of debate, Slovak government emphasized different points ranging from support for the Polish insistence on the Treaty of Nice (especially in earlier domestic

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26 Briefing by Prime Minister Mikuláš Dzurinda after a working visit to Paris upon an invitation by French Prime Minister Jean-Pierre Raffarin to a meeting of prime ministers subscribing to membership in the European People’s Party, 4 December 2003.
discussions) to understanding for German arguments. However, once it became clear that nothing short of a compromise could lead to a successful outcome at the close of the Italian Presidency in December 2003 Slovak Foreign Minister Eduard Kukan expressed his doubts about the Polish position: “Poles are taking a big risk. They staked everything on one roll of the dice, and presented their point of view in a way which gives Poland no chance of retreat.”

Similar sentiments were echoed by Czech Foreign Minister Cyril Svoboda who said, “Poland has made a tactic mistake.” At the summit in Brussels in December 2004 Prime Minister Dzurinda indicated the government’s openness to different scenarios when he said, “Nice is fine” but let’s not paint a black picture of double majority; “Schuessel (Austrian PM) says 60 and 60 (formula for a double majority) – and I have no problem.”

In sum, along with a number of other countries Slovakia maintained its firm position on the composition of the Commission but unlike Poland (and countries like France and Spain) - and like other Visegrád partners: Czech Republic and Hungary - it was willing to alter its stance on QMV. As one Slovak diplomat told us, the country adopted a stance of “the least resistance.” To put it simply, Slovak government was more interested in attaining an agreement on the Constitutional Treaty than in sticking to Nice. Hence, in December 2003 Slovak Prime Minister was naturally disappointed that the summit in Brussels did not reach a deal on the proposed Constitution. Still, in the aftermath of the Brussels European Council he very clearly reaffirmed that the EU could go on functioning and that “the process of enlargement is in no way under threat”. While Slovak government wanted a deal on the Constitutional Treaty in order to concentrate fully on parallel EU-wide negotiations, most notably the financial perspective for the period of 2007 – 2013, it recognized that an agreement might not be possible and that the Union would potentially have to operate under the rules of the Treaty of Nice for some years to come.

While the final text of the EU Constitution signed in October 2004 assured Slovakia of its continued veto in tax policy and in defense matters, in other areas of policymaking where

27 Expressed during press conference on the occasion of Gerhard Schroeder’s official visit to Slovakia, 29 October 2003.
29 Press conference of the Prime Minister Mikuláš Dzurinda, Brussels, 12 December 2003.
Slovakia wished to preserve its sovereignty - such as social policy, criminal law and judicial and police cooperation - the treaty weakened the principle of unanimity and opened possibilities for qualified majority voting. Also, Slovakia did not succeed in its official attempt to incorporate a reference to Christian values into the document’s preamble. More importantly, while it initially favored the voting mechanism defined by the Treaty of Nice, the country’s leadership accepted a new definition of double majority for decisions taken by qualified majority in the Council of Ministers. Finally and contrary to Slovakia’s preferences for keeping the rotating EU Presidency and maintaining the rule of ‘one state – one Commissioner’, the EU Constitution introduced a personified Presidency of the European Council and prescribes that the number of EU Commissioners will ultimately drop to two thirds of EU member states. Slovakia’s aforementioned behavior during the IGC provides a good illustration of the country’s willingness to strike strategic deals within the EU of 25 member states. In fact, Slovakia’s parliament approved the EU Constitution with a decisive majority of 116 out of the total of 150 MPs on 11 May 2005, even though the major elements of Slovakia’s official position for the IGC did not appear in the final text of the EU Constitution. The case of Slovakia within the context of negotiations and the ratification of the EU Constitution thus underlines the thesis that the Union’s enlargement to post-communist Europe has not brought in countries with questionable commitments to political integration.
4. Slovakia’s response to the crisis of EU reform

Although the public’s rejections of the EU Constitution in France and the Netherlands respectively have just about sealed the fate of this document, immediate reactions of various Slovak political actors to the constitutional crisis largely reflected their respective views on the EU Constitution and on the future of the Union more broadly.\(^{31}\) The former Prime Minister (from 1998 to 2006) Mikuláš Dzurinda (the Slovak Christian Democratic Union – SDKÚ) expressed disappointment about the results of the French referendum given that “France, for decades one of the main motors of European cooperation, became the first country to reject the constitutional treaty.” Simultaneously, former Slovakia’s Prime Minister also expressed the opinion that European integration would not end since also in the past “the EU demonstrated that political will to cooperate is stronger than challenges facing the Union.” In the aftermath of the referendum in France Dzurinda underlined that the ratification process should continue and go through in every EU member state, citing Slovakia’s parliamentary approval of the constitution as a clear signal of political will to carry on the European project. In more general terms, the political supporters of the EU Constitution who comprised the majority of parliamentary parties communicated some degree of regret about the failed referenda. Yet, at the same time different political representatives tried to avoid talking about a deep crisis, playing down potentially negative consequences. For instance Commissioner Jan Figel stated that the rejection of the EU Constitution would not threaten further enlargement and the Union’s ability to function since the Treaty of Nice accounts not only for as many as 27 member states but it also “anticipates future re-evaluation of some of its principles after the EU reaches the number of 27 countries.” Former Deputy Prime Minister for European integration Pál Csáky (the Party of Hungarian Coalition – SMK) called upon the European Commission to analyze the situation and offer to the Council a proposal for future action.

On the other hand, representatives of the two parliamentary parties opposed to the EU Constitution were both more favorable and understanding to the failed referenda. The chairman of Slovakia’s parliament Pavol Hrušovský (head of the Christian Democratic

\(^{31}\) The following is a summary of opinions taken from the study “Niektorí lutuju, ini vitajú” published on www.euractiv.sk, 31 May 2005.
Movement – KDH) said that the French voters rejected a document that “did not arise from
the needs and from the will of millions of Europeans but from the will of some European
politicians”. Hrušovský also saw a deeper meaning of the constitutional failure in that it
undermined the stereotypes about eurooptimists and eurosceptics. According to the KDH
chairman, whereas the first ones “talk of an EU crisis and draw black scenarios”, the Christian
Democrats view “the future optimistically” as “they support calm and thoughtful development
of the European idea” as well as “a further deepening of integration but only in those areas
that bring benefit to the solution of concrete problems.” Vladimir Daňo, an MP for the
Communist Party of Slovakia (KSS) that also voted against the approval of the EU
Constitution, saw the constitutional failure as a sign of insufficient preparedness of the new
treaty. Dado mentioned that there “should have been more discussion”, adding that his party
shares “some of the reservations presented in France”. Overall, however, there was not an in-
depth public debate about the underlying reasons for the failed referenda in France and the
Netherlands. Like in a number of other member states Slovakia’s politicians and media
confined themselves to references of broad causes, such as constellation of domestic politics
in France (unpopularity of Jacques Chirac) combined thus with weak political leadership as
well as irrational fears stemming from EU enlargement and immigration present both in
France and in the Netherlands.

Although Slovakia’s parliament approved the EU Constitution with a decisive majority,
Slovakia’s ratification process is still pending. President Ivan Gašparovič has not ratified the
EU Constitution with his signature since in July 2005 Slovakia’s Constitutional Court
accepted a complaint by 13 citizens who argue that parliamentary approval of the EU
Constitution infringed their right to participate in the political life of the country through
referendum.\footnote{Even prior to the parliamentary approval of the EU Constitution in Slovakia the biggest domestic debate about this document focused on one study of the Slovak Constitution that prescribes a mandatory referendum whenever the country decides to enter or leave a union of states. Many of the opponents of the EU Constitution argued that the document outlined a state-like entity and therefore Slovakia should hold a referendum on the adoption of the constitutional treaty.} The plaintiffs argued that, by ratifying the EU Constitutional Treaty, the Slovak Republic would join a new state formation. According to the Slovak Constitution, the country’s accession to a new state formation must be confirmed in a referendum that was not held. The Constitutional Court accepted the motion and on 14 July 2005, and its senate issued a preliminary ruling in which it suspended the effect of parliament’s ratification of the EU
Constitutional Treaty. Until the Constitutional Court rules on the matter and the President signs the ratification documents, the ratification process remains open. It was expected that the Constitutional Court would adjudicate on the complaint in 2006 however it did not.

Despite the problems with the EU Constitution ratification in France and the Netherlands and unfinished ratification process in Slovakia, Slovak public still strongly supports adoption of the EU Constitution. As table 1 shows the support for the Constitution has not dropped down under the 60 % during the last three years in Slovakia.

Table 1: Constitution for Europe

<table>
<thead>
<tr>
<th>Attitude/Year</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>In favour</td>
<td>71 %</td>
<td>60 %</td>
<td>67 %</td>
<td>64 %</td>
</tr>
<tr>
<td>Against</td>
<td>11 %</td>
<td>18 %</td>
<td>18 %</td>
<td>22 %</td>
</tr>
<tr>
<td>Do not know</td>
<td>18 %</td>
<td>21 %</td>
<td>15 %</td>
<td>14 %</td>
</tr>
</tbody>
</table>

Source: Standard Eurobarometer 63, 64, 66, 67

The Slovaks see the adoption of the EU Constitution as essential in order to pursue European construction (54 %) and to smooth running of the European institutions (53 %). Tendency to perceive the EU Constitution as a tool for improving institutional set-up of the Union has even increased during the last year (up to 67 %). The political proponents of EU Constitution rejection in Slovakia tend to stress the loss of national sovereignty as a main reason why to oppose the Treaty. Surprisingly the most cited reason of Slovak public why they are against the Constitution is the lack of information on it (43 %). Fear from losing national sovereignty influences about 33 % to take a negative attitude towards the EU Constitution. At the same time, only 20 % of the population feel informed about the document.

The so-called reflection period has provided Slovakia with an opportunity to discuss and clarify the essence of the EU Constitutional Treaty and, in compliance with the Constitutional Court’s ruling, decide on the fate of the document but, equally importantly, get prepared for future discussions on the Union’s institutional reform. Thus far, political actors, the media and academic circles have largely focused on more current debates relating to Slovakia’s ability to
make the most out of membership in the EU as well as with the big political issues in the EU over the past few months, such as the future of the EU budget and EU enlargement.

After the initial calls for the continuation of the ratification process Slovakia’s political leaders accepted that the ratification period would extend well beyond the initially envisioned time span of two years. The so-called reflection period has produced a rather limited debate both on the fate of the EU Constitution and on the future of the EU more generally. The government’s strategy can largely be summed up as a wait-and-see approach. In the run-up to the parliamentary elections in Slovakia held on 17 June 2006, Slovakia’s political parties hardly mentioned the issue of the EU Constitution and they touched on the broader question of the future of the European Union only marginally.

The largest opposition party and winner of the parliamentary elections on 17 June 2006 (see the table below), SMER-Social Democracy (SMER-SD), did not mention the issue of the EU Constitution in its electoral manifesto at all. On 17 May 2006 a group of people around the shadow foreign minister of SMER-SD, Juraj Zervan, presented a background document for the electoral program of the party in the area of foreign policy, in which the authors stated that they would support some revision of the primary law of the EU/EC but would not insist on the present text of the EU Constitution. It is, however, important to underline that the political position of Juraj Zervan in SMER-SD is marginal. Mikuláš Dzurinda’s Slovak Democratic and Christian Union – Democratic Party (SDKÚ-DS) did not mention explicitly the EU Constitution either but it did outline several institutional and political priorities for Slovakia in the European Union, such as the importance of the successful completion of the 2004 enlargement, especially through the full implementation of the four EU freedoms across the whole Union and through the extension of the Schengen area to new member states.

33 Already on 8 June 2005 Prime Minister Dzurinda and the Czech Prime Minister Paroubek agreed in a bilateral meeting that they would be willing to support the possible extension of the two year period set for the ratification process. See more on www.euractiv.sk
Among other current parliamentary parties, the Christian Democratic Movement (KDH) seems most specific in its stance. It stated in its electoral manifesto for 2006 parliamentary elections that it would initiate a declaration on Slovakia’s tax supremacy, which was going to protect the country’s sovereignty in decisions on direct taxes in the European Union. The KDH sees the EU as a treaty among states and “is therefore against the EU Constitution”, which it views as a significant step toward the creation of a European state and a substantial transformation of European integration into a process that threatens the national and economic interests of Slovakia. The KDH is also against the repeat of a ratification of the EU Constitution after its rejection in the Netherlands and in France.

Table 2: Results of Slovakia’s Parliamentary Elections on 17 June 2006

<table>
<thead>
<tr>
<th>Political party</th>
<th>In percent</th>
<th>Parliament. seats - total of 150</th>
</tr>
</thead>
<tbody>
<tr>
<td>SMER – Social Democrats (SMER-SD)</td>
<td>29.14</td>
<td>50</td>
</tr>
<tr>
<td>Slovak Democratic and Christian Union – Democratic Party (SDKÚ-DS)</td>
<td>18.35</td>
<td>31</td>
</tr>
<tr>
<td>Slovak National Party (SNS)</td>
<td>11.73</td>
<td>20</td>
</tr>
<tr>
<td>Hungarian Coalition Party (SMK)</td>
<td>11.68</td>
<td>20</td>
</tr>
<tr>
<td>People’s Party – Movement for Democratic Slovakia (LS – HZDS)</td>
<td>8.79</td>
<td>15</td>
</tr>
<tr>
<td>Christian Democratic Movement (KDH)</td>
<td>8.31</td>
<td>14</td>
</tr>
</tbody>
</table>


Slovakia’s current coalition government headed by Prime Minister Robert Fico stated in its program manifesto: “Slovakia will support the continuation of the ratification process of the Treaty on the Constitution for Europe. In the interest of reaching and agreement it will not avoid further discussion on simplification of the European legal system, on clearer delineation of competencies between the EU and member states and on creation of an effective system of decision-making of the enlarged Union.” A recent discussion study of the Ministry of Foreign Affairs outlined various possible scenarios of how to proceed further with the reform of EU institutions. The Foreign Ministry outlined three possible ways of salvaging the EU Constitution: through select opt-outs, through new elements in the text – such as some form of a social declaration and through a pan-European referendum. Other alternatives also mentioned in a study by the Foreign Ministry include already talked about “Nice plus” and “mini treaty” scenarios as well as a possible incorporation of parts of the EU Constitution in Croatia’s future accession treaty. During the European Council meeting in December 2006 Prime Minister Fico said: “…it is about the will of some states to ratify this constitutional treaty.” Fico added that Slovakia “expressed its view in parliament and we belong to countries that actively support this process.”

36 Author’s translation from Programové vyhlásenie vlády Slovenskej republíky, August 2006.
37 See Discussion Study – Zmluva o Ústave pre Európu, presented by the Ministry of Foreign Affairs of the Slovak Republic during a conference „Ako ďalej s inštitucionálnou reformou EÚ“ held in Bratislava on 28 November 2006.
38 „Pokračuje zasadnutie európskych lídrov v Bruseli“, SME, 15 December 2006.
5. Other elements of Slovakia’s EU Policy

5.1. EU enlargement

Slovakia has been a general supporter of the policy of further enlargement. As Table 3 illustrates, the attitude of political elite corresponds with the public opinion on this issue. However, a more comprehensive analysis of the public opinion shows that the support by the Slovaks is more declaratory. When asked, almost 78% of Slovaks agree with inviting other countries to join the EU in the future but at the same time they also think that the EU should not enlarge too fast. Slovaks share concerns about economic influence of the future enlargement on the member states of the EU as well as doubts about the value orientation of possible candidate countries.

Table 3: Future Enlargement

<table>
<thead>
<tr>
<th>Attitude/Year</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>In favour</td>
<td>69 %</td>
<td>67 %</td>
<td>69 %</td>
<td>59 %</td>
</tr>
<tr>
<td>Against</td>
<td>17 %</td>
<td>19 %</td>
<td>21 %</td>
<td>30 %</td>
</tr>
<tr>
<td>Do not know</td>
<td>14 %</td>
<td>13 %</td>
<td>11 %</td>
<td>11 %</td>
</tr>
</tbody>
</table>

Source: Standard Eurobarometer 64, 66, 67

Though enthusiastic about the perspective of EU membership for countries of the Western Balkans, some political parties but also public are less keen on Turkey’s potential EU membership (for more details see table 4). In particular, the Christian Democrats (KDH) state in their pre-election manifesto that “the KDH supports the enlargement of the European Union to countries that share common European values.” Hence, the KDH “will support the enlargement to the Balkan states but will not endorse enlargement beyond Europe’s borders. In the case of Turkey the KDH deems a privileged partnership to be the best option.
In the spring of 2005, Slovakia’s representatives opposed a decision of EU member states to postpone the opening entry talks with Croatia until after March 2005 on the grounds of Zagreb’s unsatisfactory cooperation with the ICTY. Slovakia unsuccessfully advocated a revision of Croatia’s ambitions until October 2005. During arduous negotiations about the EU mandate for opening entry negotiations with Turkey, the ICTY’s Chief Prosecutor Carla del Ponte announced that Zagreb was fully cooperating with The Hague in locating and detaining Croatian general Ante Gotovina who had been charged with war crimes. Slovakia supported opening accession negotiations with Croatia immediately after del Ponte’s announcement. Early in the morning of 4 October 2005, the Union reached a compromise political agreement over launching entry talks simultaneously with Turkey and Croatia.

Slovakia’s leaders welcomed the compromise decision to open entry talks with Zagreb and Ankara at the same time. Premier Mikuláš Dzurinda emphasized the security aspect of this decision. “Europe will be much safer if Turkey develops in a desirable way, if the Western Balkans develops in a desirable way and countries of the former Yugoslavia develop in a desirable way,” he said. Foreign Affairs Minister Eduard Kukan highlighted the EU decision’s political dimension. “We were very much aware that sending another negative signal about a disagreement over the issue of [future] enlargement would be simply bad,” he

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39 We cannot rule out that the statement by Carla del Ponte was politically motivated, since some EU member states (e.g. Austria) refused to endorse opening entry talks with Turkey if they are not simultaneously opened with Croatia. The fact, however, remains that General Ante Gotovina was apprehended on the Canary Islands and transported to The Hague several weeks after the EU had officially opened accession negotiations with Croatia.
40 TASR news agency, 3 October 2005.
said. At the same time, Kukan emphasized the specific nature of future negotiations with Turkey. “Accession negotiations with Turkey will be very difficult, very long and very complicated, which is determined by the character of the state.”

Dzurinda said Slovakia would offer Croatia cooperation in negotiations over particular chapters of the *acquis communautaire* and added that Slovakia will strive equally hard to make Ukraine and Serbia and Montenegro follow suit, confirming that in the next round of EU enlargement, Slovakia will focus on priority countries of its foreign policy.

Additional proof of Slovak diplomacy’s active role in the Western Balkans came on 16 December 2005, when the EU High Representative for the CFSP Javier Solana appointed Miroslav Lajčák, General Director of the Foreign Affairs Ministry’s Political Section and Slovakia’s former ambassador to Belgrade, to be his personal envoy in Montenegro. Lajčák’s principal role was the facilitation of Montenegro’s referendum on its independence, which was held in May 2006. While Lajčák’s work for Javier Solana is a specific confirmation of the fact that the region of the Western Balkans is a priority of Slovakia’s foreign policy, it is important to state that Slovakia’s activities have largely focused on developing ties with Serbia, Montenegro and Croatia. Bratislava’s engagement in Bosnia and Herzegovina is comparatively more recent and more limited since Slovakia opened its own embassy in Sarajevo only two years ago. In contrast, Slovakia does not have its own diplomatic missions in Macedonia, Albania or in Kosovo. Hence, the degree of engagement in these places is certainly lower than in other parts of the Western Balkans.

Despite the compromise decision to open accession talks with both Turkey and Croatia, Slovak leaders acknowledge the big question mark that keeps hanging over the next round of EU enlargement. During his official visit to Germany when he met with former Chancellor Gerhard Schröder, Dzurinda conceded this fact by saying somewhat surprisingly that the Union’s absorption capacity has its limits and that the EU enlargement needs a break. This statement should be interpreted in the context of Dzurinda’s visit to Germany, where the Union’s future enlargement round is not exactly welcomed. Nevertheless, the statement’s timing provoked doubts over mutual coordination of Slovakia’s top representatives in

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41 *SITA* news agency, 4 October 2005.
42 *TASR* news agency, 16 December 2005.
43 *SITA* news agency, 3 November 2005.
publicly defining the country’s foreign policy goals. Dzurinda’s statement was presented on the same day President Ivan Gašparovič received his Croatian counterpart Stipe Mesić and publicly declared that Slovakia officially supported Croatia’s full-fledged EU membership.\(^{44}\)

While Dzurinda’s statement did not alter Slovakia’s official attitude to integration aspirations of Croatia or Serbia and Montenegro, it certainly reflected the tension within the EU regarding its future enlargement. The Union’s relation to the area of the Western Balkans, which Slovakia’s foreign policy views as its priority, remains particularly problematic. This became clear during a meeting of the General Affairs and External Relations Council (GAERC) in December 2005 when France vetoed the decision to grant the Former Yugoslav Republic of Macedonia status as a candidate country. France’s Foreign Affairs Minister Phillippe Douste-Blazy argued that the Union needed a detailed discussion on further enlargement that should take place in 2006.\(^{45}\) Although French political leaders changed their position and the European Council meeting held on 15 – 16 December 2005 granted the status of a candidate country to Macedonia, the fact that the EU must consider its own capability of successfully incorporating new members (for further details see European Council Conclusions, 15 – 16 December 2005) means that Slovakia’s long-term goals of full-fledged EU membership for Croatia, Serbia and Montenegro, let alone Ukraine, remains subject to further adjustments within the EU.

The issue of absorption – or integration - capacity has not received much public attention in Slovakia following the Commission’s publication of its *Enlargement Strategy* on 8 November 2006. Slovakia’s new governmental representative expressed their attitude to future EU enlargement most clearly in the run-up to and during the European Council meeting on 14 – 15 December 2006.

On 11 December 2006 during his presentation in the parliamentary Committee on European Affairs Prime Minister Róbert Fico stated “Slovakia supports the entry of Turkey into the European Union. This will be beneficial for both the EU and Turkey from economic, political

\(^{44}\) Also, it should be noted that Gašparovič may have supported Croatia but it did not prevent him from mixing it with Serbia during an official press conference. It seems that Slovakia’s top constitutional figures have problems not only with mutual coordination of their public statements but sometimes also with basic orientation in foreign policy relations.

\(^{45}\) TASR news agency, 12 December 2005.
and strategic standpoints." The Prime Minister also added that we should not discriminate Turkey in the accession process only because its dominant religion differs from that within the EU. Yet, Slovakia’s government is internally divided in its support of Turkey’s EU membership. Rafael Rafaj, the head of the Slovak National Party (SNS)’s parliamentary club, said that “the entry of Turkey into the EU is unacceptable.” According to Rafaj from the SNS, one of the three parties in Fico’s governing coalition (the third member of the coalition is the Vladimír Mečiar led Movement for a Democratic Slovakia – HZDS), Turkey does not fulfill the basic political and human rights criteria and represents a threat for the ‘Islamization’ of the EU.

Slovakia’s officials subscribe to the continued support of EU enlargement to countries of the Western Balkans, in particular to Serbia that has been declared as one of Slovakia’s foreign policy priorities since Bratislava’s entry into the European Union. Following the latest European Council meeting in December 2006 Prime Minister Robert Fico declared that “EU enlargement is the export of stability”. Róbert Fico expressed support for the Italian plan to renew negotiations on the stabilization association agreement with Serbia. Foreign Minister Ján Kubiš added, “We have to show clearly that if Serbia’s new government (after elections in January 2007) is going to be ready to fulfill its obligations [vis-à-vis the ICTY], we shall categorically support the opening of negotiations on a stabilization and association agreement with Serbia in order to get Serbia and its citizens closer to the EU. Despite the complicated discussion on the integration capacity or institutional reform we wanted to offer a clear signal to Serbia and its democratic forces already today.”

5.2. Extension of EU Freedoms

The Slovak Republic is not yet full integrated in terms of four basic freedoms defined by the Union’s single market. Only Great Britain, Ireland and Sweden opened their labour markets to citizens of new EU member states on May 1, 2004; all other EU member states then chose

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46 „Fico potvrdil podporu Slovenska tureckému členstvu v EÚ“, ČTK, 11 December 2006.
47 See also „Fico potvrdil podporu Slovenska tureckému členstvu v EÚ“, ČTK, 11 December 2006.
48 „Slovensko podporuje ďalšie rozšírovanie EÚ“, SITA, 15 December 2006.
50 The four basic freedoms stand for a free movement of goods, services, capital and persons within the single European market.
to opt for transitional periods in the field of free movement of persons. This measure restricted the access of people from new EU member states including Slovakia to labour markets of other EU member states at until May 2006 when original EU member states (EU-15) decided whether they would open their labour markets or extend the transitional period until May 2009 and possibly until May 2011.

Already in September 2005, EU Commissioner for Employment and Social Affairs Vladimír Špidla called on all member states to carefully consider abolishing restrictions on a free movement of persons from new member states. Initial statistics provided by the three member states that opened their labour markets from the outset did not indicate any influx of workforce from the East. Migration streams into Sweden are less numerous than had been expected; between May and December 2004, citizens of new member states increased the country’s total workforce by only 0.07%. The fears of abusing social security systems have not been proven either. The number of people who arrived in Great Britain in search of a job was 150,000 but the country registered only 50 new applications for welfare benefits. Besides, the new workforce filled mostly jobs that had long been vacant (Sermek, 2005), for instance public transport drivers.

In the course of the first half of 2006, politicians, the public and the media paid a very close attention to the question of opening of the labour markets by ‘old’ member states to citizens of eight post-communist countries. The media paid close attention to the way EU member states reviewed the exercising of transitional restrictions on free movement of workers after 1 May 2006. Spain, Portugal, Finland and Greece have lifted transitional restrictions completely, and joined the attitude of the UK, Ireland and Sweden. The Dutch government also intended to lift the transitional restrictions, but under pressure of the parliament it postponed the final decision to the end of 2006. As for other “old” EU member states, they have not lifted transitional arrangements yet, but most of them have taken partial liberalisation measures. Belgium, Luxemburg and Denmark have simplified procedures of employing nationals from post-communist EU member states. For example, Belgium opened up its labour market in sectors that are experiencing labour shortages. Various regions of Belgium will advertise the list of professions in which the applicants from new EU member states are going to have simplified registration procedures whereby work permits can be issued within
five days of applying for a job. The region of Brussels has published such a list, indicating job opportunities for architects, accountants, construction workers, health personnel, IT specialists, auto-mechanics, plumbers and engineers. France also decided on a step-by-step controlled lifting of the restrictions on the labour market in the sectors where labour is in short supply. At the same time, the French government opened a dialogue with social partners on total opening of the labour market. The exact list of available professions for nationals from new EU member states is available on www.anpe.fr. France’s liberalising measures include sixty-one professions in agriculture, hotel business and tourism, engineering, the steel and chemical industry, trade and various services, such as cleaning and washing, for instance. According to the French Ministry of Labour in 2005, one third of available job opportunities in the aforementioned sectors remained vacant. Italy increased the annual quota for workers from new member states to 170,000, however the country has kept the transitional restrictions in place. The most significant hostility to the liberalisation of labour market remains in Germany and Austria. These countries decided to continue the transitional period until 2011. As for the opening of the labour market, they intend to apply various bilateral agreements with the new member states.51

Slovakia opened its labour market to citizens of new EU member states – Bulgaria and Romania since January 200752. Slovakia as vocal opponent of restrictive measures on the access of people from new EU member states including Slovakia to labour markets of other EU member states made the labour market opening a gesture – a political signal towards old member states. Such move was possible also due to increasing economy growth and relative distance of both countries from Slovak borders. However the increasing mobility of Romanian and Bulgarian workers and with closing labour markets of other big European economies the situation might get changed. That would certainly put into test Slovakia’s absorption capacity and its support for further EU enlargement.

The issue of free movement of people is also intrinsically tied to the extension of the Schengen regime to new member states. The field of justice and home affairs remains quite sensitive issue in Slovakia. It is a field where the further completion of the integration process is needed, especially regarding the Schengen regime. In December 2005, at that time Interior

51 For more information see http://www.euractiv.sk/cl/43/5933/Dalsie-krajiny-otvorili-trh-prace.
Minister Vladimír Palko declared that the Schengen-type border between Slovakia and Ukraine will be established by the end of 2006. The border between Ukraine and Slovakia is less than 100 km long but a significant part of it leads through inaccessible mountainous terrain. By mid-December 2006, Slovakia should complete the system of physical and technical protection of its border with Ukraine. By the end of 2006 some technical details have still not been solved, but according to Interior Minister Róbert Kaliňák, Slovakia will be ready to run a Schengen-type border on time according to an arranged schedule that runs until the end of 2007. In the long term, extending the Schengen area is planned to take place in 2007 and requires the political approval of the current signatories of the Schengen Agreement. Considering the Union’s difficult current political situation, this approval will be anything but automatic. The accession of Slovakia and other new member states to the Schengen area will most probably evolve from a technical issue (the necessity to introduce the Schengen Information System II) to a broader political debate on mutual confidence between older and newer EU member states. Even if the current standpoints express the willingness to extend the Schengen area in 2007, there is a certain level of distrust among Slovaks to such declarations of the current Schengen states. There is also a lack of mutual support among “Schengen applicants”, which can be illustrated by the standpoint of Czech Ambassador to European Union Jan Kohout, who in December 2006 declared that if Slovakia is not ready for Schengen expansion in 2007, the Czech Republic will be ready to introduce the Schengen border between the Czech Republic and Slovakia.

The challenge of extending the Schengen area is increasingly shaping Slovakia’s position not only vis-à-vis original and new EU member states but also vis-à-vis the Union’s neighbors. The eastern border of Slovakia is soon to be a Schengen border and for that reason Slovakia together with its neighbors advocate the shift of the EU’s primary concentration on immigration from Africa. New member states from Central Europe try to refocus the Union’s attention on immigration from Eastern Europe through which not only immigrants from former Soviet Union are channeled but also immigrants from Central Asia.

53 SITA news agency, December 5, 2005.
54 SITA news agency, November 24, 2006.
The country’s position on deeper integration of the JHA field is less readable. Slovakia did not question its support for the ongoing integration process, but some of its declared political priorities indicate certain reservations regarding the degree of integration. Slovakia supports intensifying European cooperation in politically sensitive areas such as internal security. The idea of keeping criminal records of EU citizens on the EU level has been strongly supported, this despite apparent integration limits in the field of the judiciary, where the government refused to support a proposal for mutual recognition of court rulings by EU member states. Slovakia strongly supports intensification of the cooperation between the EU member states in the field of JHA, mainly as a better approach to fight terrorism, but in the case of immigration policy the relevant officials are against deeper integration. They argue that European Immigration Policy would threaten small border countries of the European Union like Slovakia, and it would lead to the concentration of the immigrants to the EU in those border countries, which would not have enough weight to change Council decisions taken by majority vote.

5.3. Adopting the Euro

The obligation to adopt the single European currency as its national currency ensues from the Treaty on Accession of the Slovak Republic to the European Union. Slovakia has set a goal to adopt euro on January 1, 2009. Although adopting euro and joining the euro-zone is primarily a political decision, it has far-reaching economic implications. The main role of the National Bank of Slovakia (NBS) is to provide the government with economic expertise and closely monitor and evaluate harmonization of national economy with economy of the euro-zone in key areas such as labour market, foreign trade, gross domestic product (GDP) growth and exchange rate developments. According to NBS Governor Ivan Šramko, Slovakia should not experience major problems meeting the so-called convergence criteria before adopting euro (TASR news agency, October 10, 2005).

On November 25, 2005, the Slovak Republic made an important step toward adopting the single European currency. Over six months earlier than originally planned, Slovak crown joined the Exchange Rate Mechanism II (ERM II), a foreign exchange regime that is frequently referred to as “the waiting room for euro adoption”. The country must keep its
national currency within the ERM II for at least two years before it can adopt euro. Joining the ERM II ended the seven-year period during which Slovak crown’s exchange rate was allowed to float and began the period during which Slovakia’s economy must demonstrate its ability to keep the national currency’s exchange rate stable, which is one of the Maastricht convergence criteria. In practice, this means that over the next two years, Slovak crown may deviate from the central exchange rate parity (38.455 Sk/€) by a maximum of 15%; consequently, Slovakia will meet the Maastricht criterion of exchange rate stability if Slovak crown remains within the fluctuation band of 32.69 Sk/€ and 44.22 Sk/€.

Quite unexpectedly, the conditions of Slovakia’s accession to the ERM II were agreed during a meeting behind close doors between at that time Finance Minister Ivan Mikloš and NBS Governor Ivan Šramko on the one hand and representatives of the European Central Bank and finance ministers of euro-zone countries on the other. The announcement of Slovakia’s accession to the ERM II did not provoke any fundamental political debate. While Mikloš called the decision to accept Slovakia an appreciation of the “reform process in Slovakia and its sound economic policy”, opposition SMER’s shadow finance minister Igor Šulaj labelled it a “fact and a step in line with the national strategy to adopt euro by 2009” (Sme daily, November 28, 2005).

Although Šulaj considers the Maastricht criteria “sacrosanct” because compliance with them benefits the national economy, SMER has advocated postponing the adoption of euro. Šulaj himself has proposed that Slovakia should consider coordinating its adoption of euro with other Central European countries. But many economists believe that early adoption of euro may give Slovakia a competitive edge in attracting foreign direct investments. Previous State Secretary at the Ministry of Finance Vladimír Tvaroška said that given the recent development in Hungary and Poland, Slovakia would “have to wait very long before [these countries] are able to adopt the single currency” (Jaroš, 2005).

Pegging crown to euro in November 2005 should allow the central bank to set the fixed exchange rate of crown/euro for calculating all prices and payments by the end of 2007. Theoretically, the country and its citizens should thus be given more time to get used to operating within the euro-zone effective January 1, 2009. However, achieving this goal is
conditioned by the full compliance with all Maastricht criteria. Slovakia already complies with two convergence criteria: first, the interest rates criterion, which says that the country’s long-term interest rates must not be more than 2% above the average of the three best performing EU member states in terms of price stability; second, the public debt criterion, which says that the country’s total public debt must not exceed 60% of its gross domestic product (GDP). In 2007, Slovakia intends to comply with two more convergence criteria, namely the price stability criterion stipulating that the country’s inflation rate must not be more than 1.5% higher than the average of the three best performing EU member states in terms of price stability, and the public finance criterion stipulating that the country’s annual public finance deficit must not exceed 3% of GDP. If Slovakia complies with all these criteria and simultaneously manages to remain part of the ERM II until November 2007, it will be technically prepared to adopt the single European currency.

It seems that in the context of other post-communist EU member states, adoption of euro is politically relatively problem-free issue in Slovakia. Compared to other Visegrád Four countries, Slovakia is well prepared especially administratively. The NBS has elaborated a detailed itinerary of the period preceding and succeeding the adoption of euro, which according to the European Commission “combines ambitions with realism” (Kubošová, 2005). The Czech Republic and Hungary, for their part, set the goal to adopt euro in 2010 but have not yet launched detailed preparations. New Polish President Lech Kaczynski even declared he would call a referendum on euro adoption.

In April 2006, the European Commission released third official evaluation of practical preparedness of EU member states aspiring to adopt euro and in October it released the fourth version of the same document. The reports should provide a realistic feedback to ambitions of Slovakia and other member states that are currently preparing to join the euro-zone. Actually, reports map such steps as adoption of the communication strategy or keeping the country on the track of euro adoption. However we can find little if anything about the economic performance of the country. One way or another, it seems that Slovakia has reached a broad political consensus over the strategic importance of its membership in the prestigious club of countries using the single European currency; this consensus was not

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56 Estonia, Lithuania and Slovenia intended to adopt euro in January 2007; Malta, Cyprus and Latvia should do so a year later.
fundamentally affected by the outcome of the parliamentary elections in June 2006. Attitude of society towards euro adoption is somehow more complicated. The support for euro depends very much on formulating the question. Only slight majority believe that introduction of euro in Slovakia will have positive consequences for the country (see table 5a). At the same time neither a quarter of population thinks that Slovakia should adopt euro as soon as possible. Czech and Polish arguments on waiting with adoption of euro till it will be favourable for the country resonates also in Slovakia. According to 2004 survey done by Slovak Academy of Science, almost half of respondents (45,2 %) were in favor of Euro introduction at the time when it will be advantageous for majority of Slovakia's citizens and almost quarter of respondent thought it should be introduced only after it will be advantageous for Slovak economy. The most shared fear among Slovak public is from the inflation connected with Euro introduction (see table 5b). Such fear prevails even if more and more people feel better informed about Euro and thus they should know more also about its consequences.

Table 5a: Consequences of Introduction of the Euro

<table>
<thead>
<tr>
<th>Attitude/Year</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>Positive</td>
<td>49 %</td>
<td>39 %</td>
<td>56,2 %</td>
<td>54 %</td>
</tr>
<tr>
<td>Negative</td>
<td>38 %</td>
<td>48 %</td>
<td>31 %</td>
<td>35,7 %</td>
</tr>
<tr>
<td>Do not know</td>
<td>13 %</td>
<td>13 %</td>
<td>12,7 %</td>
<td>10,2 %</td>
</tr>
</tbody>
</table>

Source: Flash Eurobarometer 165b, 175b, 183, 207.

Table 5b: Attitudes towards Euro

<table>
<thead>
<tr>
<th>Attitude/Year</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>Slovakia should adopt Euro as late as possible</td>
<td>10,3 %&lt;sup&gt;57&lt;/sup&gt;</td>
<td>42 %</td>
<td>28,4 %</td>
<td>28,9 %</td>
</tr>
<tr>
<td>Slovakia should adopt Euro as soon as possible</td>
<td>8,4 %&lt;sup&gt;58&lt;/sup&gt;</td>
<td>16 %</td>
<td>19,9 %</td>
<td>21,6 %</td>
</tr>
</tbody>
</table>

Feel not informed about Euro

<table>
<thead>
<tr>
<th></th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>70 %</td>
<td>66 %</td>
<td>51,4 %</td>
<td>48,5 %</td>
</tr>
</tbody>
</table>

Introduction of Euro will increase inflation in Slovakia

<table>
<thead>
<tr>
<th></th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>45 %</td>
<td>46 %</td>
<td>42,4 %</td>
<td>78,5 %</td>
</tr>
</tbody>
</table>

Source: Flash Eurobarometer 165b, 175b, 183, 207.

Besides economic aspects and development of popular support, it is also important to point out the political dimension of adopting the single European currency. For instance, representatives of countries that are now part of the euro-zone attend regular meetings regarding the Union’s economic and political developments before various EU summits. While adoption of euro will certainly not bring Slovakia miraculous fortune, it may well move the country from the political periphery closer to the centre of the integration process.

5.4. Assessing the Costs and Benefits of EU Membership

Given the prevailing consensus about the overall positive value of Slovakia’s membership in the EU and the continued strong public support for Slovakia’s place in the EU (see Tables 6a, 6b), there has not really been a visible domestic debate on costs and benefits of EU membership.

Table 2a: Support for the Membership

<table>
<thead>
<tr>
<th>Attitude/Year</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>Good thing</td>
<td>57 %</td>
<td>50 %</td>
<td>55 %</td>
</tr>
<tr>
<td>Bad thing</td>
<td>4 %</td>
<td>7 %</td>
<td>6 %</td>
</tr>
<tr>
<td>Neither good nor bad thing</td>
<td>37 %</td>
<td>42 %</td>
<td>31 %</td>
</tr>
<tr>
<td>Do not know</td>
<td>3 %</td>
<td>2 %</td>
<td>2 %</td>
</tr>
</tbody>
</table>

Source: Standard Eurobarometer 62, 63.4, 64, 66, Special Eurobarometer 251

59 In this year the question was „will increase the prices?“ for the first time.
Table 2b: Benefit from the Membership

<table>
<thead>
<tr>
<th>Attitude/Year</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brings benefits</td>
<td>62 %</td>
<td>62 %</td>
<td>71 %</td>
<td>76 %</td>
</tr>
<tr>
<td>Does not bring benefits</td>
<td>25 %</td>
<td>28 %</td>
<td>21 %</td>
<td>16 %</td>
</tr>
<tr>
<td>Do not know</td>
<td>13 %</td>
<td>10 %</td>
<td>8 %</td>
<td>8%</td>
</tr>
</tbody>
</table>

Source: Standard Eurobarometer 62, 64, 66

A good illustration of this point is Slovakia’s attitude toward the adoption of the EU’s financial perspective for 2007 – 2013 where the country’s overwhelming priority was to secure a deal since the prevailing perception was that any deal would be better than no agreement on the Union’s future budget.

Indeed, reaching an agreement over the Union’s financial perspective for the period of 2007 – 2013 has been one of Slovakia’s main priorities in the EU since gaining membership. Needless to say, it was in Slovakia’s strategic interest to reach an agreement that would allow Slovakia to draw funds from EU structural funds and the Cohesion Fund designed to support development of backward regions and infrastructure. There was no public debate over specific national priorities regarding the content of the Union’s financial perspective; Slovakia’s overriding priority seemed to be reaching a basic consensus over the Union’s general budget outline for the next seven years as soon as possible.

During debates on EU institutional reform, which includes reforming its budget, then Prime Minister Dzurinda declared that Slovakia would support reducing subsidies for farmers and increasing the funds allocated to education, innovations, information technologies and research and development; however, due to the bilateral agreement between France and Germany regarding agricultural subsidies from the EU budget, there was no real space for any substantial changes to the structure of the Union’s outline budget for 2007 – 2013.

Therefore, Slovakia’s leaders welcomed at least the strategically important fact that the European Council’s meeting held in Brussels on 15 – 16 December 2005, reached a political agreement over the Union’s financial perspective for 2007 – 2013. Tibor Mikuš, Chairman of
Parliament’s European Affairs Committee, called it a victory for the entire Union and an important signal for the future that Europe is able to agree and continue (SITA news agency, 17 December 2005). The recently approved EU financial perspective also offers several tangible benefits to Slovakia. During negotiations, Slovakia obtained additional an € 375 million for decommissioning two blocks of the Jaslovské Bohunice nuclear power plant. Also, the time for implementation of projects was extended from two to three years and project administrators were allowed to calculate value-added tax into outlays, which should alleviate demands for co-financing. These technical amendments may increase the effectiveness and efficiency of drawing funds from the EU budget by Slovak actors. In the end, whether Slovakia makes a good use of these funds will depend on the new administration’s ability to draw financial assistance from the EU and channel it to worthy projects.
6. Conclusion

This study focused on the latter period of interactions between the EU and Slovakia (from 2000 onwards) that led to a gradual materialization of the country’s EU policy in the form of distinct ideas and predilections as responses to EU demands. These preferences became increasingly distinct during the debates on the future of Europe in the aftermaths of the agreement on the Treaty of Nice (2000) and in the contexts of the Convention on the Future of Europe (February 2002 – July 2003) and the Intergovernmental Conference (October 2003 – June 2004) on the EU Constitution. As Slovakia’s position vis-à-vis EU institutions and member states shifted from 2000 to 2007 the study emphasized the emergence of a new EU policy characterized by diverse elements ranging on the one hand from compliance with EU standards (such as the desire to adopt rules in line with the Schengen system or the Eurozone) to opposition to possible EU acquis (in areas such as social, tax and defense policy or the area of justice). An important part of the content of Slovakia’s nascent EU policy was not endogenously connected to the logic of accession process. Rather, a whole set of Slovakia’s preferences had exogenous sources outside the terms and bounds of the accession process.

Despite the emergence of a diverse set of individual policy preferences for the EU in the run-up to and during the latest IGC, Slovakia stuck with its overriding strategic preference for EU institutional reform. Hence, while the country has thus far behaved as a ‘good European’ on the grand issue of EU deepening, its future stances on further development of individual EU policy areas are likely to take rather diverse turns. The context of the recent future of Europe debate has offered an important opportunity for the emergence of the contents of Slovakia’s EU policy. The country’s ability to pursue its own interest vis-à-vis the EU is now going to depend heavily on the country’s activities in and place within EU decision-making bodies.

In the case of post-communist Central European states the EU accession assigned the overriding primacy to foreign policy goals such as the achievement of membership in the European Union. However, EU membership, contrary to EU candidate status, creates now a new operative space for the formulation and execution of a country’s public interests whereby

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60 Examples of preferences endogenously connected to the logic of accession process are the aforementioned goals of joining the common currency or entering the Schengen regime.

61 Good examples are strong preferences in the area of EU justice, security and defense policy, direct taxation or social standards.
the term operative space denotes the country’s ability to assert its array of preferences. With the gradual transition from a status of a candidate country to its EU membership, Slovakia’s operative space has been enhanced. The emergence of Slovakia’s EU policy is thus a direct consequence of a new setting of international relations that in today’s Europe help transform the traditional term of foreign policy. In practical terms this means that while as a candidate country during accession talks Slovakia responded to the evolving EU *acquis* almost exclusively with compliance or promises of future compliance, Slovakia as an acceding country and as a member of the EU responded to the demands of the EU with a variety of preferences.

The study argues that such preferences are most observable at the level of party politics. While Slovakia’s government still plays the role of a “good EU member state”, political parties have begun to differentiate on the basis of their respective attitudes toward the scope and the speed of the European integration. The study illustrates that the challenge of successful completion of the 2004 EU enlargement (such as the expected widening of the Schengen area and the Euro zone) together with the apparent mistrust of some older EU member states vis-à-vis the new ones create an additional impetus for rising Eurosceptic tendencies in Slovakia. While there is fertile ground among some of Slovakia’s political parties for spreading public scepticism vis-à-vis the European Union, politicians have thus far not perceived the European Union as a fundamental threat to Slovakia’s national interests. However, while Slovakia largely benefits from the EU politically, economically and financially, negative public opinion in relation to certain themes (such as EU enlargement or the Eurozone) can be aroused potentially easily by politicians who present, for instance, negative attitudes toward Turkey’s aspirations to join the EU (the KDH party) or inconsistent views toward Slovakia’s strategic priorities in the EU, such as the goal to join the Eurozone (the SMER-SD party).
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