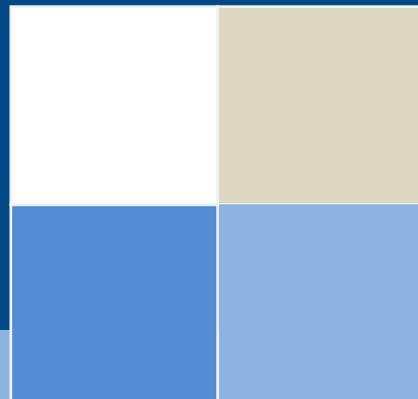


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European Parliament Elections and Kosovo: Signs of a Long- Term Threat



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EUROPEAN PARLIAMENT ELECTIONS AND KOSOVO: SIGNS OF A LONG-TERM THREAT

I. Introduction

Last month, the citizens of the European Union went to the polls to vote for the next members of the European Parliament. Given the EU's overwhelming presence and importance to Kosovo, these elections are an important indicator for Kosovo's future. The European Parliament has been more supportive of Kosovo than any other body in the EU the past five years. However, the changing membership of the parliament, with rising Euroskepticism and anemic turnout, has undermined the legitimacy of the EU and improved the fortunes of several parties hostile to Kosovo. French Prime Minister Manuel Valls labeled these shifts an "earthquake" under the foundations of the European Union and they must be given context to determine what they mean for Kosovo.

This paper seeks to give the context needed for these elections. While European politicians speak of earthquakes and Euroskeptic parties are on the rise, the overwhelming majority in the European Parliament remains pro-European. With soft Euroskeptic parties, such as the Conservatives in the UK, and defecting pro-Kosovo Euroskeptic parties are added to this overwhelming majority minus its non-recognizing members, the European Parliament's pro-Kosovo stance will not change. It is this group that will determine Kosovo's future on the important issues that affect Kosovo and must be decided in the European Parliament. This Parliament will determine the College of Commissioners, nominating a new High Representative and Enlargement Commissioner, the officials that manage the Kosovo-Serbia Dialogue and the Enlargement Directorate of the Commission respectively. This Parliament must also assent to the final SAA between the EU and Kosovo, as well as to visa liberalization. Whether the European elections will affect how individuals vote on these matters is yet to be determined, but Kosovo should remain confident that, if parties have not been scared away by the results of the election, these measures should pass with ease, as should resolutions in the parliament in Kosovo's favor. While more MEPs will speak out against Kosovo in the Parliament, this will hardly be a change from the past five years that have seen leftist and nationalist parties give token resistance. Thus, in the short term, problems for Kosovo with these rising Euroskeptic parties in the Parliament should be minimal and greater attention should be paid to the long-established parties that must consider a new Commission.

It is the long-term implications that should worry Kosovo's government and pro-European population. If the elections showed anything, it showed that the European project is losing legitimacy and alienating its citizens. The EU is facing a grave threat from its inability to prove its democratic credentials to citizens reconsidering whether the EU is worth the effort put into it. Long-term planning in Kosovo must prepare for the contingency that the EU will break up. This paper is not predicting that the EU will break up or even saying its probable it will break up. Euroskeptic parties have risen and fallen before in the EU and some of the parties that gained from these elections have reached these heights before, only to crash due to their inability to meet expectations or their more putrid ideological markers. However, the Euroskeptic threat is widespread and could damage the European project. A responsible government must plan to build a democratic, prosperous Kosovo whether there is a European Union or not.

II. 2009 European Parliament's View on Kosovo

The 2009 European Parliament approved four resolutions regarding Kosovo: one each in 2010, 2012, 2013 and 2014. Each resolution called on the remaining five non-recognizing member states to recognize Kosovo and approved Kosovo's integration path into the EU.¹ Attempts in 2012 and 2013 to append the "Footnote" from the February 2012 agreement with Serbia were blocked both times and attempts to qualify the declaration of independence using terms such as "unilateral" and "illegal" have been blocked each time.² Though the resolutions have never been without criticism, they generally encourage of Kosovo's European path.

Support for Kosovo within the Parliament was not universal, but widespread. In the European Parliament's resolutions in 2014 that were supportive of potential member states,³ Kosovo had the lowest share of votes in favor, but was still close at 78 percent compared to around 85 percent for Serbia, Macedonia and Montenegro. Its accession to the EU remains part of the pro-European majority's vision for enlargement. While the coalition that voted against Kosovo was more varied due to votes of MEPs from non-recognizing states, many of the MEPs who voted against Kosovo also voted against Serbia, Macedonia and Montenegro.⁴ The advance of parties opposed to Kosovo such as the National Front (FN) in France and the UK Independence Party (UKIP) would be bad for all potential member states, not just Kosovo.

III. 2014 European Election Results

In the European Elections in 2014, voters appeared to reject the pro-EU consensus. Turnout was low at 43.09 percent. Those who voted boosted "Euroskeptic" parties, or parties opposed to the

¹ European Parliament, *European Parliament resolution of 8 July 2010 on the European integration process of Kosovo* (P7_TA(2010)0281), 2010, available at <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+TA+P7-TA-2010-0281+0+DOC+PDF+V0//EN>; European Parliament, *European Parliament resolution of 29 March 2012 on the European Integration Process of Kosovo* (2011/2885(RSP)) (P7_TA(2012)0115), 2012, available at <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+TA+P7-TA-2012-0115+0+DOC+PDF+V0//EN>; European Parliament, *European Parliament resolution of 18 April 2013 on the European integration process of Kosovo* (2012/2867(RSP)) (P7_TA(2013)0187), 2013, available at <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P7-TA-2013-0187&language=EN&ring=B7-2013-0089>; European Parliament, *European Parliament resolution of 16 January 2014 on the European integration process of Kosovo* (2013/2881(RSP)) (P7_TA(2014)0040), 2013, available at <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P7-TA-2014-0040&language=EN&ring=B7-2014-0004>

² European Parliament, *Resultats des votes*, 29 March 2012, available at <http://www.europarl.europa.eu/news/en/news-room/plenary/2012-03-28>; European Parliament, *Resultats des votes*, 18 April 2013, available at <http://www.europarl.europa.eu/news/en/news-room/plenary/2013-04-15>

³ As opposed to the critical resolution issued against Bosnia-Herzegovina

⁴ There is the odd case of Jobbik from Hungary, where the reverse is true. Its members voted against Macedonia, Montenegro and Serbia, but in favor of Kosovo. This information should be treated with care. Only a small proportion of European Parliament votes are recorded exactly and even fewer use a roll call vote that can tie individual votes to individual MEPs. While these four votes all fall into the category of roll call votes, they may not be representative of the European Parliament, which may be more or less supportive of the integration process than indicated. "Methodology," *VoteWatch*, accessed 4 June 2014, available at <http://www.votewatch.eu/en/votewatch-guide.html>; "European integration process of Kosovo," *VoteWatch*, 16 January 2014, available at <http://www.votewatch.eu/en/european-integration-process-of-kosovo-joint-motion-for-resolution-vote-resolution-as-a-whole.html>; "2013 progress report on Serbia," *VoteWatch*, 16 January 2014, available at <http://www.votewatch.eu/en/2013-progress-report-on-serbia-joint-motion-for-resolution-vote-resolution-as-a-whole.html>; "2013 progress report on the former Yugoslav Republic of Macedonia," *VoteWatch*, 6 February 2014, available at <http://www.votewatch.eu/en/2013-progress-report-on-the-former-yugoslav-republic-of-macedonia-motion-for-resolution-vote-resolut.html>; "2013 progress report on Montenegro," *VoteWatch*, 6 February 2014, available at <http://www.votewatch.eu/en/2013-progress-report-on-montenegro-motion-for-resolution-vote-resolution-as-a-whole.html>

current direction of the EU, additional European integration or the EU project as a whole.⁵ While these parties have always been part of the European Parliament, the 2014 election was especially damning. Euroskeptical parties topped polls in Denmark, France, Greece and the UK. Germany, which before had no truly anti-European integration party, elected seven MEPs from the anti-euro Alternative for Germany (AfD). Far right, anti-EU, nationalist parties picked up multiple seats in Austria, Denmark, France, Greece, Poland, Sweden and the UK. The far left saw gains in Spain and Greece, but generally fared worse than the far right, only coming first in Greece as opposed to Denmark, France and the UK for the far right. Finally, there was the election of parties with few discernible views towards the EU at all in Italy, Germany, the Netherlands and Sweden, but were elected in response to their protests of specific EU policies.⁶ While many only picked up three or fewer seats, twelve parties managed to pick up more and are thus worth further examination.

- The National Front (FN) (France)-FN is a long-standing populist, nationalist party that has been an intermittent factor in French politics. It went from three seats⁷ in the European Parliament after the 2009 election to twenty-four in 2014. FN is anti-EU, anti-euro and anti-immigration. Under charismatic leader, Marine Le Pen, it has become a rallying point for disaffected French voters. While it is against EU enlargement in concept, FN has a range of tolerance. It abstains for votes on Serbia's European path, but votes against Kosovo.⁸ It gaining 21 seats is a deeply discouraging sign for Kosovo.
- United Kingdom Independence Party (UKIP) (United Kingdom)-Similar to FN, UKIP is an anti-EU, anti-immigrant party led by a charismatic leader—Nigel Farage in this case. It equaled FN's showing by winning 24 seats, up from 13 in 2009. While focused on the UK leaving the EU, UKIP opposes the entire European project and votes against all enlargement measures.⁹ It leads an anti-EU grouping in the European Parliament—the Europeans for Freedom and Democracy (EFD).
- The Five Star Movement (M5S) (Italy)-A relatively new party that won 17 seats in its first European elections, M5S lacks a coherent ideology beyond anti-corruption and ending waste of public funds. It is against the euro, but it does not advocate Italy's withdrawal from the EU, but its lack of a real EU policy might explain this more than any devotion to the European project.¹⁰ M5S is so domestically focused that its enlargement policy remains a mystery. It is also highly unstable due to leader BeppeGrillo's autocratic style and may split during its time in the Parliament.
- Alternative for Germany (AfD) (Germany)-Taking seven seats, AfD is soft Euroskeptical. It wishes to withdraw Germany from the euro, but wants to keep the EU together. While it is

⁵ This is a somewhat broader definition of Euroskeptical than is normally used, as it includes much of the far left in Europe that is not opposed to the European project, but wants it to radically change direction. This decision was made on the basis that these parties want to so fundamentally reshape the EU that they can be said to be skeptical of the current project. It also is a more useful definition when considering Kosovo, as within both the far left and the other Euroskeptical groups MEPs who are in favor of Kosovo's integration are the exception, not the rule.

⁶ European Parliament, "Results of the 2014 European elections," *European Parliament* accessed 4 June 2014, available at <http://www.results-elections2014.eu/en/election-results-2014.html>

⁷ All notes on seats are as of 25 June 2014 and come from the European Parliament website. European Parliament, "Results of the 2014 European elections," *European Parliament* accessed 9 June 2014, available at <http://www.results-elections2014.eu/en/election-results-2014.html>

⁸ "European integration process of Kosovo," *VoteWatch*; "2013 progress report on Serbia," *VoteWatch*

⁹ "European integration process of Kosovo," *VoteWatch*; "2013 progress report on Serbia," *VoteWatch*; "2013 progress report on the former Yugoslav Republic of Macedonia," *VoteWatch*; "2013 progress report on Montenegro," *VoteWatch*

¹⁰ J.H., "BeppeGrillo: Rising Star?," *The Economist*, 23 February 2013, available at <http://www.economist.com/blogs/charlemagne/2013/02/beppe-grillo>

hard to discern a Kosovo policy, it has entered the bloc led by the British Conservative Party, which has pushed hard for Kosovo in the European Parliament. It seems that while AfD may wish for looser integration in Europe, it would still support Kosovo on its European path.

- The Left (Germany)-The traditionally largest party in the European Parliament's hard leftist group United European Left/Nordic Green Left (GUE/NGL), the Left in Germany is an old foe of Kosovo's and is sympathetic with Serbia. However, as it is not skeptical of the European project as a whole and simply wants to reorient it in a more socialist direction, it did not benefit from the Euroskeptic vote. It actually lost a seat in the 2014 elections, going from eight to seven.
- Coalition of the Radical Left (Syriza) (Greece)-A strong leftist party that won six seats after only holding one previously, Syriza is heavily opposed to EU interference in Greek affairs, though, like the Left, is not opposed to the project as a whole. A traditionally leftist party from a non-recognizing state, Syriza's one MEP opposed resolutions favoring Kosovo.¹¹ It is likely his five new companions will do so as well.
- The United Left (IU) (Spain)-A patchwork coalition of leftist and green parties in Spain, IU was able to take advantage of high unemployment and disaffection with austerity measures to gain four seats in the European Parliament. Much like the Left and Syriza, IU seeks reorientation of the European project, not dissolution of it entirely. However, on the issue of Kosovo, the coalition shows its seams, as it is divided between its leftist members, who vote against resolutions in Kosovo's favor, and its green members, who vote in favor. The election chiefly benefited the leftist parties, however, meaning IU's gains likely are not in Kosovo's favor.
- Podemos (Spain)-A copycat leftist party of Syriza, Podemos gained five seats out of frustration with Spain's high unemployment and stalled economy. A believer in repatriating sovereignty and returning elements of power to popular rule, Podemos is Euroskeptic in the sense that it opposes the current direction of the EU, not the European project. It is likely Podemos will oppose Kosovo's European path, given its emphasis on repatriating sovereignty, its leftist tendencies and its Spanish nationality, though this is not certain.
- Northern League (LN) (Italy)-LN is something of a chameleon party. Originally in favor of the euro and EU integration, it now opposes both. This may be a desperate attempt to woo skeptical voters that have mostly turned to M5S. LN lost four seats in the European Parliament, dropping from nine to five. It has steadfastly opposes Kosovo's European prospects and this will not change.¹²
- Freedom Party of Austria (FPÖ) (Austria)-The heavily anti-immigrant FPÖ doubled its seats in 2014 from two to four. While the group is Euroskeptic and anti-euro, it is not entirely anti-EU. It is closer to a nationalist version of AfD than FN or UKIP. However, its position on Kosovo is unequivocal, opposing its European path.¹³
- Party for Freedom (PVV) (Netherlands)-Like FN and UKIP, PVV is a nationalist, populist party with a charismatic leader—Geert Wilders—that is anti-immigrant, anti-euro and anti-EU. Wilders, however, also targets his opposition at Islam and those identified with it. This has made PVV an opponent of Kosovo's European path.¹⁴ It also may have hurt Wilders in

¹¹ "Nikolaos Chountis," *VoteWatch*, accessed 10 June 2014, available at <http://www.votewatch.eu/en/nikolaos-chountis.html>

¹² "European integration process of Kosovo," *VoteWatch*

¹³*Ibid.*

¹⁴*Ibid.*

the European elections, as PVV failed to add to its seat totals after comments Wilders made about the Netherlands' Moroccan population.¹⁵

- Congress of the New Right (KNP) (Poland)-A radical, right wing party led by a monarchist, KNP is heavily anti-EU, seeing it as a bureaucratic brake on Poland's development. Many of its positions are bizarre by Polish standards—its Russophilia in a country with a long memory of abuse at the hands of Russia is especially strange—but its economically libertarian, socially conservative and highly nationalistic message struck a chord with Polish voters that feel that the EU has not delivered as promised. KNP's nationalistic tendencies, xenophobia and Russophilia make it unlikely to be anything, but hostile to Kosovo and its dedication to the EU's eradication means it would be no friend to Kosovo's interests even if it did not automatically back Kosovo's path.¹⁶

Table 1: Hard Euroskeptics Rising

Political Party	2009 Seats (EP)	2014 Seats (EP)
1. National Front	3	24
2. UK Independent Party	13	24
3. Five Star Movement	0	17
4. Alternative for Germany	0	7 ¹⁷
5. The Left	8	7
6. Syriza	1	6
7. The United Left	2	6
8. Podemos	0	5
9. Northern League	9	5
10. Freedom Party of Austria	2	4
11. Party for Freedom	4	4
12. Congress of the New Right	0	4
13. Others	69	46
Total	109	152

With the exception of AfD and M5S, all of these parties have a history of being hostile to Kosovo or have characteristics hostile to Kosovo. Their rise will thus dent majorities in Kosovo's favor in the European Parliament. However these majorities are simply reduced, not gone. The pro-European consensus in the European Parliament still holds a commanding majority. The center-left Socialists and Democrats (S&D), center-left Greens, centrist Liberals and Democrats (ALDE) and center-right European People's Party (EPP) now hold 529 of 751 seats as opposed to 610 of 766 seats in the 2009 Parliament. The mildly Euroskeptical European Conservatives and Reformists (ECR) hold 70 seats compared to 57 seats in the 2009 Parliament. ECR, thanks to

¹⁵ M.S., "The Dutch far-right: A step too far?," *The Economist*, 20 March 2014, available at <http://www.economist.com/blogs/charlemagne/2014/03/dutch-far-right>

¹⁶ AleksSzczerbiak, "The Congress of the New Right is the latest anti-establishment party to have success in Poland, but it may struggle to secure long-term support," *London School of Economics and Political Science EUROPP Blog*, available at <http://blogs.lse.ac.uk/europpblog/2014/06/10/the-congress-of-the-new-right-is-the-latest-anti-establishment-party-to-have-success-in-poland-but-it-may-struggle-to-secure-long-term-support/>

¹⁷ Not counted in total, as AfD is a member of ECR. However, given its relevance as a Euroskeptical party, it is still included in the table.

the push by the Conservatives in the UK that dominate it, has generally voted for Kosovo to continue its EU path.

Additionally, while most of these parties do not approve of Kosovo, they do not provide organized resistance to Kosovo in the Parliament. At least on the issue of Kosovo, Euroskeptic party groupings score the worst in terms of cohesion, with the exception of the soft Euroskeptic ECR, where the dominant UK Conservatives guide the group.¹⁸ This presupposes their ability to form coalitions—an ironic task for anti-EU parties—and grand coalition efforts have so far been unsuccessful, especially between FN and UKIP. The personal relations between party leaders Le Pen and Farage are toxic.¹⁹ Since both personalities drive their parties, these animosities seep into the membership and makes cooperation impossible. While FN and UKIP may make allies with other Euroskeptic parties, these coalitions will always be fragile and unwieldy, limiting their abilities to attack Kosovo's interests. Some of the hard Euroskeptic parties also break with the consensus on Kosovo—the Hungarian nationalist party Jobbik and the hard-to-place Order and Justice Party of Lithuania are the most prominent examples, but they are not alone—and would vote in Kosovo's favor. This means that Kosovo can still be confident in large majorities in the European Parliament and survive the traditional defections of MEPs from non-recognizing states and the absences that occur during the plenary sessions.

Table 2: European Consensus: Still Strong

Stance	2009 Seats (EP)	2014 Seats (EP)
Pro-European Consensus (EPP/S&D/ALDE/Greens)	610	529
Soft Euroskeptic (ECR)	57	70
Hard Euroskeptic (Leftists/EFD/Unaffiliated)	109	152

IV. Short Term Impact: The Next European Parliament's Role and Kosovo

The European Parliament's role is incredibly wide and varied. Enlargement only takes up a small portion of its agenda and its role in enlargement is rather small. The 2009 Parliament held nearly 7000 roll call votes during its tenure. Of these, only 146 related to candidate countries or potential candidate countries and nearly half were related to either Croatia, which joined the EU during this period, or Turkey, the most controversial candidate country. Kosovo was subject to only nine roll call votes. This reflects the reality that the Parliament does not assess Kosovo's progress—this is the job of the Commission—or make the final decision on issues related to Kosovo—this is the duty of the Council of the EU. The European Parliament, though, does perform some critical tasks related either indirectly or directly to Kosovo. It approves the College of European Commissioners, including the President, who in turn is consulted on the appointment of the High Representative for Foreign affairs and the Commissioner for Enlargement, both of whom deeply impact Kosovo. It also must assent to any agreement between the EU and Kosovo

¹⁸ "European integration process of Kosovo," *VoteWatch*

¹⁹ Paul Own, "Marine Le Pen accuses Nigel Farage of slander over antisemitism claims," *The Guardian*, 20 April 2014, available at <http://www.theguardian.com/politics/2014/apr/20/marine-le-pen-nigel-farage-slander-antisemitism-claims>

on its European path and to the extension of visa liberalization to Kosovo. It also shapes European perception of Kosovo, passing resolutions and speaking in Parliament for and against Kosovo. These roles make the Parliament an important body in Kosovo's European future.

A) Approving the Commission

The first and most important act of the next European Parliament will be the election of the President of the European Commission. Formally, in the selection of a European Commission President, the European Council takes the composition of the European Parliament and proposes a candidate to the European Parliament by qualified majority. The European Parliament then votes on whether to approve this candidate for the Commission.²⁰ For the 2014 European Parliament campaign, five of the blocs, including the four largest, chose to interpret this as giving the European Parliament the right to elect the President of the Commission and put their candidates for President of the Commission at the front of their campaigns.²¹ After the EPP took the most seats, the EPP, S&D, ALDE, Greens and GUE/NGL all moved to give EPP leader Jean-Claude Juncker of Luxembourg the opportunity to form a majority in the Parliament.²² This went against tradition, as normally the European Council has controlled the nomination process with scant regard for the Parliament. After a long struggle over this nomination, as the European Council sought to better control the process and name its own nominee, only to be faced with obstinate opposition from the Parliament, Juncker was nominated on 27 June, albeit not unanimously.²³ The European Parliament is expected to approve the nomination when it meets in Strasbourg on 14 July 2014.

The European Commission President must sign off on all Commissioners and their portfolios. The Commission President is not omnipotent or even dominant in this area—the Member States nominate the Commissioners and the European Council also must approve them—but he/she is actively involved in the process and formally hands out the portfolios. This means that the European Commission President participates in the selection of the Commissioner for Foreign Affairs—who doubles as the High Representative of the Union for Foreign Affairs and Security Policy—and the selection of the Commissioner for Enlargement and the European Neighborhood Policy (ENP),²⁴ the two Commissioners most relevant to Kosovo. These Commissioners must be approved as well by the European Parliament, but as part of a list; the Parliament does not have the option to veto individuals.²⁵ The Parliament's able to muscle Juncker in as European Commission President, has two potential interpretations. It may be a

²⁰ Treaty of European Union, Article 17

²¹ BBC News, "European elections: Rivals for EU Commission president," *BBC News*, 19 May 2014, available at <http://www.bbc.com/news/world-europe-27194913>

²² Nikolaj Nielsen, "Juncker given first shot at EU commission job," *EU Observer*, 27 May 2014, available at <http://euobserver.com/eu-elections/124388>

²³ While resistance to Juncker was widespread among several influential countries, including Germany, Italy, Sweden and the Netherlands, domestic pressure and the potential for a constitutional crisis pushed these states to accept Juncker in the European Council. Only the UK and Hungary held out against Juncker to the very end. Spiegel Staff, "The democratic deficit: Europeans vote, Merkel decides," *Der Spiegel*, 2 June 2014, available at <http://www.spiegel.de/international/germany/power-struggle-europts-between-european-parliament-and-eu-leaders-a-972870.html>; "EU leaders give thumbs up to Juncker, Britain Isolated," *Euractiv*, 27 June 2014, available at <http://www.euractiv.com/sections/eu-elections-2014/eu-leaders-give-thumbs-juncker-britain-isolated-303138>.

²⁴ Henceforth referred to as the Commissioner for Enlargement/ENP or Enlargement/ENP Commissioner

²⁵ Treaty of European Union, Articles 17 and 18

victory for the Parliament and give it greater influence in the choices for High Representative and Enlargement/ENP Commissioner. Already the Greens in the European Parliament are setting expectations for filling the post of High Representative—long diplomatic experience is the main key—and the whole Commission—gender balance is the main issue, a traditional concern of the Greens in the Parliament.²⁶ However, the European Council may be less willing to listen to the Parliament as they seek to reassert control over the Commission. This seems like the more likely possibility as member states have begun prioritizing portfolios for their Commissioner to take, regardless of the positions of the Parliament or the President.

As a rule, predicting who will be named to the European Commission is a foolish enterprise, even for high profile positions—High Representative Catherine Ashton, for example, was a complete surprise and came with no foreign affairs experience. Further down the Commission roster this turns into even more of a guessing game, as the College of Commissioners apart from the President and High Representative is approved as a bloc, not individually and is thus subject to horse-trading between member states as well as the caprices of the Commission President. This is before factoring in the brand new possibility that the European Parliament will be emboldened by Juncker's nomination to more aggressively assert control over the distribution of portfolios and the naming of Commissioners. Thus, predicting the next Enlargement/ENP Commissioner is extremely difficult. However, assuming the member states will reassert control after being forced to accept Juncker as Commission President, certain patterns from past appointments can help narrow down the states likely to provide that Commissioner. Sixteen member states are highly unlikely to hold the post. The Czech Republic and Finland held it too recently.²⁷ Tense relations with candidate states likely eliminate Austria (Turkey), Cyprus (Turkey) and Greece (Macedonia). France, Germany, Italy and the UK are too powerful to accept an enlargement portfolio that may not see a member state added. The Netherlands, Luxembourg and Ireland almost never take exterior-facing portfolios. Malta is too small and has already nominated a minister for tourism with no official international experience,²⁸ an unlikely Enlargement/ENP Commissioner. Romania,²⁹ Poland³⁰ and Latvia,³¹ have all indicated that they would rather have other portfolios.

Among the remaining 12, six are unlikely, though still possible. Belgium's Commissioner has held portfolios for international cooperation and trade in the last two Commissions, making a third straight outward facing portfolio a small possibility. Croatia is already intimately involved in the Western Balkans' integration, making the enlargement portfolio redundant. Though it has

²⁶ "EU leaders give thumbs up to Juncker"

²⁷ Only two member state's commissioners held the same portfolio twice in the last three Commissions and one of those was the Presidency by Portugal

²⁸ Tim AttardMontalto, "KarmenuVella outlines economic growth as European Commission's key challenge," *Malta Today*, 1 April 2014, available at

http://www.maltatoday.com.mt/news/national/37558/karmenu_vella_outlines_economic_growth_as_european_commission_s_key_challenge#.U5cPlpSSyFY

²⁹ "PM Ponta: First option for Romania is European Commissioner for Agriculture Post," *Agerpres*, 7 May 2014, available at <http://www.agerpres.ro/english/2014/05/27/pm-ponta-first-option-for-romania-is-european-commissioner-for-agriculture-post-09-20-44>

³⁰ Lukasz Lipinski, "Poland keen on economic post in EU commission," *EU Observer*, 2 June 2014, available at <http://euobserver.com/eu-elections/124437>

³¹ "Latvian government supports putting forward former Latvian Prime Minister ValdisDombrovskis (Unity) for a European commissioner post, informs LETA," *Baltic Course*, 3 June 2014, available at <http://www.baltic-course.com/eng/legislation/?doc=92398>

held external portfolios before, Denmark prefers agriculture, environmental and/or economic portfolios. Denmark has never held the portfolio for one of its most vital industries, fisheries, and the fisheries and maritime policy portfolio would be a likelier target. Lithuania, while deeply invested in the ENP, has shown greater interest in EU health policy, especially with regard to tobacco, than enlargement and will likely target the health portfolio.³² Slovakia's nominee is currently a Commissioner for institutions³³ and before that almost always handled Slovakia's relations with NATO and the EU, not eastern European states.³⁴ It would be a radical shift to move to enlargement and ENP. Slovenia held the Enlargement/ENP portfolio for less than a year in 2004 before the first Barroso Commission was formed. This makes it exceedingly unlikely that it will take the portfolio again so soon, but still possible since it held it for such a short time.

This leaves six states that are probable candidates to provide the Enlargement/ENP Commissioner. A Commissioner from Portugal or Spain would most likely control the portfolio if the ENP were reoriented towards the southern Mediterranean, a possibility as the EU just reached the culmination of the Eastern Partnership by signing Association Agreements with Georgia, Moldova and Ukraine. Spain's commissioner holding the portfolio could be disastrous for Kosovo, as he/she may actively undermine Kosovo's advance. However, Portugal, for lack of interest in the Balkans, would not be much better. An Enlargement/ENP Commissioner from Bulgaria or Hungary would likely have heavy interest in enlargement, especially in the Balkans. However, the commissioner from Bulgaria or Hungary handling the ENP will likely be unacceptable among hawkish eastern states, due to these states' cozy relations with Russia. Only if the EU were trying to extend an olive branch to Russia would either be a favorite for the post. An Estonian or Swede holding the portfolio would be more traditional, as previous Enlargement/ENP Commissioners have come from northern and eastern member states. The Estonian nominee, Andrus Ansip, indicated an interest in the position,³⁵ but he would be a very aggressive choice, due to Estonia's suspicion of Russia. Sweden may nominate current commissioner Cecilia Malmström to retain her position bar any unforeseen events in higher positions or complications in Sweden's domestic politics.³⁶ Currently in charge of home affairs in the Commission, Malmström covers the most ground in the EU's current priorities for the

³² MHP Burssels, "Who will be the next EU Health Commissioner?," *MHP Brussels*, 27 May 2014, available at <http://www.mhpc.com/brussels/who-will-be-the-next-eu-health-commissioner/>; Baltic News Service, "Lithuania to oppose postponement of EU tobacco restrictions," *15min.lt*, 13 May 2013, available at <http://www.15min.lt/en/article/eu-presidency/lithuania-to-oppose-postponement-of-eu-tobacco-restrictions-722-334948>

³³ "Slovakia to nominate Sefcovic as EU commissioner," *EU Observer*, 27 May 2014, available at <http://euobserver.com/tickers/124377>

³⁴ Maroš Šefčovič, "Curriculum Vitae," *European Commission* accessed 11 June 2014, available at http://ec.europa.eu/commission_2010-2014/sefcovic/about/cv/index_en.htm. The lone exception was his service as Slovakia's ambassador to Israel.

³⁵ "Estonia to propose ex-PM Andrus Ansip as EU Commissioner," *Novinite*, 30 May 2014, available at <http://www.novinite.com/articles/160991/Estonia+to+Propose+ex-PM+Andrus+Ansip+as+EU+Commissioner>

³⁶ This is not out of any insight into Sweden's decision-making processes, but simply the conjunction of several factors. The next Commission may be facing a gender problem based on early nominees being all male. Of all the member states, Sweden may be the most progressive on gender issues, making it more likely to feel the pressure from this problem than most states. Malmström is female and, more importantly, highly competent. While she is not a member of the ruling Moderate Party, she has served in the government, which nominated her for Commissioner in the first place, meaning it might push for her to continue. The Moderates appear likely to lose the next election and may nominate one of its members, but the pressure for a female nominee and Malmström's friendly relations with the ruling government may overcome this desire. As compensation, Malmström may be promoted to become a Vice President of the Commission. David O'Leary, "Building a new Commission—the runners and riders for the next College," *Europe Decides*, 11 June 2014, available at <http://europedecides.eu/2014/06/building-a-new-commission-the-runners-and-riders-for-the-next-college/>

Enlargement/ENP. She comes from Sweden, one of the architects of the Eastern Partnership, and has been aggressive in tackling migration, Internet crime and corruption in the EU. She also has spearheaded the visa liberalization dialogue with Kosovo.³⁷ Given the need to shuffle portfolios, the one that may make the most sense for her is Enlargement/ENP.

The most important issue for Kosovo is to avoid the disaster that would be Spain naming the Enlargement/ENP Commissioner. While neither Estonia nor Portugal would be ideal, due to the potential that the Commissioner will focus more on the ENP than enlargement, neither would be as bad as Spain. Bulgaria and Hungary, with their greater proximity to the Balkans, would be preferable for Kosovo, but Sweden would appear to be more likely and would help Kosovo more than Estonia, Portugal or Spain. Malmström taking over the portfolio would at least bring expertise to some of the challenges of enlargement in the Western Balkans and the EU's relationship with Kosovo, if not intimate knowledge of the region.

The High Representative position is more fruitful for speculation than the ENP/Enlargement Commissioner. It has a clear favorite—Radosław Sikorski of Poland—has a predictable dynamic—it is unlikely that a Commission President and High Representative would share ideological orientation or would come from similar member states—is separated from the other Commission posts—the High Representative is nominated and approved by the European Council on his/her own, making the post mostly immune to horse-trading—and has a limited number of alternative candidates besides Sikorski.³⁸ The current High Representative Catherine Ashton will step down at the end of her term, eliminating her as a candidate. Given her importance to the Kosovo-Serbia Dialogue, this will cause uncertainty in whether the Dialogue will continue to progress as Ashton's successor may be less inclined to take her active role.

This is certainly true of the presumed favorite, Polish Foreign Minister Radosław Sikorski, who has been active in the post-Soviet space and in NATO, but not in the Balkans. Polish foreign ministry briefings about EU Foreign Affairs Council meetings extensively discuss Belarus and Ukraine with quotes from Sikorski, but barely mention the Kosovo-Serbia Dialogue.³⁹ Sikorski is mostly reactive on the Kosovo issue, following the mildly pro-Kosovo line that, as Poland recognizes Kosovo, it would treat Kosovo officials as equals at events it hosted.⁴⁰ Poland's Serbia policy under Sikorski has parroted the EU, saying Poland will support Serbia dependent on progress in the Kosovo-Serbia Dialogue.⁴¹ Overall, Sikorski has general disinterest in Kosovo. Mediation of the Kosovo-Serbia dialogue would thus almost certainly be given lower priority by Sikorski than Europe's east, the EU's relations with Russia and the transatlantic relationship.

³⁷ Elton Tota, "Rexhepi-Çitaku in Brussels: The process of the liberalization of visas must be more dynamic," 13 February 2014, available at <http://www.balkaneu.com/rexhepi-citaku-brussels-process-liberalization-visas-dynamic/>

³⁸ At eight potential candidates, this list is still too long and too varied to detail each candidate in this paper, though each will at least be mentioned in the footnotes and all are noted in Note 47.

³⁹ For example, MFA Press Office, "Future of the Eastern Partnership discussed at EU Foreign Affairs meeting," *Ministry of Foreign Affairs, Republic of Poland*, 24 June 2013, available at http://www.msz.gov.pl/en/news/0_future_of_the_eastern_partnership_discussed_at_eu_foreign_affairs_council_meeting_?printMode=true

⁴⁰ "Kosovo boycott mars Poland's Eastern summit," *Euractiv*, 30 May 2011, available at <http://www.euractiv.com/enlargement/kosovo-boycott-mars-polands-east-news-505108>

⁴¹ Tanjug, "Poland to back Serbia if dialogue yields results," *b92*, 22 November 2011, available at http://www.b92.net/eng/news/politics.php?yyyy=2011&mm=11&dd=22&nav_id=77449

However, while the early favorite and the only candidate to be officially nominated,⁴² Sikorski is hardly guaranteed the position. First, Poland is lukewarm about providing the High Representative. While it wants to be an active player in EU foreign policy, it is not sure that providing the High Representative, a position that has been mostly bureaucratic in Ashton's control, will provide that importance.⁴³ Second, Juncker's nomination creates a situation where two center right politicians could hold the Commission's top two posts.⁴⁴ If center left politicians do not block this arrangement outright, they will at the very least demand that the Presidency of the European Council go to a center-left politician.⁴⁵ Third, while Sikorski is a skilled diplomat, he is independent and outspoken, which makes him a liability in consensus-building process. Already, since the European elections, his habit of speaking his mind has gotten him in trouble, with the release of recordings in Poland of him complaining about the UK, one of the drivers of EU foreign policy, and the US, the EU's most important partner, in a vulgar and unflattering manner.⁴⁶ Fourth, his nomination would infuriate Russia. His role in the overthrow of Viktor Yanukovich in Ukraine will still be fresh in Russian minds if he is nominated in July. He is also married to Anne Applebaum, an American historian who has made a career of criticizing Russia and Vladimir Putin. While European officials may be able to delineate between spouses, Russia will not or, if it is able, will refuse to do so. Unlike the Enlargement/ENP Commissioner, the High Representative has no choice, but to deal with Russia directly. Sikorski's past and private life may make this difficult and may lead to a different center right candidate.

Were Sikorski to fail as a candidate, the race for High Representative becomes wide open, with up to nine candidates vying for the position.⁴⁷ Of these, only two have the background in the Western Balkans to suggest that they would have zeal similar to Ashton's for the Kosovo-Serbia Dialogue. Swedish Foreign Minister Carl Bildt performed extensive work in the Western Balkans in the 1990s and would be the most friendly to Kosovo's interests, though no one

⁴² "Poland nominates Sikorski to replace Ashton," *Euractiv*, 30 May 2014, available at <http://www.euractiv.com/sections/eu-elections-2014/poland-nominates-sikorski-replace-ashton-302503>

⁴³ Lipinski, "Poland keen on economic post in EU commission"

⁴⁴ In this case, noted center left candidates such as Dutch Foreign Minister Frans Timmermans, Italian Foreign Minister Federica Mogherini, Slovak Foreign Minister Miroslav Lajčák and Assemblywoman Élisabeth Guigou (France) would be more likely. Liberal NATO Secretary General Anders Fogh Rasmussen (Denmark) would also be more likely.

⁴⁵ Helle Thorning-Schmidt, Prime Minister of Denmark, is the favorite here, but the European Council Presidency may not be appealing to her. Current President Hermann van Rompuy has been the object of many jokes in the European Union and Thorning-Schmidt may rather try her luck in another Danish general election than take a post where she will be the subject of scorn.

⁴⁶ "Poland leak: Radek Sikorski scorns 'worthless' US ties," *BBC News*, 23 June 2014, available at <http://www.bbc.com/news/world-europe-27973473>

⁴⁷ Swedish Foreign Minister Carl Bildt, European Commissioner for International Cooperation, Humanitarian Aid and Crisis Response Kristalina Georgieva, Guigou, Lajčák, Mogherini, Rasmussen and Timmermans. Georgieva is emerging as the favored dark horse alternative to Sikorski and some member states are quietly pushing Bulgaria to nominate her again for the Commission to give them the alternative. However, this changes by the day and names flow in and out of discussion. Mogherini, for example, is a very late addition that has come as Timmermans has become less likely (the Dutch still prefer inward facing portfolios and the Netherlands and Luxembourg match too closely together for it to be palatable) and other center left candidates such as Martin Schulz and Frank-Walter Steinmeier fall away. It cannot be emphasized enough that these appointments are remarkably unpredictable. These rumored candidates are taken from the conventional wisdom of pan-European media. Since political punditry is famous for being about as likely to make correct predictions as flipping a coin, all of the specific names should be handled with care and taken with skepticism. The broader points, such as the need for ideological and geographical balance, the lack of Balkan experience among the likely candidates and the possibility of a complete unknown taking the role, are the larger issue for considering the Commission.

should expect him to tilt negotiations with Serbia in Kosovo's favor.⁴⁸ However, his center right affiliation and outspoken, independent personality give him many of Sikorski's flaws. He would be at best a back-up candidate from the center right should Sikorski's ability to enrage Russia—where Bildt is also very unpopular—overwhelm his candidacy. Bildt may still fall behind another center right candidate,⁴⁹ a liberal or an independent and not be nominated.

The other candidate with a Western Balkans background, Slovak Foreign Minister Miroslav Lajčák, has over a decade of experience in the Balkans, both as a national and EU official. He also has experience as a mediator, serving as the EU representative in the talks over the breakaway region Transnistria in Moldova.⁵⁰ Lajčák, however, would be very unfriendly to Kosovo and may tip the Kosovo-Serbia Dialogue in Serbia's favor. He has served as foreign minister in two governments vehemently opposed to recognition and advocates a "regatta" approach to integration that tries to isolate enlargement criteria to individual states as opposed to their regional context as much as possible.⁵¹ He would thus marginalize Kosovo in Serbia's accession process; however this is preferable to being ignored and forgotten, a possibility with other High Representative candidates. Lajčák, a left-leaning political independent, would likely be a compromise candidate in a deadlock over High Representative, with his leftist tendencies satisfying the center left and his nominal independence satiating Sikorski's supporters. However, with a center-right Commission president, center-right politicians may not object to an explicitly center-left politician holding the role. Lajčák might not have the support of his own government, which, as noted above, has already named its candidate for the Commission. Other states may also pause at naming a Slovak to the post since the country is already a favorite to provide the next UN Secretary General in 2016.⁵²

The other notable candidates have little experience in the Western Balkans and most have shown little interest in the region. If the High Representative is not Bildt or Lajčák, Kosovo may be better off with a surprise nomination of an interested unknown to keep interest in the Dialogue high. While he/she may be weak in the Council of the EU because of the European Council's role in his/her rise, this has not hurt Kosovo much before, as Ashton has proven capable. However, it should also be noted that Ashton had little experience in the Balkans before becoming High Representative. Past interests and experience do not determine future actions. The new High Representative may have no interest or apparent experience in the Balkans, yet prove to be a capable replacement for Ashton. If it is Sikorski, he may be able to make up for his earlier disinterest with his considerable skill and new interest in the Dialogue. On the other had, Bildt, Lajčák or a previously interested unknown may establish other priorities and not pay as much attention to Kosovo as expected. While the decision on the High Representative is important for Kosovo, the High Representative's past will only provide incomplete, potentially wrong insight into future actions, though someone besides Sikorski would still be preferable.

⁴⁸ Carl Bildt, "Carl Bildt-CV," *Government Offices of Sweden*, accessed 4 June 2014, available at <http://www.government.se/sb/d/7505/a/70396>

⁴⁹ Georgieva being the main threat from the center right

⁵⁰ Miroslav Lajčák, "Curriculum vitae," *Ministry of Foreign and European Affairs of the Slovak Republic*, accessed 4 June 2014, available at http://www.mzv.sk/en/ministry/minister-curriculum_vitae

⁵¹ Andelina Marini, "Miroslav Lajčák: The EU is not a gift," *EU Inside*, 4 October 2012, available at <http://www.euinside.eu/en/faces/miroslav-lajcak-the-eu-is-not-a-gift>

⁵² Lajčák is also considered a candidate for this post. B.C., "Slovakia: Two Slovak contenders for the UN's top job," *The Economist*, 23 May 2014, available at <http://www.economist.com/blogs/easternapproaches/2014/05/slovakia>

B) Assenting to the Stabilization and Association Agreement

The most important issue likely to come before this European Parliament with regard to Kosovo is assenting to the Stabilization and Association Agreement (SAA) between the EU and Kosovo. With the Treaty of Lisbon, the EU became a legal entity able to negotiate agreements with external states. This means that an SAA between Kosovo and the EU, unlike other SAAs in the Western Balkans, does not need to be approved by each member state individually, but only by the EU as a whole. The European Commission is able to negotiate and sign the agreement and present it to the EU for assent. However, it must still go through the European Parliament and the Council of the EU.⁵³ While the European Parliament cannot modify the SAA and therefore cannot force Kosovo into more (or less) onerous conditions, it still has the power to reject it and reset the negotiation process, setting Kosovo's European integration path back years. Given the overwhelmingly pro-Kosovo consensus in the European Parliament, this is unlikely. However, the vote will not have the pro-Kosovo acclamation that it may have had before, as pro-Kosovo MEPs avoid further commitments to Kosovo in fear of anti-immigrant and anti-EU parties taking advantage.

C) Assenting to Visa Liberalization

After the SAA, visa liberalization is the next most important issue to come before the Parliament. Like the SAA, the European Parliament and the Council of the EU must assent to visa liberalization before it is passed.⁵⁴ Two peculiar aspects of visa liberalization make it harder to target than the SAA. First, it is a less obviously political proposal than an SAA. There are a series of benchmarks that a state must pass and the Commission verifies before recommending visa liberalization to the Parliament and Council of the EU to initiate the legislative process. It is thus much more technocratic than an SAA and controlled by the Commission. The European Parliament and the Council of the EU did little more than rubber-stamp Moldova's visa liberalization, with the Parliament voting more than 90 percent in favor⁵⁵ and the Council of the EU adopting it without discussion.⁵⁶ Second, the Parliament rarely comments on visa liberalization itself. MEPs use it to discuss tangentially related issues such as relations with exterior states, their own visa issues and border security. For example, in the recent discussion of visa liberalization for Moldova, few MEPs actually discussed Moldova beyond brief approval of the measure.⁵⁷

However, the rise of xenophobic, anti-immigrant parties in the European Parliament may bring a chilling effect on the EU's approval of visa liberalization in spite of its technical nature; the politics of these parties has begun to infect center right parties as well. The UK Conservative

⁵³ Treaty on the Functioning of the European Union, Article 218

⁵⁴ Treaty on the Functioning of the European Union, Article 77

⁵⁵ European Parliament, *Resultats des votes*, 27 February 2014, available at <http://www.europarl.europa.eu/news/en/news-room/plenary/2014-02-24>

⁵⁶ The Council of the EU did not even bother to have one of the formations related to the topic such as Justice and Home Affairs, Foreign Affairs or General Affairs approve Moldova's visa liberalization. It was instead approved by the Transport, Telecommunications and Energy formation.

http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/trans/141555.pdf

⁵⁷ European Parliament, Debates: 6. Visa requirements for third-country-nationals-Future of EU visa policy (debate), 27 February 2014, available at

<http://www.europarl.europa.eu/sides/getDoc.do?type=CRE&reference=20140227&secondRef=ITEM-006&language=EN&ring=A7-2014-0104>

party has become vehemently anti-immigrant,⁵⁸ though, as the UK sits outside of Schengen, this is only of interest to Kosovo's citizens insofar as they want to immigrate to the UK. More troubling is the evolving anti-immigrant position of France's center right Union for a Popular Movement (UMP). Former President Nicholas Sarkozy wrote an op-ed in favor of a more fractured, less open Schengen Area with individual member states able to determine visa policy, meaning Kosovo would immediately be discussing visa liberalization not with one group, but 26 individual states.⁵⁹ While it is hard to imagine such an unwieldy policy coming into being—it compromises the EU's dedication to free movement of people—it could a chill on opening up visa-free travel to any more states. The pro-Kosovo majority may still be able to pass it, but the chilling effect may create delay in a process that has already dragged on for years in Kosovo.

D) Passing Resolutions

Since most competences for enlargement rest with the European Commission, which writes reports, negotiates with candidate countries and invariably influences decisions on enlargement, and the Council of the EU, which must approve major steps forward in the Enlargement process, the European Parliament has few real powers with regard to the process. However, they do pass resolutions that can give a sense of the EU position on Kosovo. The impact of these resolutions when they are in Kosovo's favor is negligible—for example, a 2010 resolution was passed urging all EU states to recognize Kosovo and has resulted in no recognitions—but they would be disastrous if they went against Kosovo, as that would indicate political opposition against Kosovo was starting to be a majority opinion in the European Parliament. These resolutions serve as something of a barometer for support for Kosovo within the EU and a dip in support from the rather high level of the past few years could be problematic, but not devastating. The pro-Kosovo majority remains, but it may be less inclined to pass these resolutions after the defeats at the hands of the Euroskeptic parties.

E) Speaking Against Kosovo

The most negligible impact the new elections could have is that they could lead to more voices speaking contrary to Kosovo. While this is a possibility with the rise of xenophobic parties and the gains made by GUE/NGL, it does not appear probable, nor would it affect Kosovo much. First, GUE/NGL already criticizes Kosovo in debates and this will not change. The slight increase in ten party members will not increase the intensity in a dramatic way. Second, the Euroskeptic parties, while doubtful of Kosovo, have always used it in debate to criticize the EU as a whole with only glancing blows at corruption, organized crime and the need for development in Kosovo.⁶⁰ Since their target for criticism is the EU, criticizing Kosovo directly is of little interest. This dynamic will not change much with the new European Parliament and should not be of any real concern.

⁵⁸ BBC News, "Conservatives 'won't ditch' migration target," *BBC News*, 2 March 2014, available at <http://www.bbc.com/news/uk-politics-26405713>

⁵⁹ *Le Parisien*, "Immigration: Sarkozy propose de réviser l'accord de Schengen," *Le Parisien*, 22 May 2014, available at <http://www.leparisien.fr/politique/europeennes-nicolas-sarkozy-va-s-exprimer-via-une-tribune-21-05-2014-3859493.php>

⁶⁰ European Parliament, Debates: 18. 2013 progress report on Serbia-European integration process of Kosovo (debate), 15 January 2014, available at <http://www.europarl.europa.eu/sides/getDoc.do?type=CRE&reference=20140115&secondRef=ITEM-018&language=EN&ring=B7-2014-0004>

V. Long Term Impact: The European Mirage

The European elections will do little short-term damage, beyond making Kosovo's SAA more contentious and perhaps delaying visa liberalization. While these changes should not be made light of and will be frustrating, they do not stop the overall arc of Kosovo's EU path. The pro-European majority remains overwhelming and the majority in Kosovo's favor remains more so. The Parliament that Kosovo faces will differ very little from the one before it. The majorities will get smaller, but they will still be there and Kosovo's European path will likely continue on its previously designated path, though visa liberalization may be further chilled as center right parties protect themselves domestically by slowing down visa-free travel. The identity of the new High Representative will be important for the alacrity with which the EU pursues a final settlement, but the EU will continue to be interested in the Dialogue, no matter what. Kosovo's short-term future remains secure, if a little undermined by the fears on the center right regarding visa liberalization.

However, the elections should still be deeply troubling for Kosovo. The EU faces a growing legitimacy crisis, represented both by the rise of Euroskeptic parties and the anemic voter turnout for European elections. Kosovo, in planning its future development, cannot rely on the EU still existing in its present form ten years from now. If the EU is unable to solve its internal legitimacy crisis, it could collapse. Already, the exit of the UK is a real possibility due to the upcoming referendum. The biggest threat, though, would be if FN were able to sustain its success in France. This is not guaranteed; FN has hit similar high water marks before: Jean-Marie Le Pen—father to Marine—finishing second in the presidential race in 2002. It has always seen a backlash, as it has proven unable to govern effectively or counter “republican unity” movements to marginalize its officials. However, Marine Le Pen has proven a better politician than her father and a sustained movement could carry her party into power. If that were to occur, FN would try to pull France out of the EU. Without France, the counterweight to Germany, the endeavor would likely become unsustainable. Mediterranean states would prove unwilling to be part of a union where Germany was essentially unrivalled. The EU would break up, maybe into smaller unions—e.g. a Nordic Union, a Baltic Union, etc.—or into individual states.

This process will occur no matter what Kosovo does. It is up to the EU to save itself. Kosovo is so far away from membership that the EU could be very different or not exist at all at the point Kosovo could join. Long-term planning for Kosovo's future must contain a contingency for a world without the EU. The goal of a peaceful, prosperous, democratic and universally recognized Kosovo must be kept separate from the goal of Kosovo as a European Union member state. They will converge on many points and the European path remains the best way for Kosovo to achieve its other goals. However, the European path cannot be the only path and the economic, political and social development of Kosovo must be able to continue even if there is no EU at the end of the line. This is not a policy prescription as much as it is advice for the strategic vision of the Kosovo government. The logic behind policies must be that following European advice will lead to a stronger, more democratic Kosovo that may be able to join the EU if it is still there, not certain policies, concessions and reforms will get Kosovo into the European Union.

If European citizens stop accepting the EU as legitimate, the project will fail and there will be no EU for Kosovo to join. This must be part of Kosovo's long-term planning. It took twelve years for newest member Croatia to go from signing an SAA to joining. For Kosovo, with all of its attendant political issues, twelve years seems very optimistic. In those twelve years, there will be

multiple elections in every member state and opinion could radically turn against the EU, leading to a break up. Assuming that this past election will be the high mark for Euroskepticism would be foolishly sanguine. The European elections showed that there is a crisis of confidence in the EU. Kosovo should not have so much confidence in it to tie its future exclusively to EU membership. A contingency must exist for a world in which there is no EU to join; the principles of democracy, open markets and transparent governance must be goals in themselves, not simply part of a greater plan to join the EU. If no contingency is made, Kosovo will face its own crisis of confidence and the precious time that was needed to consolidate an organic democracy will have been lost because democracy will instead have been pinned on a future that was never going to exist. It is this uncertain future that Kosovo must avoid at all costs.

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Policy Analysis

Policy Analysis in general is a policy advice paper which particularly aims to influence the key means through which policy decisions are made in both local and central levels of government. The purpose of Policy Analysis is to address, more in-depth, a particular problem, to examine the arguments related to a concerned policy, and to analyze the implementation of the policy. Through Policy Analysis, Group for Legal and Political studies seeks to stimulate wider comprehensive debate on the given issue via presenting informed policy-relevant choices and recommendations to the key stakeholders and parties of interest.