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The Europeanisation of national foreign policy in non-EU Europe. The case of Serbia and Macedonia

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List of abbreviations

ACN	Associated Countries Network
BDI	Democratic Union for Integration *(Bashkimi Demokratik për Integrim)*
CARDS	Community Assistance for Reconstruction, Development and Stabilisation
CEE	Central and East European countries
CFSP	Common Foreign and Security Policy
COARM	Council Working Group on Conventional Arms Exports
COREPER	Permanent Representatives Committee
COREU	European Correspondence
CSCE	Conference for Security and Cooperation in Europe
CTBTO	Comprehensive Nuclear-Test-Ban Treaty Organisation
CTF	Consultative Task Force
DS	Democratic Party *(Demokratska stranka*)
DSCI	Directorate for Security of Classified Information
DSS	Democratic Party of Serbia *(Demokratska stranka Srbije)*
EC	European Communities
ECJ	European Court of Justice
EEAS	European External Action Service
EFP	European foreign policy
EFTA	European Free Trade Area
EIO-FRY	European Integration Office of the Former Republic of Yugoslavia
EIO-SCG	European Integration Office of Serbia-Montenegro
ENP	European Neighbourhood Policy
EPC	European Political Cooperation
EPD	Enhanced Permanent Dialogue
ESDP	European Security and Defence Policy
EU	European Union
EULEX	European Union Rule of Law Mission in Kosovo
FAO	Food and Agriculture Organisation
FPA	Foreign Policy Analysis
FRY	Federal Republic of Yugoslavia
FSC	Forum for Security Cooperation
FYROM	Former Yugoslav Republic of Macedonia
GAERC	General Affairs and External Relations Council
GDP	Gross Domestic Product
GUAM	Georgia, Ukraine, Azerbaijan, Moldova
HI	Historical Institutionalism
IAEA	International Atomic Energy Agency
IBM	Integrated Border Management
ICJ	International Court of Justice
ICTY	International Criminal Tribunal for the former Yugoslavia
IPA	Instrument for Pre-Accession
IR	International Relations
KFOR	Kosovo Force
KP	Kosovo Police
LoS	Levels of Similarity
MAC	Macedonia (on graphics)
MAP	Membership Action Plan
MC	Ministerial Council
MFA	Ministry of Foreign Affairs
MLG	Multi-Level Governance
MoD	Ministry of Defence
MP	Member of the Parliament
NAM	Non-Aligned Movement
Nato	North Atlantic Treaty Organisation
NGO	Non-governmental organisations
NPAA	National Programme for the Adoption of the Acquis
NPI	National Programme for the Integration

NYLO	New York Liaison Office
OECD	Organisation for Economic Cooperation and Development
OSCE	Organisation for Security and Cooperation in Europe
PC	Permanent Council
PfP	Partnership for Peace Programme
PPP	Purchase Power Parity
PSC	Political and Security Committee
QMV	Qualified Majority Voting
RCC	Regional Cooperation Council
RCI	Rational Choice Institutionalism
RoM	Republic of Macedonia
SAA	Stabilisation and Association Agreement
SALW	Small Arms and Light Weapons
SAp	Stabilisation and Association process
SDSM	Social Democratic Union of Macedonia *(Socijaldemokratski sojuz na Makedonija)*
SEA	Single European Act
SEA	Secretariat for European Affairs
SEE	South-East Europe
SEECP	Southeast European Cooperation Process
SEIO	Serbian European Integration Office
SFRY	Socialist Federal Republic of Yugoslavia
SI	Sociological Institutionalism
SNS	Serbian Progressive Party *(Srpska napredna stranka)*
SPS	Socialist Party of Serbia *(Socijalistička partija Srbije)*
SPSEE	Stability Pact for South Eastern Europe
SRB	Serbia (on graphics)
SRS	Serbian Radical Party *(Srpska radikalna stranka)*
TAIEX	Technical Assistance and Information Exchange
TEC	Treaty establishing the European Community
TEU	Treaty on European Union
TEUL	Treaty on European Union (Treaty of Lisbon)
UÇK	Kosovo Liberation Army *(Ushtria Çlirimtare e Kosovës)*
UK	United Kingdom
UN	United Nations
UNBIS	United Nations Bibliographic Information System
UNESCO	United Nations Educational, Scientific and Cultural Organisation
UNGA	United Nations General Assembly
UNIDO	United Nations Industrial Development Organisation
UNMIK	United Nations Interim Administration Mission in Kosovo
UNODA	United Nations Office for Disarmament Affairs
UNROCA	United Nations Register of Conventional Arms
UNSC	United Nations Security Council
US	United States
VDI	Voting Distance Index
VMRO-DPMNE	Internal Macedonian Revolutionary Organization – Democratic Party for Macedonian National Unity *(Vnatrešna makedonska revolucionerna organizacija – Demokratska partija za makedonsko nacionalno edinstvo)*,
VPN	Virtual Private Network
WA	Wassenaar Arrangement
WEU	Western European Union
WMD	Weapons of Mass Destruction

Introduction

Europeanisation research is a mushrooming field of inquiry. It has gathered momentum in the past two decades with the gradual consolidation, at the European level, of the political, legal and institutional structures of the European Union (EU), the intensification of inter-organisational and inter-governmental relations in Europe and the growing permeability of international, European and national systems of governance. Once limited in their international diffusion, individual and collective ideas, in today's world, travel across national borders with unprecedented ease. In Europe, they permeate states' politics, policies and polities in an ordinary manner. Their transformative power keeps puzzling the *academia*, and provides a series of exciting questions for researchers willing to explore the political ecology of European governance and the transformation of the state.

The potential of Europeanisation research is impressive, if one considers the scope and depth of the changes that have affected European governance structures over the past few years. No policy field, no bureaucracy, no level of governance has remained immune to the changing environment in Europe. Even those competences that used to be considered as the prerogatives of the state, have become pervious to exogenous changes and have been affected by the international diffusion of ideas. Researchers in the field, through their numerous writings, have described, studied and accompanied this changing reality for almost two decades now. But their work did not swept off all the issues at hand. Europeanisation research remains a heterogeneous field of inquiry, and by no means a well-structured sub-discipline of political sciences. Perhaps it is not due to become more than a "fashionable but contested term"[1]. Perhaps it is doomed to remain "faddish"[2].

What is certain, yet, is that the area is fraught with existential pitfalls. Conceptually first, the concept of Europeanisation remains poorly bounded in the literature, not least because of its peculiar genealogy with EU integration theories[3]. Is Europeanisation, after all, reducible to EU-isation? Is it nothing more than the adoption of EU norms? Spatially, then, Europeanisation research remains dominated by an academic interest for EU member states alone. When non-EU states are the object of research, Europeanisation is often reduced to conditionality studies. Methodologically, the field continues to suffer from the "no variation issue"[4] and an overreliance on deductive approaches, both tending to inflate, or prejudge, the explicative role of the EU at the expense of other variables. Is it, after all, really possible to isolate the impact of the EU from alternative variables? Phenomenologically, it remains unclear what Europeanisation entails in general terms, beyond the all-embracing notion of change. Too many definitions of Europeanisation do not enable researchers to unambiguously recognise the specific occurrences of the phenomenon. And an aetiology (not to mention a theory) of Europeanisation is still missing.

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[1] Olsen, J. P. 2007. *Europe in Search of Political Order: An Institutional Perspective*. p. 68.
[2] Featherstone, K. 2003. 'Introduction: In the Name of 'Europe'.' In *The Politics of Europeanization*, eds. Featherstone, K. and Radaelli, C. M. p. 3.
[3] Marciacq, F. 2012b. 'The Political Geographies of Europeanisation: Mapping the Contested Conceptions of Europeanisation.' *Journal of Contemporary European Research* vol.8 (1).
[4] Haverland, M. 2003. 'Methodological Issues in Europeanisation Research: The 'No Variation' Problem.' Conference paper.

This PhD thesis, written between October 2009 and September 2013, takes stock of these existential pitfalls, and provides a tentative response to some of the challenges faced by the community of Europeanisation researchers. Conceptually, it proposes to adopt a more progressive approach to concept formation, drawing from governance, rather than EU integration perspectives. This positioning suggests that Europeanisation is more than EU-isation, and that some definitions are better than others in terms of conceptual utility. Spatially, it targets a domain that has long remained underexplored: non-EU Europe. It includes, but is not limited to conditionality studies. Methodologically, it follows an inductive approach combining holistic and individualistic perspectives in a comparative design. It embraces a social constructivist and thick interactionist stance towards institutional change in a multi-level governance (MLG) system, which replaces actors at the core of the research. This approach relaxes the widespread commitment to state-centric rationalism, and opens avenues to interpretivist accounts. Wary of the risk of prejudging the role of the EU, the thesis avoids reifying EU integration as the neo-positivist cause for states' transformation. EU norms, after all, have much in common with international norms - they overlap with each others and respond to one another. The thesis therefore considers that the interplay between the two set of norms (and the questionable genuineness of EU norms) should be part of the inquiry. Phenomenologically, the thesis claims that Europeanisation, in its current condition, is a catch-all phenomenon with too little internal consistency to be recognised without further specifics. The thesis therefore prescribes the use of better delineated terms in operational research, keeping in mind both the conceptual contestability and utility of Europeanisation as organising concept. Beyond the so-called "European interaction structure", which arguably gives shape to the Europeanisation phenomenon in an essential manner, the thesis posits few genuinely distinctive characteristics, which might help recognise Europeanisation. It argues, instead, that the phenomenological fuzziness, being part of the Europeanisation phenomenon, is also part of the Europeanisation puzzle. Aetiologically, the thesis finally explores a wide spectrum of forces possibly underpinning Europeanisation. Its inductive design opens avenues for a more inclusive understanding of diffusion mechanisms.

In order to give shape to its argument and make an empirical contribution to the field, the thesis adopts two research *foci*: a sectoral one (national foreign policy) and a politico-geographical one (non-EU Europe). Foreign policy, first, is a policy field, where the EU has a limited *acquis* –a state of affairs that necessarily complicates the research, and forces to question the conceptual and methodological choices underpinning the bulk of the literature. If, for instance, one considers the inter-organisational cooperation between the EU and the North Atlantic Treaty Organisation (Nato) in the field, or the enmeshment of EU and international norms of regional security, the formation of a concept of Europeanisation reducible to the impact of the Common Foreign and Security Policy (CFSP) on national foreign policies is at best illusory. The choice of foreign policy is also advantageous for another reason. It is commonly considered as one of the core prerogative of sovereign states –a prerogative often assumed to be immune to the international diffusion of ideas. Meanwhile, it acknowledges the strength of international sources of foreign policy, especially in a European, post-statal context marked by the blurring of boundaries (e.g. between domestic and foreign policy environments, between high

and low politics). An examination of the "second image reversed"[5] in this policy field, then, is a potent illustration of the depth of the transformation of the state in Europe. Choosing non-EU Europe as geographical field of inquiry, finally, creates room to overcome the "no variation issue". Non-EU European states are bound to the EU and other regional organisations though different types of arrangements, placing them at variable institutional distance from EU membership. This variability calls for elaborating a more comprehensive research design capturing the widest spectrum of forces underpinning Europeanisation –a spectrum that is not reducible to forces emanating from EU membership.

The thesis explores the Europeanisation of national foreign policies in non-EU Europe. More precisely, it wonders which changes in the institution of national foreign policy can be attributed to those interactions performed on a European interaction structure by national, international, supranational and transnational foreign policy actors; what the prevailing forces behind Europeanisation are; and what factors decisively support and constrain the phenomenon. The empirical research, in practice, follows a two-step process. It includes, in the first place, a descriptive analysis, intended to delineate the explanandum phenomenologically. The question is: how did Europeanisation affect the governance structures of the object under scrutiny? In the second place, the research presents an argumentative analysis shedding light on the aetiological forces underpinning the Europeanisation phenomenon. The question, then, is: what were the forces or mechanisms underpinning the Europeanisation phenomena singled out in the descriptive analysis? The methodological techniques used in the empirical part of the thesis combine quantitative and qualitative methods for the descriptive analysis (statistical measurement, time-sensitive content analysis) and qualitative methods for the argumentative analysis (correlational analysis, semi-structured interviews and discourse analysis).

The thesis is built as a comparative case study between Serbia and Macedonia. The comparative design is intended to address the Europeanisation puzzle in its two dimensions. It allows a better description of what Europeanisation is (or not) in phenomenological terms, while creating space for drawing aetiological conclusions on the forces underpinning the phenomenon. The choice of Serbia and Macedonia first answers the methodological call in the literature for extrospective research. European non-EU states display larger variations in their relationship with the EU and other regional organisations than EU member states. There is, furthermore, a lack of empirical research on Western Balkan countries (as opposed to Turkey for instance). The thesis is also a contribution to the field. In the region, Serbia and Macedonia, finally, best respond to the need to select cases that are information-rich and display meaningful similarities and differences. Both countries have woven extensive relations with the EU over the past two decades, as part of the overarching Stabilisation and Association process. But their integration in European structures has not been concomitant. Macedonia made rapid progress in the first half of the 2000s, before being stalled because of its dispute with Greece. Serbia, on the other hand, made hesitant progress at first, before catching up with Macedonia despite a difficult context. Both countries, furthermore, have been pursuing their foreign policy with outstanding dynamism, whether on the bilateral, regional, European or international

[5] Gourevitch, P. 1987. 'The Second Image Reversed: The International Sources of Domestic Politics.' *International Organization* vol.32 (4).

level. Both countries, finally, are confronted to highly sensitive foreign policy issues – the Kosovo issue for Serbia and the naming issue for Macedonia.

The thesis is organised as follows. The first section (following this introduction) is a review of the literature. It examines how national and European foreign policy is conceptualised in modern and post-modern writings and presents a framework for their analysis. The literature review continues with a more specific part devoted to the Europeanisation of foreign policy. It reviews the definitions of Europeanisation used in this strand of the literature, as well as the empirical findings yielded by the scholarship. The literature review finally zooms in on the Europeanisation of foreign policy in non-EU Europe. For that purpose, it discusses the concept of non-EU Europe, and examines the findings of the scholarship in this specific area.

The second section of the thesis is the research design. Its elaboration is grounded on the literature review. It starts with a conceptual framework specifying the *definiendum* (what Europeanisation denotes) and the *definiens* (how Europeanisation is defined). Then, it formulates the research questions, and advances a research strategy that tentatively responds to the challenges identified in the literature review. The thesis then specifies the analytical framework it will use, in accordance with its conceptual and strategic choices. For the descriptive parts of the research, the research design explains its reliance on the framework of foreign policy analysis already presented in the literature review. It identifies four dimensions constitutive of national foreign policy, which will be subject to empirical research (foreign policy outputs, actors, contexts and instruments). For the argumentative parts of the research, it develops a multi-dimensional framework consisting of three levels of analysis reflecting different epistemological positions of the structure-agency debate. This multi-dimensional framework is intended to capture the different logics of social action underpinning Europeanisation. It includes first a structural analysis, which aims at unveiling the structural constraints and enabling factors, located above all in institutional settings, to which a causal effect can be attributed. It focuses, most notably on the objective conditions informing and guiding foreign policy choices. It includes then a dispositional analysis, which aims at unveiling the normative inclinations vested in actors' system of causal and principled beliefs. It intends to shed light on the reasons (as opposed to cause) for action in foreign policymaking. And it includes, finally, an intentional analysis, which aims at unveiling the teleological underpinnings of actors' motivations –i.e. what foreign policy actors sought to achieve, when they made certain decisions. The research design finally presents its methodological framework (comparative case study), and details the methodological techniques used in descriptive and argumentative research.

The third section of the thesis is the empirical research on Europeanisation. Its first chapter explores Serbia and Macedonia's foreign policy behaviour in the United Nations General Assembly (UNGA) and Organisation for Security and Cooperation in Europe (OSCE). It researches the diplomatic behaviour of both states over the past fifteen years, looks for patterns of convergence towards EU positions, infers Europeanisation from foreign policy coordination and examines the causes, reasons and teleological underpinnings of their differential alignment, as well as the constraining factors. The second chapter explores Serbia and Macedonia's foreign policy organisations. It researches the transformation of inter-sectoral, intra-sectoral and outreach coordinative structures in both countries, the extension of diplomatic

networks, and the inter-organisational, especially Euro-atlantic, dimension of Europeanisation, in the field of technical capacity-building. The third chapter explores Serbia and Macedonia's border regimes. It researches Serbia and Macedonia's respective approach to border disputes, infers Europeanisation from a certain practice of good neighbourliness and compares the role of the EU in the 2001 FRY-Macedonia and 2009 Kosovo Macedonia border dispute settlement processes. The fourth chapter explores Serbia and Macedonia's approach to critical foreign policy issues. It focuses on Serbia's Kosovo issue and Macedonia's naming issue, explores the national positions of the two countries and their possible inflections over time as well as the negotiating frameworks and their outcome. The chapter infers Europeanisation from the participation of the two countries to European frameworks for the settlement of neighbourly disputes, although these European frameworks overlap with international frameworks. It examines the conditions weighing on Serbia and Macedonia, the domestic politics of dispute settlement and the intentions underpinning the inflection of national positions. The fifth chapter explores Serbia and Macedonia's arms export controls policy. It describes the different path followed by Serbia and Macedonia's administrations towards harmonisation, infers Europeanisation from the amplification, by the EU, of international norms, and examines the role of the EU's conditionality dialogue with Serbia and Macedonia, the role of the dynamic of European integration and some constraining factors.

The fourth section of the thesis is a conclusion. It builds on the empirical findings to tentatively advance knowledge in the field. It starts with a conceptual argument advocating a departure from EU integration perspectives. Europeanisation, it argues, is best conceptualised through governance approaches as distinct from EU-isation. It can accordingly be defined as "the transformation of political systems based on national governance into systems constituted by actors operating through the prism of European governance". The conclusion then makes a argument on what Europeanisation entails (more intersubjectivity, more nodality and more homogeneity) and what it does not entail (uniformity, ineluctability). It finally presents a multi-theoretical approach to Europeanisation, which does not elude the issue of complex causality, argues that Europeanisation, in the end, is a form of political learning, and distinguishes three mechanisms through which is ensues: mechanistic learning, which responds to structural objective necessities, contextual learning, which builds on shared beliefs, and organismic learning, which is propelled by dissatisfaction.

1. Literature review

1.1. Reviewing the literature on foreign policy

1.1.1. Defining foreign policy

1.1.1.1. National foreign policy

Although there is in the literature a "relatively stable consensus about the subject matter of foreign policy analysis"[6], the definitional debate surrounding the concept of foreign policy is not fully settled. Ontological and meta-theoretical bones of contention endure in two aspects of the question. First, should foreign policy be understood as a capacity to act, or as an action? As a "capacity to make and implement policies abroad […]"[7], foreign policy refers more to the organisational and functional structures, procedures and processes necessary at home to act in international politics. It denotes "that area of governmental activity which is concerned with relationships between the state and other actors […]"[8], and suggests that the domain should primarily be conceptualised as an actor's "capacity to act" [9]. Elsewhere, however, foreign policy refers to "the substance of an actor's international policy"[10], that is the "actions (broadly defined) taken by governments which are directed at the environment external to their state […]"[11]. Here, it is not the capacity to act which is important, but the very "actions which, expressed in the form of explicitly stated goals, commitments and/or directives, and pursued by governmental representatives acting on behalf of sovereign communities, are directed toward objectives, conditions and actors –both governmental and non-governmental- which they want to affect and which lie beyond their territorial legitimacy"[12].

The difference between the two approaches goes beyond distinguishing substance and procedure in the analysis. It denotes a disputed positioning with regards to the structure agency debate, or, as Carlsnaes put it, "the classical ontological choice between holistic and individualistic approaches to social sciences"[13]. Proponents of the *Handlungsfähigkeit* conceptualisation of foreign policy emphasise the structuralist sources of purposive behaviour, and refuse to narrowly reduce the "effects of social

[6] Carlsnaes, W. 2002. 'Foreign Policy.' In *Handbook of International Relations*, eds. Carlsnaes, W., et al. p. 335; White, B. 2004. 'Foreign Policy Analysis and the New Europe.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al. p. 11.
[7] H. Smith, H. 2002. *European Union Foreign Policy: What It Is and What It Does*. p. 8.
[8] White cit.in Smith, K. E. 2004a. *The Making of EU Foreign Policy: The Case of Eastern Europe*. p3.
[9] Harnisch, S. and Stahl, B. 2009. 'Einleitung: EU-Aussenpolitik Und Aktorness.' In *Vergleichende Aussenpolitikforschung Und Nationale Identitäten: Die Europäische Union Im Kosovo-Konflikt 1996-2008*, eds. Stahl, B. and Harnisch, S.
[10] Hocking, B. 2004. 'Diplomacy.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al. p. 115.
[11] White, B. 2004. 'Foreign Policy Analysis and the New Europe.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al. p. 11.
[12] Carlsnaes, W. 2002. 'Foreign Policy.' In *Handbook of International Relations*, eds. Carlsnaes, W., et al. p. 335.
[13] Carlsnaes, W. 2004b. 'Where Is the Analysis Fo European Foreign Policy Going?' *European Union Politics* vol.5 (4). p. 504.

structures […] to independently existing agents and their interactions"[14]. Structures and institutions, because they determine agents' capacity of action, are the keystone of foreign policies. By contrast, an individualistic ontology of foreign policy assumes that the effects of social structures find their explanation reducibly in the attributes of the actors involved in foreign policymaking. Researching "actions" rather than "capacity to act" therefore suffices to embrace the concept of foreign policy. Of course, the "ontological polarity between individualism and holism" in conceptualising foreign policy does not reflect a perfect dichotomy[15]. Structures and agents are in reality both involved in conceptualising foreign policy, not least because structures and agency constitute each other, either intrinsically (structurationism) or across the different levels of analysis, with the structures at one level becoming agents at a higher level and vice versa[16]. One of the most notable challenges that foreign policy analysts then face is the elaboration of a synthetic conceptualisation of foreign policy based on ontological pluralism.

The second contentious issue that can be indentified in the literature concerns the "foreign" dimension of foreign policy. Definitions of foreign policy are very much impregnated by the Westphalian state-centric tradition that still prevails in international politics. It follows that it may seem difficult to foreign policy analysts "to separate the notion of foreign policy from the idea of a state with a set of interests identified by a government"[17]. And indeed, many of them take a restrictive stance on the actors that can possibly be involved in foreign policy and presume the absolute primacy of state actors. For instance, Krippendorff defines foreign policy as "actions of a particular state in the pursuit of its interests towards other states"[18]. States and governments, in this state-centric perspective, are the primary *loci* of foreign policymaking –they take actions "which are directed at the environment external to their state with the objective of sustaining or changing that environment in some way"[19], and regulating "relationships between the state and other actors, particularly other states, in the international system"[20]. Alternatively, foreign policy involves the "national government"[21]. The difficulty posed by conceptualising foreign policy in a state-centric manner arises when "no clear boundaries between internal and external

[14] Wendt, A. 1999. *Social Theory of International Politics*. p. 26.
[15] Carlsnaes, W. 2002. 'Foreign Policy.' In *Handbook of International Relations*, eds. Carlsnaes, W., et al. p. 335.
[16] Hollis, M. and Smith, S. 1991. 'Beware of Gurus: Structure and Action in International Relations.' *Review of International Studies* vol.17 (4).
[17] Allen, D. 1996. 'Conclusions: The European Rescue of National Foreign Policy?' In *The Actors in Europe's Foreign Policy*, ed. Hill, C. p. 303.
[18] *[die Aktionen eines bestimmten Staates in Verfolgung seiner Interessen gegenüber anderen Staaten]*. cit. in Harnisch, S. and Stahl, B. 2009. 'Einleitung: EU-Aussenpolitik Und Aktorness.' In *Vergleichende Aussenpolitikforschung Und Nationale Identitäten: Die Europäische Union Im Kosovo-Konflikt 1996-2008*, eds. Stahl, B. and Harnisch, S. p. 17.
[19] White, B. 2004. 'Foreign Policy Analysis and the New Europe.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al. p. 11.
[20] White cit. in Smith, K. E. 2004a. *The Making of EU Foreign Policy: The Case of Eastern Europe*. p.3.
[21] Hudson, V. M. 2008. 'The History and Evolution of Foreign Policy Analysis.' In *Foreign Policy: Theories, Actors, Cases*, eds. Smith, S., et al. p. 12.

policy environment" exist [22], or when the boundary between domestic and international politics is blurred, e.g. through globalisation or regional integration[23].

This is especially the case in Europe, where transnational processes, stimulated by European integration, render states' territorialities increasingly porous[24]. The foreign policy of European states towards other European states, for instance, cannot be considered as typically "foreign", as suggested by the renaming, in some European states, of the Ministry of Foreign Affairs (MFA) into Ministry of Foreign and European Affairs[25]. And national foreign policies do not always seem to be mutually exclusive –they may even be shared, as suggested by the EU's fledging Common Foreign and Security Policy. This denotational alteration of the concept of foreign policy necessarily called for reconceptualising the field in a less state-centric fashion. For instance, H. Smith elliptically refers to "policies abroad which promote the domestic values, interests and policies of the *actor* in question"[26]. Those "actors" are defined more specifically by Carlsnaes as "representatives acting on behalf of their sovereign communities", and the recipients of foreign policy as "actors –both governmental and non-governmental –which […] lie beyond their territorial legitimacy" [27]. This definition is not inconsistent with the insights brought by sociological constructivism and the governance turn in political sciences. *Contra* Krasner [28], "sovereign communities" shall not necessarily be based on hard conceptions of territoriality[29], and foreign policy may therefore also be exercised by representatives of political communities, the sovereignty of which is socially constructed on soft- or non-territorial premises[30]. When state borders do not coincide with the distribution of national communities, on specific issues, foreign policy may, for instance, subordinate the pursuit of state interests to the defence of national, trans-border approaches. Another example is the case of imagined communities that are constituted on postnational premises, as, arguably, the European Union. European foreign policy, indeed, is neither built on a national nor a territorial basis. And yet, it

[22] White, B. 2004. 'Foreign Policy Analysis and the New Europe.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al. p. 11, 25.
[23] Checkel, J. T. 2008. 'Constructivism and Foreign Policy.' In *Foreign Policy: Theories, Actors, Cases*, eds. Smith, S., et al. p. 77.
[24] White, B. 2004. 'Foreign Policy Analysis and the New Europe.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al; Jørgensen, K. E. 2004. 'European Foreign Policy: Conceptualising the Domain.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al; Sjursen, H. 2004. 'Security and Defence.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al; Müller, H. 2002. 'Security Cooperation.' In *Handbook of International Relations*, eds. Carlsnaes, W., et al; Smith, K. E. 2004a. *The Making of EU Foreign Policy: The Case of Eastern Europe*; Hocking, B. 2004. 'Diplomacy.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al.
[25] Austria, for instance, but also Slovakia and Croatia.
[26] Smith. *European Union foreign policy: what it is and what it does*. p. 8., emphasis added; see also Harnisch and Stahl. 'Einleitung: EU-Aussenpolitik und Aktorness.' p. 17; Hocking. 'Diplomacy.'
[27] Carlsnaes, W. 2002. 'Foreign Policy.' In *Handbook of International Relations*, eds. Carlsnaes, W., et al. p. 335.
[28] Krasner, S. D. 1993. 'Sovereignty, Regimes and Human Rights.' In *Regime Theory and International Relations*, eds. Rittberger, V. and Mayer, P. p. 142 ff.
[29] Biersteker, T. J. 2002. 'State, Sovereignty and Territory.' In *Handbook of International Relations*, eds. Carlsnaes, W., et al. p. 164-167, 172.
[30] Jørgensen, K. E. 2004. 'European Foreign Policy: Conceptualising the Domain.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al. p. 32-34; Aalberts, T. E. 2002. 'Multilevel Governance and the Future of Sovereignty: A Constructivist Perspective.' *Working Papers Political Science* vol.04/2002; Rittberger, V. and Mayer, P. eds. 1993. *Regime Theory and International Relations*.

can hardly be fully isolated from the foreign policies of the EU's member states –i.e. European nations and territories.

In conceptualising foreign policy, territorial lines continue to be meaningful, even in the most post-modern approaches. This is understandable, since territorial lines remain an essential marker of sovereignty for many communities. But the new literature on foreign policy studies argues that these are not the only marker; that foreign policy is not the preserve of territorial states; and that the conceptual domain of foreign policy cannot be once for all delineated through territoriality[31]. That is why taking a governance approach to the study of foreign policy can be considered as beneficial to the field. It may help bridging the conceptual gap between national and European conceptions of foreign policy, and developing foreign policy approaches that are suitable both for Europe, as international actor, and European member states.

1.1.1.2. European foreign policy

Why is it important to disentangle foreign policy from territorial sovereignty? Among all the identities available to states, sovereignty is the only intrinsic one constituting them[32]. The recognition of states' sovereign equality by other states is a keystone of their state-ness –a *sine qua non* to the full-fledged pursuit of their foreign policy on the world scene[33]. However, the reverse is not true: states are not the only actors that can be identified as sovereign –and thus, not the only operators of foreign policy. Non-statal or post-statal polities may be sovereign in some aspects of their relations with other actors, and thereby wield the authority to conduct foreign policy on the world scene[34]. Sovereignty, in this sense, is not a reified attribute of state; it may be "shared", "mixed" or "fragmented"[35] –a characteristic that is essential to understand what European foreign policy is in a governance perspective.

As this thesis intends to shed light on "europeanised" foreign policies –whatever this concept possibly means at this point of the review, defining foreign policy in the realm of European governance is an essential step. It is commonly admitted that the member states of the European Union are not the only actors involved in European foreign policymaking. Although the scholarship does not agree on the explanation and the extent of this phenomenon, it seems to be consensusal on the ontological existence of a European foreign policy that is not reducible to the sum of the member states'

[31] Smith, M. E. 2004e. 'Toward a Theory of EU Foreign Policy-Making: Multi-Level Governance, Domestic Politics, and National Adaptation to Europe's Common Foreign Security Policy.' *Journal of European Public Policy* vol.11 (4); Keukeleire, S. and Justaert, A. 2008. 'Policy Networks and the Analysis of EU Foreign Policy.' Conference paper.
[32] Wendt, A. and Friedheim, D. 1996. 'Hierarchy under Anarchy: The Informal Empire and the East German State.' In *State Sovereignty as Social Construct*, eds. Biersteker, T. J. and Weber, C. p. 252.
[33] Wendt, A. 1994. 'Collective Identity Formation and the International State.' *The American Political Science Review* vol.88 (2). p. 385; Malanczuk, P. 1997. *Akehurst's Modern Introduction to International Law*. p. 17-18.
[34] Biersteker, T. J. 2002. 'State, Sovereignty and Territory.' In *Handbook of International Relations*, eds. Carlsnaes, W., et al. p. 170-171.
[35] Wallace, W. 1999. 'The Sharing of Sovereignty: The European Paradox.' *Political Studies* vol.XLVII; Schwarze, J. ed. 2001. *La Naissance D'un Ordre Constitutionnel Européen: L'interaction Du Droit Constitutionnel National Et Européen*; De Witte, B. 2008. 'The Emergence of a European System of Public International Law: The EU and Its Member States as Strange Subjects.' In *The Europeanisation of International Law: The Status of International Law in the EU and Its Member States*, eds. Wouters, J., et al.

foreign policies. The extent to which the European foreign policy (EFP) differs from member states' foreign policies remains debated, not least because of the Europe's lack of sovereignty, centralised decision-making structures, military capacity, functional differentiation and effectiveness[36]. Defining European foreign policy remains problematic owing to the "nature of the [European] beast"[37], although scholars concur in thinking that "a common EFP actually does exists, and has existed for a considerable amount of time"[38].

A definitional taxonomy of European foreign policy may rely on three types of 'Europe', each constituting a particular "set of linked environments or arenas for negotiation and for the formation of policy"[39]. European foreign policy may first be defined as an attribute of the "Europe of boundaries". In Krahmann's wording, European foreign policy then "pertains to the decisions and actions of core European states and the multilateral organizations which are primarily concerned with the welfare of the region"[40]. This definition underlines the maintenance of hierarchies throughout European governance, with the member states remaining decisive actors in negotiations. European institutions are not characterised as supranational actors, but as multilateral *fora* – they facilitate competitive bargaining. The second definition of European foreign policy rather appeals to the "Europe of layers" of M. Smith, in which "issues of competence and linkage are salient"[41]. In this understanding, European foreign policy is produced through the adjustment at the European-level of interests stemming from agents operating at various levels of governance[42]. It refers to "the universe of concrete civilian actions, policies, relations, commitments and choices of the EC (and EU) in international politics[43]. These actions are cooperatively "(1) undertaken on behalf of all the EU states toward non-members, international bodies, or global events or issues; (2) oriented toward a specific goal; (3) made operational with physical activity, such as financing or diplomacy; and (4) undertaken in the context of EPC/CFSP discussions (although the EC can also be involved)"[44]. In a similar, albeit less precise vein, the EFP is "the activity of developing and managing relationships between […] the EU and other international actors, which promotes the domestic values and interests of the […] actor in question"[45]. The third definition of European foreign policy derives from the conceptualisation of Europe as set of

[36] Smith, H. 2002. *European Union Foreign Policy: What It Is and What It Does*. p.; 1-7; see also Smith, K. E. 2003. *European Union Foreign Policy in a Changing World*. p. 3-5.
[37] Risse-Kappen, T. 1996. 'Exploring the Nature of the Beast: International Relations.' *Journal of Common Market Studies* vol.34 (1).
[38] Jørgensen, K. E. 2004. 'European Foreign Policy: Conceptualising the Domain.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al. p. 34.
[39] Smith, M. 2004b. 'Foreign Economic Policy.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al. p. 77.
[40] cit. in Carlsnaes, W. 2004b. 'Where Is the Analysis Fo European Foreign Policy Going?' *European Union Politics* vol.5 (4). p. 500.
[41] Smith, M. 2004b. 'Foreign Economic Policy.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al. p. 77.
[42] Smith, M. E. 2004e. 'Toward a Theory of EU Foreign Policy-Making: Multi-Level Governance, Domestic Politics, and National Adaptation to Europe's Common Foreign Security Policy.' *Journal of European Public Policy* vol.11 (4).
[43] Ginsberg cit. in White, B. 2004. 'Foreign Policy Analysis and the New Europe.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al. p. 15; Carlsnaes, W. 2004b. 'Where Is the Analysis Fo European Foreign Policy Going?' *European Union Politics* vol.5 (4). p. 500.
[44] EPC stands for European Political Cooperation. M. Smith cit. in Carlsnaes, W. 2004b. 'Where Is the Analysis Fo European Foreign Policy Going?' *European Union Politics* vol.5 (4). p. 501.
[45] Smith, H. 2002. *European Union Foreign Policy: What It Is and What It Does*. p. 8.

networks, disseminating ideas through communication, fostering problem-solving behaviour, and building shared understandings across territorial boundaries and layers of governance. As explained by Keukeleire & Justaert, European foreign policy is also based on the "functional specialisation and division of tasks through noticeable yet informal small groups of actors"[46]. This means that the actors operating European foreign policy are not necessarily unit-like; they are "networks" spanning across levels of governance[47].

Another definitional taxonomy has been proposed by B. White[48], who defined European foreign policy (EFP) as the overlapping sum of three different "EFP subsystems", each characterised by "different sets of actors and policy processes"[49]. European foreign policy can accordingly be collapsed into the foreign policy of the European Communities (e.g. common commercial policy), the foreign policy of the European Union (e.g. common foreign security policy) and the foreign policies of the EU member states. This definitional taxonomy can be considered as an elaboration of the layer-based definition of M. Smith. Its weaknesses are that the distinction between the three subsystems may sometimes be difficult to establish (e.g. in cross-cutting areas) and that it is rather EU-centric. Its advantage is that it stresses 1) that EU member states continue to conduct their foreign policy within and in addition to the EU, and 2) that European foreign policy includes EC external actions.

1.1.2. Analysing foreign policy

Foreign policy is not *per se* a policy field to be treated in a fundamentally different way from all other areas of public policy[50]. Although it is directed at the external environment, it has its domestic sources of policymaking, and therefore, "can never be abstracted from the domestic context out of which it springs"[51]. Foreign policy, in a word, is concerned by both "domestic sources of foreign policy"[52] and "international sources of domestic politics"[53] –two reasons not to consider foreign policy as an idiosyncratic activity that lies beyond the analytical scope of public policy studies.

Foreign Policy Analysis (FPA) is built on "the hypothesis that the outputs of foreign policy are to some degree determined by the nature of the decision-making process"[54]. It aims at explaining the process and outcomes of foreign policy decision-making by investigating "those factors that influence foreign policy decision-making and foreign

[46] Keukeleire, S. and Justaert, A. 2008. 'Policy Networks and the Analysis of EU Foreign Policy.' Conference paper. p. 2; Smith, H. 2002. *European Union Foreign Policy: What It Is and What It Does*. p. 8.
[47] Keukeleire, S. and Justaert, A. 2008. 'Policy Networks and the Analysis of EU Foreign Policy.' Conference paper. p. 2.
[48] White, B. 2001. *Understanding European Foreign Policy*; White, B. 2004. 'Foreign Policy Analysis and the New Europe.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al.
[49] White, B. 2004. 'Foreign Policy Analysis and the New Europe.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al. p. 15-16, 25.
[50] Carlsnaes, W. 2002. 'Foreign Policy.' In *Handbook of International Relations*, eds. Carlsnaes, W., et al. p. 332 ff.
[51] Hill, C. 2003. *The Politics of Foreign Policy*. p. 37-39.
[52] Rosenau, J. N. 1967. *Domestic Sources of Foreign Policy*.
[53] Gourevitch, P. 1987. 'The Second Image Reversed: The International Sources of Domestic Politics.' *International Organization* vol.32 (4).
[54] Hill, C. 2003. *The Politics of Foreign Policy*. p. 10.

policy decision-makers"[55]. Those factors, according to White[56], Carlsnaes et al.[57] and Hill[58] are as follows: First, the unitary and collective actors that are involved in the foreign policymaking process, and therein act (purposively or routinely) as individualistic agents and principals. Second, the material and ideational contexts within which foreign-policy is made. These contexts, which include cultural and linguistic institutions, transnational contexts and historical path-dependencies, can be understood as structures, in that they "make up the multiple environments in which agents operate, and they shape the nature of choices by setting limits to the possible but also, more profoundly, by determining the nature of the problems which occur there, by shaping our very life-worlds"[59]. Third, the processes of foreign decision-making themselves, which are underpinned by various types of cognitive models and procedural rules. Fourth, the instruments of foreign policy, which foreign policy actors have at their disposal –empowering them to translate foreign policy choices into policy actions. And fifth, the output-dimension of foreign-policymaking, which, having a normative dimensions, raises questions as to how to assess foreign policy's success and failures, and how to anticipate success.

1.1.2.1. Actors in Foreign Policy Analysis

Foreign policy executives are the architects of foreign policy. They are, most notably, the foreign minister, the head of state, and those individuals in the administration that hold "the powers of initiative, convening meetings and (in the case of the head of government) also appointment of colleagues"[60]. In traditional statal organisations, the type of relationship between the foreign minister and the head of government may vary considerably from equality to subordination. Sometimes, the head of government also holds the function of foreign minister. Foreign policy top executives are assisted by a circle of trusted advisors (e.g. in the Cabinet or Security Council). These constitute an *éminence grise* in charge of communicating professional and informed opinions on strategic and specific issues. The top executives also rely on a bureaucracy, usually characterised by a "strong sense of elite status and *esprit de corps*"[61], most notably the MFA. In addition to contributing to policy-making *per se*, the MFA performs information-gathering tasks and upholds continuous relationships with the outer-world through its diplomatic services[62]. Other foreign policy actors include intelligence services, which sit "in the middle of the civil-military relation", and perform information gathering tasks that cannot be double checked by foreign policy decision-makers[63]; the military, the actions of which can constitute "a form of parallel foreign policy" and the economic agencies dealing with external economic activities (e.g. trade, finance, foreign aid)[64]. This fragmentation of foreign policy actors is a challenge to the efficient pursuit of foreign policy objectives. Hence the

[55] Hudson, V. M. 2005. 'Foreign Policy Analysis Actor-Specific Theory.' *Foreign Policy Analysis* vol.1. p. 2.
[56] White, B. 2004. 'Foreign Policy Analysis and the New Europe.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al. p. 26.
[57] Carlsnaes, W., et al. eds. 2004. *Contemporary European Foreign Policy*.
[58] Hill, C. 2003. *The Politics of Foreign Policy*.
[59] Ibid. p. 26.
[60] Ibid. p. 65-66.
[61] Ibid. p. 76.
[62] Ibid. p. 76-82.
[63] Ibid. p. 66-67.
[64] Ibid. p. 82 ff.

essential need to for vertical (intra-sectoral) and horizontal (inter-sectoral) coordination.

1.1.2.2. Contexts in Foreign Policy Analysis

Actor-oriented approaches to FPA cannot ignore the socio-institutional contexts in which foreign policy actors are embedded. As noted by Hudson, "culture, history, geography, economics, political institutions, ideology, demographics, and innumerable other factors shape the societal context in which the decision-maker operates"[65].

The socio-institutional context is made of regulative and constitutive structures. The extent to which these structures determine foreign policy behaviour has been the crux of research in many international relations theories (English School, neo-realism, dependency and theories, and even Wendt's constructivism). These theories share a joint commitment to structuralism. Without denying the advantages of a holistic ontology, an FPA actor-based perspective should nevertheless deconstruct these structures, which are layered at various levels of governance[66]. They should study the dialectical interplay between actors' strategies and the multiple contexts in which they are embedded. Deconstructing foreign policy contexts implies identifying the structural factors that matter most to foreign policy-makers.

These policy contexts are first material, i.e. geographical, contexts. Geography "imposes costs, limits and difficulties; […] it shapes attitudes and decisions by providing, in interaction with politics and technology, differentiated opportunities"[67]. There are, second, semi-material contexts, i.e. those human-made factors that impact upon the significance of material ones in the pursuit of foreign policy goals. Technology, transport infrastructures and the facilities enabling the extraction or processing of natural resources greatly influence foreign policy actors' capabilities, and thus choice. There are, third, political contexts, which are constructed through interdependencies, and have a strong relational dimension. And there are finally cultural contexts, which are embedded in actors' strategic doctrine and security identity. Those cultural contexts have a strong normative dimension.

1.1.2.3. Process in Foreign Policy Analysis

An actor-oriented analysis of foreign policy actions should also examine the procedures and rationalities upon which foreign policy actors rely. Rationality, unlike determinism, implies that choices are made as a result of a cognitive process, enabling actors to anticipate the impact of their decisions. Many different ideal-types of rationality have been exposed in the literature; they are sometimes presented in dichotomous terms, e.g. procedural vs. substantive[68]; individual vs. collective[69];

[65] Hudson, V. M. 2008. 'The History and Evolution of Foreign Policy Analysis.' In *Foreign Policy: Theories, Actors, Cases*, eds. Smith, S., et al. p. 20.
[66] Hollis, M. and Smith, S. 1991. 'Beware of Gurus: Structure and Action in International Relations.' *Review of International Studies* vol.17 (4).
[67] Hill, C. 2003. *The Politics of Foreign Policy*. p. 170.
[68] Simon, H. A. 1978. 'Rationality as Process and as Product of Thought.' *The American Economic Review* vol.68 (2); Simon, H. A. 1982. 'From Substantive to Procedural Rationality.' In *Decision Making: Approaches and Analysis*, eds. McGrew, A. G. and Wilson, M. J.

analytic[70]; bounded[71]. In many classical theories of foreign policy, rational choice models are applied to explain actors' behaviour. They assume that policy-makers are capable of "generat[ing] subjective probability estimates of the consequences of the options that they consider, to update these estimates as they consider new evidence, and to maximize their subjective expected utility"[72]. Rational choice models also expect that policy-makers are capable of experiential learning[73].

Although widely used in FPA, rational choice models are not without limitations. First, the cognitive frames used by decision-makers to appraise a foreign policy issue tend to be simplified, or bounded. Nuances and subtleties are neglected, which restricts the policy-options available. Second, actors tend to resist rational counterfactual facts, if those facts are inconsistent with their *a priori* beliefs[74]. An interesting distinction can be made in this respect between "foxes", who are inductive cognisers, searching for new information but lacking of an overarching consistent understanding of foreign policy dynamics, and "hedgehogs" are more deductive cognisers, systematically vetting their arch-theories with empirical facts, which they tend to manipulate so that they fit into their models. Foxes are believed to make foreign policy more adaptative than hedgehogs[75]. Foreign policy actors, third, rely on simplified cognitive structures, when they process information and frame their decisions[76]. These provide a cognitive map that is flawed by different types of biases (representativeness, availability or anchoring), resulting in the impairment of rational choices[77]. Foreign policy actors may, for instance, fail to act rationally when their choice on am issue is determined "with regard to a so-called reference point (often status quo), in terms of which they are risk-averse with respect to gains, and risk acceptant with respect to losses"[78]. Other cognitive biases, having similar implications

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[69] Hill, C. 2003. *The Politics of Foreign Policy*. p. 97 ff; McMahon, C. 2001. *Collective Rationality and Collective Reasoning*. p. 6 ff; Jabes, J. 1982. 'Individual Decision Making.' In *Decision Making: Approaches and Analysis*, eds. McGrew, A. G. and Wilson, M. J.

[70] Carley, M. 1982. 'Analytic Rationality.' In *Decision Making: Approaches and Analysis*, eds. McGrew, A. G. and Wilson, M. J.

[71] Selten, R. 2001. 'What Is Bounded Rationality.' In *Bounded Rationality: The Adaptive Toolbox*, eds. Gigerenzer, G. and Selten, R; Keohane, R. O. 2005. *After Hegemony: Cooperation and Discord in the World Political Economy*. chap. 7.

[72] Stein, J. G. 2008. 'Foreign Policy Decision-Making: Rational, Psychological, and Neurological Models.' In *Foreign Policy: Theories, Actors, Cases*, eds. Smith, S., et al. p. 103 ff.

[73] Ibid. p. 103; Levy, J. S. 1994. 'Learning and Foreign Policy: Sweeping a Conceptual Minefield.' *International Organization* vol.48 (2).

[74] Tetlock, P. E. and Lebow, R. N. 2001. 'Poking Counterfactual Holes in Covering Laws: Cognitive Styles and Historical Reasoning.' *American Political Science Review* vol.95 (4).

[75] Stein, J. G. 2008. 'Foreign Policy Decision-Making: Rational, Psychological, and Neurological Models.' In *Foreign Policy: Theories, Actors, Cases*, eds. Smith, S., et al.

[76] see Vertzberger, Y. Y. I. 1990. *The World in Their Minds: Information Processing, Cognition, and Perception in Foreign Policy Decision Making*. p. 111 ff.

[77] for an overview, see Tetlock, P. E. and McGuire, C. J. 1986. 'Cognitive Perspectives on Foreign Policy.' *Political Behavior Annual* vol.1. p. 152 ff; Vertzberger. *The world in their minds: information processing, cognition, and perception in Foreign policy decision making*. p. 144 ff; Farkas, A. 1996. 'Evolutionary Models in Foreign Policy Analysis.' *International Studies Quarterly* vol.40 (3). p. 346.

[78] Carlsnaes, W. 2002. 'Foreign Policy.' In *Handbook of International Relations*, eds. Carlsnaes, W., et al. p. 338; see also Farkas, A. 1996. 'Evolutionary Models in Foreign Policy Analysis.' *International Studies Quarterly* vol.40 (3). p. 345 ff.

and benefiting from the lack of accountability of foreign-policy actors, can be mentioned (e.g. fundamental attribution error, hindsight biases)[79].

1.1.2.4. Instruments in Foreign Policy Analysis

Implementation is a critical phase of any policy-process that is not self-executive, but this is perhaps even more the case in the field of foreign policy, where the stakes, in terms of security, are high. Resources, when operationalised through technology or expertise, provide foreign policy-makers with capabilities. But for them to be projected on the external environment, instruments need to be devised. Foreign policy instruments may mobilise a variety of capabilities (e.g. political, military, economic, cultural and ideological). Analytically, they can be hierarchised on a soft-hard power continuum. Soft power refers to more intangible forms of power exhibiting "the ability of a country to structure a situation so that other countries develop preferences or define their interests in ways consistent with its own"[80]. It is exerted through cultural and ideological attraction (or persuasion) or manipulation of interdependences, especially within international regimes. Structuring situations means, for instance, influencing other actors' beliefs by setting the agenda or framing security issues. The exercise of power, when legitimised, is more likely to trigger voluntary, and more lasting change –but it is a longer-term strategy. Foreign policy actors usually try to combine soft and hard power instruments in ways that are mutually reinforcing[81]. They strive for using instruments in a way that maximises what they call "smart power"[82].

Foreign policy instruments are generally used in a logic of escalation, i.e. a game of competitive risk-taking that renders bargaining very costly[83]. This logic of escalation is not uniform; its shaping also depends on the actors' capabilities and foreign policy objectives[84]. The logic of escalation does not always guarantee effectiveness, nor does it systematically result in compliance. It may conversely spark off aggressive reactions, when escalation is reciprocated. Just as soft law may prove more effective than hard law in some domains of international law[85], soft power instruments may prove more effective than hard power instruments in some configurations of international relations (although it cannot replace hard power instruments in all configurations)[86].

1.1.2.5. Outputs in Foreign Policy Analysis

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[79] Tetlock, P. E. 1985. 'Accountability: A Social Check on the Fundamental Attribution Error.' *Social Psychology Quaterly* vol.48 (3); Tetlock, P. E. and McGuire, C. J. 1986. 'Cognitive Perspectives on Foreign Policy.' *Political Behavior Annual* vol.1. p. 163 ff.
[80] Nye, J. S. 1990. 'Soft Power.' *Foreign Policy* vol.80. p. 168.
[81] Brighi, E. and Hill, C. 2008. 'Implementation and Behaviour.' In *Foreign Policy: Theories, Actors, Cases*, eds. Smith, S., et al. p. 127 ff; Hill, C. 2003. *The Politics of Foreign Policy*.
[82] Wilson, E. J. 2008. 'Hard Power, Soft Power, Smart Power.' *The ANNALS of the American Academy of Political and Social Science* vol.616.
[83] Carlson, L. J. 1995. 'A Theory of Escalation and International Conflict.' *The Journal of Conflict Resolution* vol.39 (3).
[84] Geller, D. S. 1990. 'Nuclear Weapons, Deterrence, and Crisis Escalation.' *The Journal of Conflict Resolution* vol.34 (2).
[85] Abbott, K. W. and Snidal, D. 2000. 'Hard and Soft Law in International Governance.' *International Organization* vol.54 (3).
[86] Nye, J. S. 2004. 'Soft Power and Leadership.' *Compass: A Journal of Leadership* vol.Spring 2004.

Evaluating the success or failure of foreign policy actions is an essential step in FPA, not least because it helps understanding the historical and normative contexts underpinning the shaping of new foreign policy objectives. Failures, for instance, are likely to induce negative experiential learning. This dimension of FPA, however, has been widely neglected in the literature, so that there is today "not even a common understanding of what is meant by success" in foreign policy[87]. The existing studies usually concentrate on only evaluating the effectiveness of three types of instruments. First, it is commonly contended that military instruments prove overwhelmingly effective –i.e. they are "the only effective means for achieving ambitious foreign policy goals like taking or defending territory, altering a state's military behaviour, and changing a state's regime or internal political structure" [88]. Second, the scholarship admits that economic sanctions do not prove very successful on target states [89], although chances for success are improved when democracies are the initiators[90], and actors interact in contexts where international economic cooperation prevails[91]. Third, a growing interest is devoted to the potential of public diplomacy, which arguably starts to "make a difference", thanks to the use of new technologies in world politics[92].

The broader literature distinguishes three dimensions in its assessment of failure/success. The first one is effectiveness. It denotes **"**the degree to which a rule induces changes in behavior that further the goals; improves the state of the underlying problem; or achieves its policy objectives"[93]. Effectiveness is conceptually distinct from implementation, which is the process of putting policy objectives into practice; and it also differs from compliance, which is a "state of conformity or identity between an actor's behavior and a specified rule [or policy objective]"[94]. The second dimension that should be taken into account in the evaluation of foreign policy outputs is the cost-efficiency of the instruments chosen by policy-actors, i.e. policy efficiency. This dimension is not included in the assessment of policy effectiveness, and is often neglected by foreign policy analysts[95]. Policies that are considerably costly (e.g. military action) may prove effective, but policies fostering less costly instruments and eventually prove equally effective, should be granted a higher degree of success. Effectiveness and efficiency, however, may be at odd with a third dimension, i.e. legitimacy. In order to be fully successful, foreign policy actions shall serve the ends of the people, both internally and externally [96]. This legitimacy dimension is most salient in democracies, where foreign policy-makers are increasingly expected to exhibit some level of accountability.

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[87] Baldwin, D. A. 2000. 'Success and Failure in Foreign Policy.' *Annual Review of Political Sciences* vol.3. p. 167.
[88] Pape, R. A. 1997. 'Why Economic Sanctions Do Not Work.' *International Security* vol.22 (2). p. 90.
[89] Tsebelis, G. 1990. 'Are Sanctions Effective? A Game-Theoretic Analysis.' *The Journal of Conflict Resolution* vol.34 (1); Pape, R. A. 1997. 'Why Economic Sanctions Do Not Work.' *International Security* vol.22 (2).
[90] Hart, R. A., Jr. 2000. 'Democracy and the Successful Use of Economic Sanctions.' *Political Research Quarterly* vol.53 (2).
[91] Martin, L. L. 1992. *Coercive Cooperation: Explaining Multilateral Economic Sanctions*.
[92] Henrikson, A. K. 2006. 'What Can Public Diplomacy Achieve?' In Discussion Papers in Diplomacy.
[93] Raustiala, K. and Slaughter, A.-M. 2002. 'International Law, International Relations and Compliance.' In *The Handbook of International Relations*, eds. Carlsnaes, W., et al. p. 539.
[94] Ibid.
[95] e.g. Pape, R. A. 1997. 'Why Economic Sanctions Do Not Work.' *International Security* vol.22 (2).
[96] Hill, C. 2003. *The Politics of Foreign Policy*. p. 101 ff.

1.1.2.6. Analysing European Foreign Policy through Foreign Policy Analysis?

Sceptical observers may criticise the attempt at applying FPA to EFP. Two arguments may be advanced. First, FPA is not an outcome-oriented approach, and it is thus of little help in explaining and assessing EFP –a domain that is often approached through its outputs. EFP studies often rely on perspective underlining the "actorness" of the EU, conceived as "international actor"[97], "collective presence"[98], "civilian power"[99], "ethical power"[100], or "normative power"[101]. Their object of research is rarely located in the "inside" process of EFP-making. EFP studies are more interested in researching the external impact of the EFP, for instance, in terms of level of recognition, cohesion, authority and autonomy[102]. Using FPA, a process-oriented approach, to scrutinise EFP may be unconventional in this respect, but it is not ill-fitted. Indeed, the argument stating that FPA, unlike EFP actorness-perspectives, fails to evaluate policy outcomes is flawed, since FPA does include an evaluative analysis of foreign policy outputs, for instance in terms of effectiveness, efficiency and legitimacy. In fact, one may argue that FPA covers a broader analytical scope than EFP actorness-based approaches: it is both actor-oriented, actor-specific, whilst refuting the presumed EU unitariness. This approach better responds, arguably, to the "multiple realities" of the EFP[103].

The second argument questioning the applicability of FPA contends that the EU is a *sui generis* foreign policy actor, since traditional FPA presupposes ontological statehood[104]. This "poses significant conceptual and theoretical challenges to conventional conceptions of agency and power"[105], and arguably requires a "radically new reconceptualisation of [the EFP] subject-matter"[106]. This scepticism rests on a traditional state-centric understanding of FPA, which posits the existence of clear boundaries between the realms of domestic and foreign policy as prerequisite for analysis. This assumption, however, is not central to FPA. There is room in FPA for multi-level analysis and integrative, multifactoral approaches[107]. FPA proponents argue indeed that "explanatory variables from all levels of analysis, from the most micro to the most macro, are of interest to the analyst to the extent that they affect

[97] Ginsberg, R. H. 1999. 'Conceptualizing the European Union as an International Actor: Narrowing the Theoretical Capability-Expectations Gap.' *Journal of Common Market Studies* vol.37 (3).
[98] Hill, C. and Wallace, W. 1996. 'Introduction: Actors and Actions.' In *The Actors in Europe's Foreign Policy*, ed. Hill, C. p. 13.
[99] e.g. Whitman, R. G. 2002. 'The Fall, and Rise, of Civilian Power Europe?' Conference paper.
[100] Aggestam, L. 2008a. 'Introduction: Ethical Power Europe?' *International Affairs* vol.84 (1); Smith, H. 2002. *European Union Foreign Policy: What It Is and What It Does*. p. 271ff.
[101] Manners, I. 2002. 'Normative Power Europe: A Contradiction in Terms?' *Journal of Common Market Studies* vol.40 (2); Manners, I. 2006. 'Normative Power Europe Reconsidered: Beyond the Crossroads.' *Journal of European Public Policy* vol.13 (2).
[102] Harnisch, S. and Stahl, B. 2009. 'Einleitung: EU-Aussenpolitik Und Aktorness.' In *Vergleichende Aussenpolitikforschung Und Nationale Identitäten: Die Europäische Union Im Kosovo-Konflikt 1996-2008*, eds. Stahl, B. and Harnisch, S.
[103] Jørgensen cit. in White, B. 2004. 'Foreign Policy Analysis and the New Europe.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al. p. 18.
[104] White, B. 1999. 'The European Challenge to Foreign Policy Analysis.' *European Journal of International Relations* vol.5 (1). p. 54.
[105] Aggestam, L. 2008b. 'New Actors, New Foreign Policy: EU and Enlargement.' In *Foreign Policy: Theories, Actors, Cases*, eds. Smith, S., et al. p. 375.
[106] Carlsnaes, W. 2004a. 'Introduction.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al. p. 1.
[107] Hudson, V. M. 2005. 'Foreign Policy Analysis Actor-Specific Theory.' *Foreign Policy Analysis* vol.1.

decision-making"[108]. Drawing forcibly analytical boundaries on a territorial basis in order to disentangle processes that have a weak or non-territorial basis can only result in flawed analysis. More importantly, "taking the state as the sole reference point for foreign policy is no longer tenable"[109]. A wide range of "new security" actors has emerged at the subnational and transnational level (e.g. religious groups, criminal organisations, non-governmental organisations (NGO), international NGOs and multinational enterprises). Scholars who consider that the EFP is a *sui generis* phenomenon should then acknowledge that a "transformational FPA" has emerged, which relaxes the state-centric assumptions of classical FPA[110]. This transformational FPA allows the analysis of the foreign policy of *sui generis* actors like the EU, whilst avoiding the classical conclusion that the EU is "an incompetent state"[111]. It can best deal with the multiple "sources of (in)coherence" characterising EFP [112], both horizontally (in a new security perspective) and vertically (in a MLG perspective).

1.2. Reviewing the literature on Europeanisation

These last two decades have seen a remarkable growth in Europeanisation studies. This growth is remarkable, indeed. It contrasts with the development of the research in other fields of comparative politics and international relations, and it rightly denotes an "emergent field of inquiry" [113] that has become highly attractive to researchers indulging in cross-level and divide-transcendent thinking. Unfortunately, this growth has been mostly quantitative. It has been motivated by the sectoral and geographical expansion of the scope of Europeanisation studies, rather than driven by the conceptual and theoretical efforts needed to consolidate the burgeoning "set of puzzles"[114]. Once concentrated on member states' domestic politics and institutions, the Europeanisation research agenda has now grown so far as to encompass conflict resolution in Moldova and Abkhazia[115]. Threatened by conceptual overstretching, this inflationary growth has failed to develop shared definitions and compelling models.

Europeanisation research, to date, remains an unconsolidated, poorly differentiated field of inquiry, approached by a variety of conceptual definitions and various research strategies, each shedding light on a particular conception of the phenomenon. Some studies understand Europeanisation formally and *a minima*, as a process of

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[108] Ibid. p. 2.
[109] Keukeleire, S. and MacNaughtan, J. 2008. *The Foreign Policy of the European Union*. p. 21; Keukeleire, S. and Justaert, A. 2008. 'Policy Networks and the Analysis of EU Foreign Policy.' Conference paper.
[110] White, B. 2004. 'Foreign Policy Analysis and the New Europe.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al. p. 11, 25; Larsen, H. 2009. 'A Distinct FPA for Europe? Towards a Comprehensive Framework for Analysing the Foreign Policy of EU Member States.' *European Journal of International Relations* vol.15 (3).
[111] Bretherton, C. and Vogler, J. 1999. *The European Union as a Global Actor*. p. 3. See also Tonra, B. 2000b. 'Mapping EU Foreign Policy Studies.' *Journal of European Public Policy* vol.7 (1).
[112] Portela, C. and Raube, K. 2009. '(in-)Coherence in EU Foreign Policy: Exploring Sources and Remedies.' Conference paper.
[113] Goetz, K. H. and Hix, S. eds. 2001. *Europeanised Politics? European Integration and National Political Systems*. p. 15.
[114] Radaelli, C. M. 2004. 'Europeanisation: Solution or Problem?' *European Integration online Papers* vol.8 (16). p. 1.
[115] Coppieters, B., et al. eds. 2004. *Europeanization and Conflict Resolution: Case Studies from the European Periphery*.

national adaptation through legal compliance[116]. They investigate "the growing influence of European treaties, directives and case law on the substance of domestic legal systems"[117]. Other studies encompass a wider ontology, and therewith examine all kinds of "pressures emanating […] indirectly from EU membership"[118], including "the impact of the development of transnational society […] and supranational governance […] on national process and outcomes"[119].

The major problem with Europeanisation research is not that it produced a great variety of studies premised on different conceptual choices. Some argue indeed that Europeanisation is an essentially contested concept, "no one use of which can be set up as its generally accepted and therefore correct or standard use"[120]. And as such, it is the promise of vivid debates within the European scholarship, and beyond. The major problem with Europeanisation research is rather that "the majority of its work not been reflexive about the concepts it is employing" [121]. Some scholars conceptualised Europeanisation with great depth but atrophied the concept's theoretical and field utility. By choosing a definitional (as opposed to denotational) approach to concept formation, they constructed a concept with "high discriminatory power"[122], but too little utility with regards to the major developments that European member states and the European Union undergo. Other scholars, whishing to have a broader *definiendum*, magnified the concept's expected utility. But as they had to define its attributes (*definiens*), they realised that they had been considerably undermining their concept's boundedness[123].

In writing their papers, Europeanisation researchers usually do devote some preliminary thoughts to defining their concept. Such academic cautiousness is indeed anything but superfluous, considering the "many faces of Europeanisation"[124], or the concept's alleged "essential contestability"[125]. Amidst the semantic and conceptual confusion, bones of contention between conceptual families have become better organising principles than family resemblances. They divide scholars both on the theoretical role of Europeanisation (the vertical debate), and its epistemology (the horizontal debate).

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[116] Zeff, E. E. and Pirro, E. B. eds. 2001. *The European Union and the Member States: Cooperation, Coordination, and Compromise*.
[117] Smits, J. M. 2004. 'The Europeanisation of National Legal Systems: Some Consequences for Legal Thinking in Civil Law Countries.' In *Epistemology and Methodology of Comparative Law*, ed. van Hoecke, M. p. 229.
[118] Featherstone 2003 cit. in Wouters, J., et al. eds. 2008a. *The Europeanisation of International Law: The Status of International Law in the EU and Its Member States*. p. 6.
[119] Stone Sweet, A. 2002. 'Integration and the Europeanisation of the Law.' *Queen's Papers on Europeanisation* (2). p. 13.
[120] Gallie cit. in Gwiadzda, A. 2002. 'Europeanisation in Candidate Countries from Central and Eastern Europe.' Conference paper. p. 4.
[121] Buller, J. and Gamble, A. 2002. 'Conceptualising Europeanisation.' *Public Policy and Administration* vol.17 (4). p. 4.
[122] Radaelli, C. M. 2000. 'Whither Europeanization? Concept Stretching and Substantive Change.' *European Integration online Papers* vol.4 (8).
[123] On the terminology used for concept formation analysis, see Gerring, J. 1999. 'What Makes a Concept Good? A Criterial Framework for Understanding Concept Formation in the Social Sciences.' *Polity* vol.31 (3).
[124] Olsen, J. P. 2002. 'The Many Faces of Europeanization.' *Journal of Common Market Studies* vol.40 (5).
[125] Gwiadzda, A. 2002. 'Europeanisation in Candidate Countries from Central and Eastern Europe.' Conference paper.

1.2.1. The vertical debate on the theoretical role of Europeanisation

The first conceptual debate divides scholars on the theoretical role that is assigned to Europeanisation vis-à-vis European integration [126]. Therein, Europeanisation is conceived of as a unidirectional process of linear change, possibly admitting epiphenomenal feedback effects. It operates vertically (mostly authoritatively) between domestic structures of governance and an emerging European institutional centre. Where scholars disagree boils down to whether Europeanisation should be conceptualised as an independent variable with an *explanandum* posited at the European level, or whether it is conceptualised as dependent variable with an *explanandum* posited at the domestic level. The logical separateness of the dependent and independent variables are therein assumed, and a rationalist approach to causation is prescribed.

1.2.1.1. Bottom-up conceptions

Bottom-up conceptual approaches identify Europeanisation as an *explanans* that accounts for the dynamics of European integration and the epigenesis of the European polity[127]. Europeanisation is for instance defined as the "emergence and development at the European level of distinct structures of governance, that is, of political, legal, and social institutions associated with political problem-solving that formalize interactions among the actors, and of policy networks specializing in the creation of authoritative rules" [128]. This definition stresses that Europeanisation produces institutional change at the supranational level. Europeanisation studies accordingly focus on the mechanisms that a range of actors uses to project, or upload, their policy preferences and approaches onto the European level[129]. These actors negotiate shifts of competence from the state to the European-level[130]. They may be governmental representatives, who engage in intergovernmental bargaining with instrumental or functional purposes[131], or networks, which intervene at various levels of European governance in order to promote the unification of Europe[132]. Europeanisation, in this sense, refers to "simultaneous processes of change and a pattern of mutual adaptation

[126] Hix, S. and Goetz, K. H. 2001. 'Introduction: Europeanised Politics?: European Integration and National Political Systems.' In *Europeanised Politics?: European Integration and National Political Systems*, eds. Goetz, K. H. and Hix, S; Vink, M. P. and Graziano, P. 2007. 'Challenges of a New Research Agenda.' In *Europeanization: New Research Agendas*, eds. Graziano, P. and Vink, M. P; Börzel, T. A. and Risse, T. 2000. 'When Europe Hits Home: Europeanization and Domestic Change.' *European Integration online Papers* vol.4 (14); Radaelli, C. M. 2004. 'Europeanisation: Solution or Problem?' *European Integration online Papers* vol.8 (16).

[127] Börzel, T. A. and Risse, T. 2000. 'When Europe Hits Home: Europeanization and Domestic Change.' *European Integration online Papers* vol.4 (14); Caporaso, J. A. 2007. 'The Three Worlds of Regional Integration Theory.' In *Europeanization: New Research Agendas*, eds. Graziano, P. and Vink, M. P.

[128] Risse, T., et al. 2001. 'Europeanization and Domestic Change: Introduction.' In *Transforming Europe: Europeanization and Domestic Change*, eds. Green Cowles, M., et al. p. 3.

[129] Keukeleire, S. and MacNaughtan, J. 2008. *The Foreign Policy of the European Union*. p. 142.

[130] Stone Sweet, A. and Sandholtz, W. 1998. 'Integration, Supranational Governance and the Institutionalization of the European Polity.' In *European Integration and Supranational Governance*, eds. Sandholtz, W. and Stone Sweet, A; Lawton, T. C. 1999. 'Governing the Skies: Conditions for the Europeanisation of Airline Policy.' *Journal of Public Policy* vol.19.

[131] Wong, R. 2007. 'Foreign Policy.' In *Europeanization: New Research Agendas*, eds. Graziano, P. and Vink, M. P.

[132] Hooghe, L. and Marks, G. 2001. *Multi-Level Governance and European Integration*.

among co-evolving institutions" resulting in functionally differentiated integration[133]. Europeanisation may finally be driven by "legal activists", who push for the constitutionalisation of the European polity[134]. Europeanisation then refers to those forces that drive this fundamental shift from an intergovernmental organisation governed by international law to a "system of governance founded on higher law constitutionalism"[135].

The main concern with bottom-up conceptions of Europeanisation appears when researchers examine the top-down impact of Europeanisation on domestic structures[136]. In so doing, they attempt to extend their concept's *definiendum* by packing-in domestic change in the *explanandum*, whilst not reducing the scope of the *definiens* to the degree necessary to fit the new concept. They then fail to climb the ladder of generality, and consequently, run the risk of conceptual stretching[137]. If Europeanisation denotes change at the European level, why should Europeanisation researchers primarily seek to investigate change at the domestic level? Besides, bottom-up conceptions often fail to "demarcate the specific territory of Europeanisation" vis-à-vis neighbouring concepts', such as European integration, to which they can easily be substituted[138]. Bottom-up definitions of Europeanisation are for instance almost fully interchangeable with the early Haasian definition of European integration, i.e. the process in which "political actors in several distinct national settings are persuaded to shift their loyalty, expectations and political activities towards a *new centre*, whose institutions possess or demand jurisdiction over the pre-existing national states"[139]. This confusion renders the conceptual domain of Europeanisation vague, "poorly bounded", i.e. with "definitional borders which overlap neighbouring concepts"[140]. Despite their flaws, bottom-up conceptions of Europeanisation are often used in research designs aiming at the study of

[133] Olsen, J. P. 2002. 'The Many Faces of Europeanization.' *Journal of Common Market Studies* vol.40 (5). p. 941.
[134] Conant, L. 2001. 'Europeanization and the Courts: Variable Patterns of Adaptation among National Judiciaries.' In *Transforming Europe: Europeanization and Domestic Change*, eds. Green Cowles, M., et al; Weiler, J. H. H. 1997. 'The Reformation of European Constitutionalism.' *Journal of Common Market Studies* vol.35 (1); Dehousse, R. 2000. 'Integration through Law Revisited: Some Thoughts on the Juridification of the European Political Process.' In *The Europeanisation of Law: The Legal Effects of European Integration*, ed. Snyder, F. G.
[135] Stone Sweet, A. and Brunell, T. L. 1998. 'Constructing a Supranational Constitution: Dispute Resolution and Governance in the European Community.' *American Political Science Review* vol.92 (1). p. 65; Stone Sweet, A. 2009. 'Constitutionalism, Legal Pluralism, and International Regimes.' *Indiana Journal of Global Legal Studies* vol.16 (2). p. 630 ff.
[136] e.g. Green Cowles, M., et al. eds. 2001. *Transforming Europe: Europeanization and Domestic Change*.
[137] See Sartori, G. 1970. 'Concept Misformation in Comparative Politics.' *American Political Science Review* vol.LXIV (4); Collier, D. and Mahon, J. E. 1993. 'Conceptual "Stretching" Revisited: Adapting Categories in Comparative Analysis.' *American Political Science Review* vol.87 (4).
[138] Radaelli, C. M. 2004. 'Europeanisation: Solution or Problem?' *European Integration online Papers* vol.8 (16). p. 3; Buller, J. and Gamble, A. 2002. 'Conceptualising Europeanisation.' *Public Policy and Administration* vol.17 (4).
[139] cit. in Buller, J. and Gamble, A. 2002. 'Conceptualising Europeanisation.' *Public Policy and Administration* vol.17 (4). p. 11-12; to be compared with Risse, T., et al. 2001. 'Europeanization and Domestic Change: Introduction.' In *Transforming Europe: Europeanization and Domestic Change*, eds. Green Cowles, M., et al. p. 3.
[140] Gerring, J. 1999. 'What Makes a Concept Good? A Criterial Framework for Understanding Concept Formation in the Social Sciences.' *Polity* vol.31 (3).

institutional change in core European member states and in policy fields that fall beyond the competency of the Communities (e.g. foreign and security policy).

1.2.1.2. Top-down conceptions

Top-down conceptions of Europeanisation account for the bulk of Europeanisation studies produced in the 2000s. They identify Europeanisation as a dependent variable, and search for explanatory factors, mostly at the supranational level, that account for changes in domestic structures of governance. The *explanandum*, then, is located at the domestic level, where "changes in national political systems [occur], that can be attributed to the development of European regional integration"[141]. Europeanisation, in other words, is "change in the core domestic institutions of governance as a consequence of the development of European-level institutions, identities and policies"[142].

This conception of Europeanisation builds on the European Union as being a *référentiel* for domestic actors, i.e. a normative and cognitive template to which national-policy makers seek to adjust themselves[143]. Actors accordingly download European ideas, norms, *acquis communautaire* and *acquis politique*[144]. In applicant states, Europeanisation likewise refers to "the impact of the EU accession process on national patterns of governance" [145]. Europeanisation usually implies that actors accommodate European demands, e.g. because these demands happily "fit" their own structures or because they are ready to transform their domestic structures. But Europeanisation researchers usually also enquire into alternative responses such as inertia and retrenchment[146]:

The top-down conception of Europeanisation is premised on the post-ontological existence of an EU *référentiel* (existing *prior* to Europeanisation). This entails several flaws. First, this assumption understands very restrictively Europeanisation as EU-isation. It reifies the EU into a unitary *référentiel* with clearly demarcated boundaries. This reification is highly questionable, since European norms, often, are not reducible to EU norms[147]. Second, it runs the risk of prejudging the role of the EU in producing

[141] Vink, M. P. and Graziano, P. 2007. 'Challenges of a New Research Agenda.' In *Europeanization: New Research Agendas*, eds. Graziano, P. and Vink, M. P; see also Radaelli, C. M. and Pasquier, R. 2007. 'Conceptual Issues.' In *Europeanization: New Research Agendas*, eds. Graziano, P. and Vink, M. P; and in the field of European legal studies, see Smits, J. M. 2001. 'Attitudes and Approaches to Europeanisation.' *Public Policy and Administration* vol.16 (2); Wouters, J., et al. 2008b. 'Introduction: The 'Europeanisation' of International Law.' In *The Europeanisation of International Law: The Status of International Law in the EU and Its Member States*, eds. Wouters, J., et al.

[142] Olsen, J. P. 2007. *Europe in Search of Political Order: An Institutional Perspective*. p. 79; Wouters, J., et al. eds. 2008a. *The Europeanisation of International Law: The Status of International Law in the EU and Its Member States*.

[143] Blair, A. 2004. 'Diplomacy: The Impact of the EU on Its Member States.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al. p. 198.

[144] Hanf, K. and Soetendorp, B. eds. 1998. *Adapting to European Integration: Small States and the European Union*.

[145] Grabbe, H. 2001a. 'How Does Europeanization Affect CEE Governance? Conditionality, Diffusion and Diversity ' *Journal of European Public Policy* vol.8 (6). p. 1014.

[146] Radaelli, C. M. 2000. 'Whither Europeanization? Concept Stretching and Substantive Change.' *European Integration online Papers* vol.4 (8).

[147] Barbé, E., et al. 2009a. 'Drawing the Neighbours Closer... To What?: Explaining Emerging Patterns of Policy Convergence between the EU and Its Neighbours.' *Cooperation and Conflict* vol.44 (4).

domestic change vis-à-vis other variables such as globalisation, democratisation, regionalism and neo-liberalism, which themselves may have a constitutive impact on so called "EU norms"[148]. The EU, after all, is also "a zone of intensive discursive practice about globalization"[149].Third, it rules out the possibility that Europeanisation may also occur where no EU *référentiel* has emerged[150]. Héritier & Knill showed indeed in the French case of road haulage that Europeanisation can occur "in the absence of European adaptation pressure", and that the latter "does not necessarily constitute a condition for domestic change" [151] . Top-down conceptions of Europeanisation have nonetheless become prevalent in many fields of Europeanisation research (especially research on institutional change in candidate states and in policy fields where the EU holds substantive competences). Often, they have been supportive of progressive efforts made in model-building, most notably through the development of the goodness of fit model (see section 1.2.3). Top-down conceptions of Europeanisation, finally, offer a non-deterministic approach to transformation, since they do not suggest that Europeanisation shall end up with the unification of the EU (unlike bottom up conceptions). The outcome of Europeanisation is not specified, and should first and foremost be determined empirically[152].

1.2.2. The epistemological debate on Europeanisation

The second conceptual debate that divides the scholarship concerns the epistemology underpinning Europeanisation research, and the ontology that is ascribed to the European Union in its relation with the Europeanisation concept. Vertical conceptions of Europeanisation tend to consider Europeanisation as a process linking identifiable causes to distinct and separate consequences –one of them being the EU *référentiel* or the institutional centre created by European integration. Horizontal conceptions, by contrast, tend to consider Europeanisation as a reflexive process, in which causation cannot be fully established between the different variables, since structures in Europe' s system of multi-level of governance are co-constitutive. Instead of viewing the EU as a causative point of reference, they consider it as an arena having a constitutive rather than a causal effect on foreign policy.

1.2.2.1. Vertical conceptions

Vertical conceptions of Europeanisation emerged as a rationalist synthesis of the bottom-up and top-down conceptual debate. While bottom-up conceptions view

[148] Haverland, M. 2007. 'Methodology.' In *Europeanization: New Research Agendas*, eds. Graziano, P. and Vink, M. P; Radaelli, C. M. and Pasquier, R. 2006. 'Encounters with Europe: Concepts, Definitions and Research Design.' *POLITIK 2006*.
[149] Rosamond, B. 2000a. 'Review Article: Globalization and Europeanization.' *Yearbook of European Studies* vol.14. p. 271.
[150] see Héritier, A. and Knill, C. 2001. 'Differential Responses to European Policies: A Comparison.' In *Differential Europe: The European Union Impact on National Policymaking*, ed. Héritier, A; Irondelle, B. 2003. 'Europeanization without the European Union? French Military Reforms 1991–96.' *Journal of European Public Policy* vol.10 (2).
[151] Héritier, A. and Knill, C. 2001. 'Differential Responses to European Policies: A Comparison.' In *Differential Europe: The European Union Impact on National Policymaking*, ed. Héritier, A. p. 288-290.
[152] Jachtenfuchs, M. and Kohler-Koch, B. 2004. 'Governance and Institutional Development.' In *European Integration Theory*, eds. Wiener, A. and Diez, T.

Europeanisation as an uploading process, top-down one defines it as a downloading process. The weakness of the former is to ignore the consequences of the uploading, while the shortcoming of the latter is to overlook the genesis of the material to be downloaded. Complementarities are obvious, and attempts have been made to bridge the conceptual gap between the two approaches. Some researchers, thus, have integrated (or more precisely subsumed) the two conceptual strands to a higher-order approach, whereby Europeanisation shall both encompass bottom-up and top-down changes [153]. They conceive of Europeanisation as "the extent to which EC/EU requirements and policies have affected the determination of member states' policy agendas and goals" and "the extent to which EU practices, operating procedures and administrative values have impinged on, and become embedded in, the administrative practices of member states"[154]. It is a process mediated by domestic institutions through which actors attempt to project their preferences on the EU level, while they downloading into their domestic structures existing EU norms, which they in turn attempt to influence (feedback loops). In this two-way process, member states may adopt three different strategies[155]:: Pace-setting, i.e. "actively pushing policies at the European level, which reflect a member state's policy preference and allow to minimize implementation costs; foot-dragging, i.e. blocking or delaying costly policies in order to prevent them altogether or achieve at least some compensation for implementation costs; and fence-sitting, i.e. neither systematically pushing policies nor trying to block them at the European level but building tactical coalitions with pace-setters and foot-draggers". The theoretical underpinnings of this process have been developed in the goodness of fit model[156].

Two criticisms can be made here. First, this conceptualisation cannot apply to applicant and non EU member states, as these are usually presumed to only recipients of European policy, and not contributors. Unlike the member states, they cannot "Europeanise" (in a bottom-up understanding) their domestic preferences by projecting them at the European level[157]. Second, the articulation of the two dynamics (bottom-up and top-down) remains weakly conceptualised. Stone Sweet refers to Europeanisation as the "complex, multidimensional *impact* of the *development* of European law on national legal systems", and as "the *impact* of the *development* of transnational society […] and supranational governance […] on national process and outcomes"[158]. While "impact […] on national legal systems" suggests a top-down conception, the conditional prerequisite of "development of European law" in fact denotes a bottom-up conception. The same ambiguity is observed in Smits' definition of Europeanisation, i.e. "the *growing influence* of European treaties, directives and

[153] Börzel, T. A. 2001. 'Pace-Setting, Foot-Dragging, and Fence-Sitting. Member State Responses to Europeanization.' *Queen's Papers on Europeanisation* vol.2001 (4).
[154] Bulmer, S. and Burch, M. 1998. 'Organizing for Europe: Whitehall, the British State and the European Union.' *Public Administration* vol.76. p. 602.
[155] Börzel, T. A. 2001. 'Pace-Setting, Foot-Dragging, and Fence-Sitting. Member State Responses to Europeanization.' *Queen's Papers on Europeanisation* vol.2001 (4). p. 2.
[156] e.g. Börzel, T. A. 2003. 'How the European Union Interacts with Its Member States ' In Reihe Politikwissenschaft 93.
[157] Trauner, F. 2007. 'From Membership Conditionality to Policy Conditionality: EU External Governance in South-Eastern Europe.' Conference paper; see also Sedelmeier, U. 2006. 'Europeanisation in New Member and Candidate States.' *Living Reviews in European Governance* vol.1 (3).
[158] Stone Sweet, A. 2002. 'Integration and the Europeanisation of the Law.' *Queen's Papers on Europeanisation* (2). p. 1, 13. emphasis added

case law on the substance of [their] domestic legal systems"[159]. In order to deal with this conceptual ambiguity, some researchers introduced the notion of feedback loops[160]. Their claim is therewith that they can segment the bottom-up/top-down relationship and explore Europeanisation as a linear series of successive causalities. But this practical approach does not solve the conceptual challenge, which is to connect bottom-up and top-down conceptions of Europeanisation within a single conceptual roof. It is a theoretical rather than a conceptual solution.

1.2.2.2. Horizontal conceptions

Horizontal conceptions of Europeanisation do not rely on an exclusively rationalistic logic of causality premised on the separateness of the dependent and independent variables; they conceive of Europeanisation as a "matter of reciprocity between moving features"[161]. Europeanisation is accordingly conceptualised as a reflexive process through which actors interact across levels of governance structure, so that their interactions have a constitutive effect on both domestic and European structures. This approach implies understanding the interactive, non-linear and multi-directional interplay between structure and agency through a broader epistemology, and accepting that constitutive claims shall at least complement causal thinking. This epistemological position towards causality has ontological implications too. By giving more weight to the reflexive qualities of the process, horizontal conceptions of Europeanisation shift the transformational focus from a rationalistic, objectivist ontology of being onto an ontology of becoming influenced by social-constructivism and thick-thinking[162]. It moves away from the belief that material and ideational structures impact upon actors' consciousness and behaviour in a deductive manner by responding to authoritative claims, and draws closer to conceptualising change inductively as an actor's participation in the social structures it contributes to constructing[163].
Horizontal conceptualisation of Europeanisation refers, for instance, to the "construction, diffusion and institutionalisation of formal and informal rules, procedures, policy paradigms, styles, 'ways of doing things' and shared beliefs and norms which are first defined and consolidated in the making of EU decisions and then incorporated in the logic of domestic discourse, identities, political structures and public policies"[164]. It is, in the same vein, defined as the "construction of a new

[159] Smits, J. M. 2004. 'The Europeanisation of National Legal Systems: Some Consequences for Legal Thinking in Civil Law Countries.' In *Epistemology and Methodology of Comparative Law*, ed. van Hoecke, M. p. 229. emphasis added
[160] e.g. Börzel, T. A. and Risse, T. 2003. 'Conceptualizing the Domestic Impact of Europe.' In *The Politics of Europeanization*, eds. Featherstone, K. and Radaelli, C. M; Börzel, T. A. and Risse, T. 2000. 'When Europe Hits Home: Europeanization and Domestic Change.' *European Integration online Papers* vol.4 (14); Schmidt, V. A. 2001. 'Europeanization and the Mechanics of Economic Policy Adjustment.' *European Integration online Papers* vol.5 (6).
[161] Bulmer, S. and Radaelli, C. M. 2004. 'The Europeanisation of National Policy?' *Queen's Papers on Europeanisation* vol.2004 (1).
[162] Checkel, J. T. 2001. 'The Europeanization of Citizenship?' In *Transforming Europe: Europeanization and Domestic Change*, eds. Green Cowles, M., et al.
[163] Fearon, J. and Wendt, A. 2002. 'Rationalism V. Constructivism: A Skeptikal View.' In *Handbook of International Relations*, eds. Carlsnaes, W., et al.
[164] Radaelli, C. M. 2000. 'Whither Europeanization? Concept Stretching and Substantive Change.' *European Integration online Papers* vol.4 (8). p. 4; Checkel, J. T. 2001. 'The Europeanization of Citizenship?' In *Transforming Europe: Europeanization and Domestic Change*, eds. Green Cowles, M.,

collective identity –or rather a new understanding of identity- and its dissociation from the ethnically dominated territory of the nation-state", and its valuing of the "political rather than the cultural aspects of belonging"[165]. Europeanisation, as a "macro-process"[166], is more than policy adjustment: it has a constitutive impact on actors' multiple identities and preference formation. It is, in that sense, dialectically reflexive. Europeanisation may also ensue through the plural constitutionalisation of the European polity, whereby it "creates the structural premises for a decentralised integration of society by supporting integrative mechanisms within autonomous social subsystems"[167]. It then rests on a reflexive conception of law.

Europeanisation does not imply the pre-existence or construction of a centralised *référentiel* hierarchically posited and reified as the EU. The EU, certainly, is an important object in the study of Europeanisation. But it is not the only one. It is one arena among others –an arena fostering the international diffusion of norms, or, in different words, a non-exhaustive "transfer platform"[168] fostering hierarchical and heterarchical interactions between national, subnational, supranational and transnational actors. In this transactionalist perspective, the role of the EU is nonetheless important. The EU, indeed is an "institutional arena [that] steadily became the prime arena for […] political transaction" among member states[169]. This makes the EU special in Europeanisation studies, but it does not make it ontologically unique. Besides, this EU arena is not fixed; it is constituted through the interactions it fosters across the different levels of structure. Preferences are neither uploaded, nor downloaded, but socially and discursively reframed and cross-loaded[170]. Change then can be viewed as one of collective identity (trans)formation, whereby socially constructed identities diffuse intersubjective expectations among actors (and thereby co-determine their behaviour). Their institutionalisation may indeed entail that norms become internalised in a top-down manner, and may become a point of reference in a bottom-up manner. But this institutionalisation does not constitute the end-product of Europeanisation. To be maintained, the construct needs being reproduced, or it will be transformed. Horizontal conceptions of Europeanisation, thus, do not only encompass the emergence of a European référentiel in their *explanandum* –they also include the diffusion, maintaining and transformation thereof.

This horizontal approach has been criticised for being too general, as it could imply that any interaction at the European level has a Europeanisation dimension[171]. This critique is well-grounded, given the measure of interpretivism with which one should

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et al; Bulmer, S. and Radaelli, C. M. 2004. 'The Europeanisation of National Policy?' *Queen's Papers on Europeanisation* vol.2004 (1). p. 4.

[165] Winn, N. and Harris, E. 2003. 'Introduction: 'Europeanisation': Conceptual and Empirical Considerations.' *Perspectives on European Politics and Society* vol.4 (1). p. 5-6.

[166] Beichelt, T. 2008. 'Dimensions of Europeanisation.' In *Européanisation. D'ouest En Est* eds. Bafoil, F. and Beichelt, T.

[167] Teubner, G. 1983. 'Substantive and Reflexive Elements in Modern Law.' *Law & Society Review* vol.17 (2). p. 255.

[168] Bulmer, S. and Radaelli, C. M. 2004. 'The Europeanisation of National Policy?' *Queen's Papers on Europeanisation* vol.2004 (1).

[169] Puchala, D. J. 1970. 'International Transactions and Regional Integration.' *International Organization* vol.24 (4). p. 761.

[170] Wong, R. 2007. 'Foreign Policy.' In *Europeanization: New Research Agendas*, eds. Graziano, P. and Vink, M. P.

[171] Radaelli, C. M. 2000. 'Whither Europeanization? Concept Stretching and Substantive Change.' *European Integration online Papers* vol.4 (8).

theoretically assess whether an interaction has been carried out on the European arena or not. In addition to that, one might blame horizontal conceptions for not delineating what the European arena is –beyond the EU platform. In order to make a progressive contribution to the conceptual debate, would-be horizontalists should therefore clarify the conceptual domain they assign to their conception of Europeanisation in their research design. They should also delineate the conceptual boundaries that distinguish their conception of Europeanisation from conceptual neighbours such as convergence, harmonisation, and political integration[172]. And they should finally explain how they consider isolating the horizontal effect of Europeanisation vis-à-vis the many other phenomena at play (e.g. globalisation, democratisation). In a word, much remains to be done before a truly reflexive understanding of Europeanisation prevails in the scholarship.

1.2.3. Theorising Europeanisation

Europeanisation research is still at the early phase of its theoretical development. As noted in the literature, Europeanisation "remains a relatively new theoretical interest and has produced more questions than answers"[173]. And in a similar vein, Bulmer notes that Europeanisation is not *per se* a theory, but the "phenomenon which a range of theoretical approaches have sought to explain"[174]. Despite these considerations, some attempts have been made to theorise Europeanisation as middle-range theory. Inspired by new institutionalism, they have resulted in series of rationalistic approaches labelled as "goodness of fit" model[175].

The goodness of fit model is premised on a vertical conception of Europeanisation. It theorises adaptational change in domestic structures of governance as a consequence of EU integration, and sheds light on the causal underpinnings thereof. In this model, the key determinant of change is the exercise of adaptational pressures on domestic structures of governance, stemming from a "mismatch" between EU and domestic structures. These pressures are mediated by domestic institutions that constrain or facilitate change. Europeanisation, accordingly, is issue-, institution- and sector-specific[176]. These adaptational pressures do not apply to states' structures as a whole, but specifically affect policy-sectors and particular sets of institutions. And mediating factors vary among policy-sectors and sets of institutions as well as among states. That is why Europeanisation is often referred to as the differential impact of European integration on domestic structures. As summarised by Caporaso, "outcomes are not

[172] Ibid; see also Grabbe, H. 2002. 'Europeanisation Goes East: Power and Uncertainty in the EU Accession Process.' Conference paper.
[173] Dyson, K. H. F. 2002. 'Introduction: Emu as Integration, Europeanization and Convergence.' In *European States and the Euro*, ed. Dyson, K. H. F. p. 3.
[174] Bulmer, S. 2007. 'Theorizing Europeanization.' In *Europeanization: New Research Agendas*, eds. Graziano, P. and Vink, M. P. p. 47.
[175] Börzel, T. A. and Risse, T. 2000. 'When Europe Hits Home: Europeanization and Domestic Change.' *European Integration online Papers* vol.4 (14); Risse, T., et al. 2001. 'Europeanization and Domestic Change: Introduction.' In *Transforming Europe: Europeanization and Domestic Change*, eds. Green Cowles, M., et al; Börzel, T. A. and Risse, T. 2003. 'Conceptualizing the Domestic Impact of Europe.' In *The Politics of Europeanization*, eds. Featherstone, K. and Radaelli, C. M.
[176] Risse, T., et al. 2001. 'Europeanization and Domestic Change: Introduction.' In *Transforming Europe: Europeanization and Domestic Change*, eds. Green Cowles, M., et al.

expected to be identical, except in the improbable case where adaptative pressures and mediating institutions are identical"[177].

In order to better understand this model, it is necessary to examine the theoretical basis it is built on. New institutionalism provides in this respect the well-needed "catalogue of research hypotheses" on the impact of institutions upon political actors, behaviour and outcomes[178]. It provides a theoretical framework to understand policy choices within a "political system", where power is shared among various actors[179]. Institutionalism is not a unified theory. It consists of (at least) three different approaches: rational choice, historical and sociological institutionalism.

1.2.3.1. Rational Choice Institutionalism

Rational choice institutionalism (RCI) views institutions as "formal legalistic entities and sets of decisions and rules that impose obligations upon self-interested political actors"[180]. In this "thin" conception of institutions, institutions matter as contexts for strategic interactions: they "limit and/or facilitate the pursuit of [the actors'] strategies and establish a systematic connection between domestic political conditions and incentives to comply with European policy demands"[181]. Institutions do not alter actors' preferences, since interest formation is considered by RCI scholars as exogenous to institutional settings. Preferences are fixed, and rational actors determine their behaviour instrumentally so as to maximise their attainment. The purpose of institutions is then, as any international regime, to reduce transaction costs and facilitate collective action among utility-maximisers. Politics is seen by RCI scholars as a "series of collective action dilemmas" whereby actors interact in mixed-motive games[182]. Stressing a "calculus approach", RCI scholars consider that institutions "structure interactions by affecting the range and sequence of alternatives on the choice-agenda or by providing information and enforcement mechanisms that reduce uncertainty about the corresponding behaviour of others, and allow gains from exchange"[183]. In that sense, the role of institutions goes beyond that of a neutral arena for political interactions.

The EU, in RCI, is accordingly viewed as an "emerging political opportunity structure" favouring "differential empowerment" among the member states[184]. European integration, RCI scholars argue, implies the emergence of new opportunities and constraints, and a redistribution of resources. In order to maximise their utility, rational actors seek to minimise the institutional misfit caused by integration. They

[177] Caporaso, J. A. 2007. 'The Three Worlds of Regional Integration Theory.' In *Europeanization: New Research Agendas*, eds. Graziano, P. and Vink, M. P.
[178] Bulmer, S. and Lequesne, C. 2002. 'New Perspectives on EU-Member State Relationships.' In Questions de recherche n°4. p. 11; March, J. G. and Olsen, J. P. 2005. 'Elaborating the "New Institutionalism".' *ARENA Working Papers* vol.11.
[179] Hix, S. 1999. *The Political System of the European Union*.
[180] Rosamond, B. 2000b. *Theories of European Integration*. p. 115.
[181] Héritier, A. 2001. 'Differential Europe: The European Union Impact on National Policymaking.' In *Differential Europe: The European Union Impact on National Policymaking*, ed. Héritier, A. p. 4.
[182] Hall, P. A. and Taylor, C. R. 1996. 'Political Science and the Three New Institutionalisms.' *MPIFG Discussion Paper* vol.6. p. 12.
[183] Ibid.
[184] Börzel, T. A. and Risse, T. 2000. 'When Europe Hits Home: Europeanization and Domestic Change.' *European Integration online Papers* vol.4 (14). p. 6.

therefore seek to upload their own preferences in shaping the EU institutional settings, so as to lower the costs incurring to them through subsequent adaptation. The adaptation process, however, is not straightforward: mediating factors at the domestic level "filter the domestic impact of Europe"[185]. In line with their ontological premises, RCI scholars acknowledge two kind of mediating factors: first, veto players, i.e. "individual or collective actors whose agreement […] is required for a change of the status quo"[186]; they can thereby inhibit materially and effectively domestic adaptation. Second, facilitating formal institutions, which use material and ideational resources to support domestic change.

1.2.3.2. Historical Institutionalism

Historical institutionalism (HI) adopts an epistemology of "thicker" rationalism to explain institutional change, but only in the long-run[187]. On short-run issues, HI does not really offer an alternative approach to RCI instrumental "calculus approach". HI and RCI share several premises on the role of institutions in the political process[188]. But when considered in a historical perspective, institutions acquire the characteristics of normative social order, and may accordingly leave their own imprint on political outcomes. HI stresses the need to analyse policy-setting in a structuralist perspective following a "cultural approach"[189]. Actors, according to HI, are not perfectly rational utility-maximisers, their understanding of mixed-motive games is rationally bounded by normative commitments, cognitive ability and social control[190]. Actors, for instance, may pursue multiple inconsistent purposes, and only have a limited understanding of the consequences of their own strategy. They may also develop misrepresentations of the others' strategies[191]. HI scholars, therefore, prefer to view actors as utility-satisficers, whereby behaviour is determined by contextual perceptions rather than sheer instrumentality. HI adds that the cognitive and normative filters for interpretation and perception that are used by actors in determining their strategy and interest are embedded in institutions, which makes institutions and interests mutually constituted.

At the core of HI lies also an "image of social causation that is 'path dependent'"[192]. This means that there is no straightforward institutional adaptation –adjustments are made incrementally, "building upon traditions and arrangements that were already in place"[193]. And these adjustments have to fit into the former institutional setting, which

[185] Börzel, T. A. and Risse, T. 2003. 'Conceptualizing the Domestic Impact of Europe.' In *The Politics of Europeanization*, eds. Featherstone, K. and Radaelli, C. M.
[186] Tsebelis, G. 1995. 'Decision Making in Political Systems: Veto Players in Presidentialism, Parliamentarism, Multicameralism and Multipartysm.' *British Journal of Political Science* vol.25 (3); see also Haverland, M. 2000. 'National Adaptation to European Integration: The Importance of Institutional Veto Points.' *Journal of Public Policy* vol.20 (1).
[187] Checkel, J. T. 1998. 'Social Construction and Integration.' *ARENA Working Papers* vol.98/14.
[188] see Thelen, K. 1999. 'Historical Institutionalism in Comparative Politics.' *Annual Review of Political Sciences* vol.2. on points of tangency
[189] Hall, P. A. and Taylor, C. R. 1996. 'Political Science and the Three New Institutionalisms.' *MPIFG Discussion Paper* vol.6. p. 8.
[190] Olsen, J. P. 2007. *Europe in Search of Political Order: An Institutional Perspective*.
[191] Stein, A. A. 1990. *Why Nations Cooperate: Circumstance and Choice in International Relations*.
[192] Hall, P. A. and Taylor, C. R. 1996. 'Political Science and the Three New Institutionalisms.' *MPIFG Discussion Paper* vol.6. p. 9.
[193] Hanf, K. and Soetendorp, B. eds. 1998. *Adapting to European Integration: Small States and the European Union*. p. 186.

"reflect[s] the historical experience of a community"[194]. Path dependency then implies that institutions are neither completely malleable, nor perfectly rigid. They result from an "historical process of sedimentation" [195], whereby old and new institutional elements coexist. This historical inefficiency translates into institutional inertia, which makes it very difficult for change to "lock in" institutionally. It is also a source of unintended consequence that contrasts with the RCI instrumental effectiveness. Path-dependency does not necessarily mean historical determinism though. Thelen, for instance, acknowledges that under certain historical circumstances, "critical junctures" can be operated, through which key actors renegotiate the configuration and purpose of institutions[196]. These exceptional (historical) momentums produce a "branching point" deviating institutions onto another dependency-path[197].

1.2.3.3. Sociological Institutionalism

The third approach frequently identified in the new institutionalism literature draws from social constructivism. It stresses the normative and cognitive dimensions of institutions, and the mutual constitutiveness of institutions and interests. In this "thick" conception of institutionalism, known as sociological institutionalism (SI), actors are expected to fulfil social expectations. They do not conform to institutions, broadly defined as "frames of meaning"[198] or "relatively enduring collection[s] of rules and organised practices derived from collective identities and belongings and embedded in structures of meaning and resources"[199]. They internalise institutions, which implies that they are ready to change their interests and preferences, not only their strategies to attain pre-defined objectives. The role of socialisation herein is underlined by the sociological institutionalist literature[200]. But mediating factors also intervene at the domestic level to constrain or facilitate this process of internalisation. Norm entrepreneurs can for instance "mobilise […] to persuade actors to redefine their interest and identities"[201]. Epistemic communities and advocacy coalitions may also use persuasion and framing to influence positively of negatively internalisation. And cooperative informal institutions, which are embedded in the domestic institutions of the state, may also act as mediating factors –supporting for instance consensus-building or burden sharing[202]. But in the SI logic of change, actors do not maximise utility or satisfy self-interest, but mainly strive for acting in an appropriate way, i.e. in line with the shared understandings embedded in their institutional identity-construct. Their behaviour has to reflect the norms that are attached to their

[194] Olsen, J. P. 2007. *Europe in Search of Political Order: An Institutional Perspective*. p. 21.
[195] Ibid. p. 13.
[196] Thelen, K. 1999. 'Historical Institutionalism in Comparative Politics.' *Annual Review of Political Sciences* vol.2; Thelen, K. 2002. 'The Explanatory Power of Historical Institutionalism.' In *Akteure – Mechanismen – Modelle. Zur Theoriefähigkeit Makro-Sozialer Analysen*, ed. Mayntz, R.
[197] see also Hogan, J. and Doyle, D. 2007. 'The Importance of Ideas: An a Priori Critical Juncture Framework.' *Canadian Journal of Political Science* vol.40 (4).
[198] Hall, P. A. and Taylor, C. R. 1996. 'Political Science and the Three New Institutionalisms.' *MPIFG Discussion Paper* vol.6.
[199] March, J. G. and Olsen, J. P. 2005. 'Elaborating the "New Institutionalism".' *ARENA Working Papers* vol.11.
[200] Börzel, T. A. 2003. 'How the European Union Interacts with Its Member States ' In Reihe Politikwissenschaft 93; Checkel, J. T. 1999. 'International Institutions and Socialization.' *ARENA Working Papers* vol.5.
[201] Börzel, T. A. 2003. 'How the European Union Interacts with Its Member States ' In Reihe Politikwissenschaft 93.
[202] Ibid.

role and identities by the institution. In so doing, actors reproduce the institution, and in turn, have a constitutive effect on them.

Though relying on a broader ontology than RCI and HI, SI nevertheless adopts a rationalistic epistemology in explaining adaptational change. The EU is indeed conceived of as a normative construct with its own strategic identity and security doctrine. These EU norms create normative mismatches with national structures, prompting adaptational change –through internalisation. Though conceiving of the EU as an ontologically thick institution capable of transforming member states' preferences, SI therefore relies on an epistemologically thin conception of social constructivism, as it neglects the reflexivity underpinning social change.

1.2.3.4. The limitations of the goodness of fit model and the way forwards

The goodness of fit model provides a simple, relatively intuitive and parsimonious explanation of top-down institutional change in structures of domestic governance. European integration, by generating structural misfits, exerts adaptational pressures on domestic actors. These pressures are mediated by a range of intervening variables, which contribute, together with the degree of misfit, to determine the extent to which domestic structures are "europeanised". This rationalistic model seems to work for material misfits (RCI) as well as ideational ones (SI). In the first case, actors seek for differential empowerment, whereas in SI, domestic adapt because they internalise norms. In HI, the model gains additional features enabling to explain institutional inertia and resilience to change.

Attractive though it looks, this model suffers from several pitfalls. First, and most critically, it rests on a very rationalistic epistemology. Europeanisation is conceptualised as a vertical process of adjustment. Even in the sociological version of the model, actors are assumed to be able to perceive a normative misfit between domestic norms and European norms, considered exogenous. The model thus applies a logic of consequentialism to preferences formation; and it does not explain why actors (at the domestic and European levels) hold these preferences, and it assumes that EU preferences do not change through interaction (only domestic actors' do). Beside this epistemological critique, another assumption can be questioned. The goodness of fit model suggests indeed that Europeanisation requires the building of, or the adaptation to, material and ideational (policy or institutional) templates (or *référentiels)* at the European level. However, it has been argued that Europeanisation can occur "in the absence of European adaptation pressure"[203]. And that the degree of misfit is not always correlated with the degree of adaptation[204]. The model, finally, gives a decisive role to intervening variables, e.g. level of economic development[205], attitude towards globalisation[206], selective use of the EU as an argument for

[203] Héritier, A. 2001. 'Differential Europe: The European Union Impact on National Policymaking.' In *Differential Europe: The European Union Impact on National Policymaking*, ed. Héritier, A. p. 288.
[204] Kallestrup, M. 2006. 'Making Use of the EU: The Europeanization of Regulatory Policy in Denmark.' In *European Research Reloaded: Cooperation and Integration among Europeanized States*, eds. Holzhacker, R. and Haverland, M.
[205] Börzel, T. A. 2001. 'Pace-Setting, Foot-Dragging, and Fence-Sitting. Member State Responses to Europeanization.' *Queen's Papers on Europeanisation* vol.2001 (4).
[206] Rosamond, B. 2000a. 'Review Article: Globalization and Europeanization.' *Yearbook of European Studies* vol.14.

reforms[207]. Their significance in terms of phenomenal outcome sometimes proves higher than that of adaptational pressures[208]. This is problematic, as the model claims to explain Europeanisation through adaptational pressures, not through intervening variables. All in all, the goodness of fit model does provide relevant explanations of institutional change in many fields, but it may be "a special case rather than a general explanation"[209] –a special case, whereby Europe is reducible to the EU and the EU can be reified as a *référentiel*.

What is needed to complement the picture is a theoretical framework building on a broader epistemology –i.e. on the horizontal conception of Europeanisation. This framework will surely integrate important elements of the goodness of fit model, as adaptational change does belong to the conceptual domain of Europeanisation. But Europeanisation, arguably, is not limited to adaptational change. It extends beyond the former's epistemological boundaries, towards instances of institutional change that are not solely propelled by the existence of a misfit but more generally rendered possible by cross-level interactions.

1.3. Reviewing the literature on the Europeanisation of foreign policy

Once considered as a classical international organisation, the EU has now become an international actor, capable of agency of its own, including in foreign policy matters. This development often constitutes an "empirical embarrassment" to International Relations (IR) scientists, who find it hard to envision that international organisations may acquire some the agency that used to be reserved to their principals[210]. Many scientists in the IR scholarship and in the governments were accustomed to consider foreign policy with "great sensitivity […] as a 'special domain' in which national concerns dominated international (or European) interests[211]. Political cooperation in this area was believed to "rarely if ever explicitly require such changes on the part of EU states"[212]. After all, foreign policy was amongst "the last great bastion of state sovereignty, […] the reserved domain of the European nation-states" [213], i.e. something preserved from exogenous interferences. In a world dominated by statal conceptions of inter-national politics, foreign policy, in a word, was presumed immune to Europeanisation.

And yet, a number of studies show that Europeanisation is a pregnant reality in Europe; that European and national structures are interrelated; that ideas are diffused across levels of governance; and that changes ensue through various mechanisms, e.g.

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[207] Kallestrup, M. 2006. 'Making Use of the EU: The Europeanization of Regulatory Policy in Denmark.' In *European Research Reloaded: Cooperation and Integration among Europeanized States*, eds. Holzhacker, R. and Haverland, M.
[208] Holzhacker, R. and Haverland, M. eds. 2006. *European Research Reloaded: Cooperation and Integration among Europeanized States*.
[209] Bulmer, S. and Radaelli, C. M. 2004. 'The Europeanisation of National Policy?' *Queen's Papers on Europeanisation* vol.2004 (1). p. 9.
[210] Tonra, B. 2001. *The Europeanisation of National Foreign Policy: Dutch, Danish, and Irish Foreign Policy in the European Union*. p. 273.
[211] Smith, M. E. 2000. 'Conforming to Europe: The Domestic Impact of EU Foreign Policy Co-Operation.' *Journal of European Public Policy* vol.7 (4). p. 614.
[212] Ibid.
[213] Soetendorp, B. 1999. *Foreign Policy in the European Union*. p. 1.

compliance, learning, or obedience. Does this astonishing development constitute a "new stage in the history of Western European states"[214]? Does it sound the knell of the Westphalian political order in Europe? Or is it a regional adaptation to meta-structural changes in world politics aimed at rescuing Westphalia and strengthening an increasingly weakened state[215]? The truth probably lies in-between, i.e. in the transformation of the relationship between sovereignty and territoriality –a domain on which Europeanisation research can definitely shed some insightful light.

1.3.1. Conceptual approaches

In comparison with other policy fields (e.g. environmental policy, competition policy, communications and media), the Europeanisation of national foreign policy remains an under-researched field of inquiry[216]. It started to attract scholars' attention only by the very end of the 1990s. This burgeoning interest originated in the growing *corpus* of studies devoted to the EFP. It was motivated by the introduction of the CFSP in the Maastricht treaties (in replacement of the EPC), the transfer in the CFSP of important assets from the Western European Union (WEU) in the Amsterdam Treaty (e.g. Petersberg tasks), as well as the wars in Yugoslavia, which pointed out the weaknesses of the EFP.

The literature, more specifically, is dominated by two conceptual approaches, both of them related to vertical conceptions of Europeanisation. On the one hand, an integrationist approach to Europeanisation conceptualises Europeanisation as a bottom-up process of foreign policy change leading to the emergence of European structures of foreign policy governance. On the other hand, a top-down approach conceptualises Europeanisation as the impact of the CFSP on domestic structures of foreign policy governance. These approaches are premised on "a clear distinction between state actors and structures, in which European integration is treated as an exogenous force"[217]. Both approaches thus adopt a rationalistic epistemology. The researchers who adopt them usually strive for unveiling the causality links that run between the European and national levels of foreign policy-making. The horizontal approach, which "integrates European governance as an endogenous process in foreign policy" is still very much underrepresented[218].

1.3.1.1. Bottom-up approaches

[214] Wessels cit. in Olsen, J. P. 2007. *Europe in Search of Political Order: An Institutional Perspective*; Liebert, U. 2005. 'Democracy Beyond the State:Assessing European Constitutionalisation.' In *Postnational Constitutionalisation in the Enlarged Europe*, eds. Liebert, U., et al.
[215] Milward, A. S. 1992. *The European Rescue of the Nation-State*; Moravcsik, A. 1994. 'Why the European Union Strengthens the State:Domestic Politics and International Cooperation.' *Center for European Studies Working Paper* vol.52; Moravcsik, A. 1993. 'Preferences and Power in the European Community: A Liberal Intergovernmentalist Approach.' *Journal of Common Market Studies* vol.31 (473-523); Moravcsik, A. and Vachudova, M. 2003. 'National Interests, State Power, and EU Enlargement.' *East European Politics and Societies* vol.17 (1).
[216] Bulmer, S. 2007. 'Theorizing Europeanization.' In *Europeanization: New Research Agendas*, eds. Graziano, P. and Vink, M. P; Wong, R. 2007. 'Foreign Policy.' In *Europeanization: New Research Agendas*, eds. Graziano, P. and Vink, M. P.
[217] Aggestam, L. 1999. 'Role Conceptions and the Politics of Identity in Britain, France and Germany.' *ARENA Working Papers* vol.8.
[218] Ibid.

The bottom-up definitions of Europeanisation in the field of foreign policy allude to the growing importance of the EPC process (until the Treaty of Maastricht), and to the subsequent development of the CFSP. In this understanding, Europeanisation refers to the elevation of foreign policy-making onto the European level. It has to do with "aspects of foreign policy being 'taken out' of the exclusively national conduct of foreign policy and elevated to EU policy-making"[219]. This process is also seen as one "of integrating policies and actions of the member states" [220]. The key logic underpinning this integrative dynamics is not straightforwardly unique. Most of "bottom-uppers" identify Europeanisation as the "national projection of domestic foreign policy objectives and approaches onto the EU level"[221]. National foreign policy executives are believed to remain the primary actors driving the strategic Europeanisation of their domestic interests.

Bottom-up Europeanisation mainly operates from the domestic to the EU level, but not only. At the EU level, it also ensues through the "communautarisation" of foreign policy, i.e. its departure from intergovernmentalism. Europeanisation then refers to "the process by which EPC (and later CFSP) moved closer to EC norms, policies and habits, without itself becoming supranationalized" [222]. It should be noted that communautarisation here does not necessarily refer to the "1st-pillarisation" of CFSP. It denotes a gradual process of change, not a sense of attainment. For instance, the communautarisation of foreign policy was used in the 1990s to designate the commitment of member states to institutionalise the EPC within a newly formed Common Foreign and Security Policy[223], without though, their being in favour of the supranationalisation of an area "so sensitive in terms of national sovereignty"[224]. National foreign policies then became europeanised as "EPC habits and procedures of political cooperation became institutionalised into a corporate body of European values and norms, [which] eventually caused member states to change their attitude and preferences"[225]. Europeanisation had an ideational dimension, since it "changed the way individual states determined and pursued their interests"[226].

A more radical integrationist approach, though, refers to the Europeanisation of national foreign policy as the development of EC competences in high politics, in particular through the cross-pillarisation of the CFSP[227]. Here, communautarisation is understood in the sense of 1st-pillarisation indeed (although again, not in a sense of attainment). Another definition includes the "strengthening of the European pillar" in Nato[228] or the prevalence of European continentalist views, initiatives and common

[219] Jørgensen, K. E. 2004. 'European Foreign Policy: Conceptualising the Domain.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al. p. 49.
[220] Ginsberg cit. in White, B. 1999. 'The European Challenge to Foreign Policy Analysis.' *European Journal of International Relations* vol.5 (1). p. 43.
[221] Keukeleire, S. and MacNaughtan, J. 2008. *The Foreign Policy of the European Union*. p. 142.
[222] Ginsberg, R. H. 1999. 'Conceptualizing the European Union as an International Actor: Narrowing the Theoretical Capability-Expectations Gap.' *Journal of Common Market Studies* vol.37 (3).
[223] see e.g. Holland, M. 1991. 'Reforming Epc and the Icc: The Possible Transformation of Political Cooperation into a Common Foreign and Security Policy.' Conference paper.
[224] De la Serre, F. ed. 1996. *France: The Impact of Francois Mitterand*. p. 33.
[225] Ginsberg, R. H. 2001. *The European Union in International Politics: Baptism by Fire*. p. 38.
[226] Ibid.
[227] Stetter, S. 2004. 'Cross-Pillar Politics: Functional Unity and Institutional Fragmentation of EU Foreign Policies.' *Journal of European Public Policy* vol.11 (4).
[228] Featherstone, K. 2003. 'Introduction: In the Name of 'Europe'.' In *The Politics of Europeanization*, eds. Featherstone, K. and Radaelli, C. M. p. 10.

actions in the field of security policy (as opposed to the divisive effect of Euro-Atlanticism in Europe)[229]. Europeanisation then refers to the development of distinctly European activities in world security, and the growing external involvement of the EU in remote conflicts[230].

1.3.1.2. Top-down definitions

A top-down conceptualisation of Europeanisation in the field of foreign policy produces a different set of definitions. These refer to Europeanisation as a process of domestic adaptation to EU policies, implying changes in national foreign policy, decision-making mechanisms, values and identity[231]. Domestic adaptation is understood as "a move by national actors towards a greater consistency with the EU foreign and security policy"[232]. This adaptational move is operated as a response to pressures exerted on "all national policymakers concerned with EU affairs to follow centrally determined norms, rules and deadlines"[233]. Top-down definitions of Europeanisation are accordingly premised on the existence of a European *référentiel*, e.g. "a distinctive (West) European position in international affairs"[234].

This is not to say that this *référentiel* is the only driving force involved in Europeanisation. Domestic factors do matter. In certain cases, Europeanisation may only act as a catalyst for domestic change[235], while in others, it may even only be an alibi, a justification for reforms[236]. Nor does it imply that this *référentiel* necessarily exists *en l'état*, *prior* to the occurrence of Europeanisation (post-ontological argument), or that "Europeanisation would not exist without European integration"[237]. Indeed, policy-adaptation only refers in this case to "a change of an existing position or the creation of a new position on an unsettled policy problem thanks to a state's participation in the EPC/CFSP system"[238]. When a European template for policy action exists, adaptational change is straightforward; but even when no such template pre-exists, Europeanisation is possible, if national policy-makers, turning to the existing CFSP framework, are subsequently subject to adaptational pressures. In a word, change may not only be caused by discrepancies with an established institutional order at the European level, but also by the discrepancies that emerge as

[229] see e.g. Řiháčková, V. 2005. 'Czech Republic: "Europeanization" of a Hesitant Atlanticist?' *EUROPEUM working paper*; Waisová, Š. 2006. 'Between Atlanticism, Anti-Americanism and Europeanization: Dilemmas in Czech Foreign Policy and the War on Terrorism.' *Politics in Central Europe* vol.2 (2).
[230] Tocci, N. 2007. *The EU and Conflict Resolution: Promoting Peace in the Backyard*.
[231] Jørgensen, K. E. 2004. 'European Foreign Policy: Conceptualising the Domain.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al. p. 48.
[232] Miskimmon, A. 2007. *Germany and the Common Foreign and Security Policy of the European Union: Between Europeanization and National Adaptation*. p. 5.
[233] Ekengren, M. and Sundelius, B. 2004. 'National Foreign Policy Coordination.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al.
[234] Hill 1983, cit. in Wong, R. and Hill, C. eds. 2011. *National and European Foreign Policies: Towards Europeanization*.
[235] Thielemann, E. R. 2002. 'The 'Soft' Europeanisation of Migration Policy: European Integration and Domestic Policy Change.' Conference paper.
[236] Irondelle, B. 2003. 'Europeanization without the European Union? French Military Reforms 1991–96.' *Journal of European Public Policy* vol.10 (2).
[237] Radaelli, C. M. 2001. 'The Domestic Impact of European Union Public Policy: Notes on Concepts, Methods, and the Challenge of Empirical Research.' *Politique européenne* vol.5.
[238] Smith, M. E. 2004d. 'Institutionalization, Policy Adaptation and European Foreign Policy Cooperation.' *European Journal of International Relations* vol.10 (1). p. 114.

this institutional order is being established. In praxis, this means that "Europeanization intervenes not only after the process of integration, when common institutions and policies exist, but also during and even before the process"[239]. This allows to study top-down Europeanisation in policy fields that have not been thouroughly integrated (yet) (e.g. defence policy), and in states that are not EU member (yet) (e.g. candidate states).

Another definition of Europeanisation, which is closely related to the latter, precisely conceive of Europeanisation as outwards process, whereby the EU exports "its structures and values beyond its territory and embed[s] third countries within these"[240]. Here, the emphasis is laid on third countries downloading European norms. This conceptualisation is especially relevant for the study of Europeanisation in the EU's neighbourhood or in enlargement countries[241], i.e. in countries that arguably tend to "simplistically" download European ways of doing as a "means of attaining economic and institutional modernisation" [242]. It is finally also relevant in the study of "europeanised" conflicts, well beyond European borders. In this case, Europeanisation is defined as "EU's growing 'presence' in the wider region" (not in terms of capabilities, but in terms of significance for the downloading parties)[243]. As explained in a book dedicated to this approach, it is "a process which is activated and encouraged by European institutions, primarily the European Union, by linking the final outcome of the conflict to a certain degree of integration of the parties involved in it into European structures"[244]. Europeanisation, in this understanding, is a "method of conflict settlement and conflict resolution"[245]. It provokes "conflict with conflict" by creating "perturbations" in the context within which conflicts erupt, e.g. by introducing conditionality instruments, socialising actors, and issuing reports[246].

1.3.1.3. Vertical definitions

Combining the bottom-up and top-down approaches, some definitions refer to Europeanisation as a "two-way process" of preference shaping at the European level through the projection of national foreign policy objectives (uploading) and

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[239] Irondelle, B. 2003. 'Europeanization without the European Union? French Military Reforms 1991–96.' *Journal of European Public Policy* vol.10 (2). p. 223.
[240] Keukeleire, S. and MacNaughtan, J. 2008. *The Foreign Policy of the European Union*. p. 142.
[241] Grabbe, H. 2002. 'Europeanisation Goes East: Power and Uncertainty in the EU Accession Process.' Conference paper; Sjursen, H. 1998. 'Enlargement and the Common Foreign and Security Policy: Transforming the EU´S External Policy.' *ARENA Working Papers* vol.18; Gawrich, A., et al. 2009. 'Neighbourhood Europeanization Trough Enp -the Case of Ukraine.' *KFG Working Paper Series* (3).
[242] Escribano, G. 2005. ''Europeanisation' without Europe? A Critical Reflection on the Neighbourhood Policy for the Mediterranean.' *Mediterranean & Arab World Working Paper* vol.23.
[243] Vahl, M. 2005. 'The Europeanisation of the Transnistrian Conflict.' *CEPS Policy Brief* (73). p. 1.
[244] Noutcheva, G., et al. 2004. 'Europeanization and Secessionist Conflicts: Concepts and Theories.' In *Europeanization and Conflict Resolution: Case Studies from the European Periphery*, eds. Coppieters, B., et al. p. 7; see also Tocci, N. 2007. *The EU and Conflict Resolution: Promoting Peace in the Backyard*.
[245] Noutcheva, G., et al. 2004. 'Europeanization and Secessionist Conflicts: Concepts and Theories.' In *Europeanization and Conflict Resolution: Case Studies from the European Periphery*, eds. Coppieters, B., et al.
[246] Diez, T., et al. 2008. *The European Union and Border Conflicts: The Power of Integration and Association*.

preference accommodation at the domestic level (downloading)[247]. More precisely, Europeanisation then refers to "the process of change at the domestic level (be it of policies, preferences or institutions) originated by the adaptation pressures generated by the European integration process; a process of change whose intensity and character depend on the 'goodness of fit' of domestic institutions and adaptation pressures"[248]. Alas, the conceptualisation of the connection between the uploading and downloading dimensions of Europeanisation remains weak. If the goodness of fit model yields good result in snapshot analysis, it does not satisfactorily explain the reciprocities underlying the dual process of EFP formation and domestic change (see section 1.2.3.4).

Proponents of the goodness of fit model explain that the degree of adaptational pressures determines the intensity and character of the behavioural response. Börzel & Risse identify three responses[249]: absorption takes place when domestic change is of low intensity, accommodation when it is moderate, and transformation when it is subject to intense pressures. Miskimmon notes however that "EU Member States are affected in an asymmetric fashion through their involvement in CFSP"[250]. This is logical, since Europeanisation is aimed at their differential empowerment[251]. In praxis, this means that smaller states, through Europeanisation, may have enhanced access to information and to major decision-makers[252]. And it is clear that Europeanisation does not affect member states and non member states in a similar way[253]. Yet, conceptually, in non-EU Europe, vertical Europeanisation fails to differentiate itself from top-down approaches. This is because non-member states (and candidate states) have almost no possibility to upload their preferences onto the European level[254]. Being part of the external policy-environment of the Union, they are the recipients or EFP, and only become contributors as they enter the Union [255]. Vertical conceptions of Europeanisation in non-EU Europe thus often boils down to top-down conceptions.

1.3.1.4. Horizontal definitions

The last set of definitions advanced in the literature views domestic and European foreign policy structures as becoming mutually constitutive. Defining Europeanisation,

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[247] Miskimmon, A. 2007. *Germany and the Common Foreign and Security Policy of the European Union: Between Europeanization and National Adaptation*. p. 6.
[248] Ibid. p. 4-5.
[249] Börzel, T. A. and Risse, T. 2003. 'Conceptualizing the Domestic Impact of Europe.' In *The Politics of Europeanization*, eds. Featherstone, K. and Radaelli, C. M. p. 69-70.
[250] Miskimmon, A. 2007. *Germany and the Common Foreign and Security Policy of the European Union: Between Europeanization and National Adaptation*. p. 5.
[251] Börzel, T. A. 2003. 'How the European Union Interacts with Its Member States ' In Reihe Politikwissenschaft 93.
[252] Jørgensen, K. E. 2004. 'European Foreign Policy: Conceptualising the Domain.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al. p. 49.
[253] Terzi, Ö. 2005. 'Europeanisation of Foreign Policy and Candidate Countries: A Comparative Study of Greek and Turkish Cases.' *Politique européenne* vol.17 (3); Grabbe, H. 2002. 'Europeanisation Goes East: Power and Uncertainty in the EU Accession Process.' Conference paper.
[254] Trauner, F. 2007. 'From Membership Conditionality to Policy Conditionality: EU External Governance in South-Eastern Europe.' Conference paper; Sedelmeier, U. 2006. 'Europeanisation in New Member and Candidate States.' *Living Reviews in European Governance* vol.1 (3).
[255] For an account on the dynamic relationship between enlargement and EFP, see Sjursen, H. 1998. 'Enlargement and the Common Foreign and Security Policy: Transforming the EU´S External Policy.' *ARENA Working Papers* vol.18.

thus, is extremely problematic if one introduces implicit or explicit references to causality as an attribute that connotes the process. Europeanisation is for instance defined as an "interactive, ongoing and mutually constitutive process of 'Europeanising' and 'Europeanised' countries, linking national and European levels"[256]. More specifically, it is the "transformation in the ways in which national foreign policy are constructed, in the ways in which professional roles are defined and pursued and in the consequent internalisation of norms and expectations arising from a complex system of collective European policy making"[257].

Throughout the study of this transformation, horizontalists claim the need to take into account the "subjective dimension of foreign policy and the self-understanding of the actors involved"[258]. This brings horizontalists close to adopting an interpretivist epistemology, although positivist approaches (when not taken as ontological position) are not barred, in theory. The crux of horizontal approaches is to understand the decentralised formation of European collective identities and foreign policy cultures[259]. It is also to uncover the "reasons"[260] that have allowed national foreign policies to be increasingly pursued on the EU level[261]. This development was labelled by Allen under the label of "Brusselisation"[262]–it is the idea (not to be conflated with communautarisation) that foreign policy is made by national representatives, but increasingly in Brussels –in ways that significantly differ from foreign policy making in European capitals[263]. It contends that "public officials are no longer just agents of the [state]; they are participants in an evolving polity which provides opportunities for political action but also imposes constraints on their freedom of action"[264]. This Brusselisation of national foreign policy has a constitutive effect on foreign policy-makers' identities, and may imply the re-organisation of state-centric policy-making structures through the reinforcement policy-networks[265].

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[256] Major, C. 2005. 'Europeanisation and Foreign and Security Policy – Undermining or Rescuing the Nation State?' *Politics* vol.25 (3). p. 175.
[257] Tonra, B. 2000a. 'Denmark and Ireland.' In *The Foreign Policies of European Union Member States*, eds. Manners, I. and Whiteman, R. G.
[258] Aggestam, L. 1999. 'Role Conceptions and the Politics of Identity in Britain, France and Germany.' *ARENA Working Papers* vol.8; see also Sjursen, H. 1999. 'The Common Foreign and Security Policy: An Emerging New Voice in International Politics.' *ARENA Working Papers* vol.34.
[259] see e.g. Risse, T. and Grabowsky, J. K. 2008. 'European Identity Formation in the Public Sphere and in Foreign Policy.' *RECON Online Working Paper* vol.2008/04.
[260] As opposed to "causes", see Stahl, B. and Harnisch, S. 2009a. 'Nationale Identitäten Und Aussenpolitiken: Erkenntnisse, Desiderate Und Neue Wege in Der Diskursforschung.' In *Vergleichende Aussenpolitikforschung Und Nationale Identitäten: Die Europäische Union Im Kosovo-Konflikt 1996-2008*, eds. Stahl, B. and Harnisch, S. p. 32-33.
[261] Keukeleire, S. and MacNaughtan, J. 2008. *The Foreign Policy of the European Union*. p. 142.
[262] Allen, D. 1998. 'Who Speaks for Europe?: The Search for an Effective and Coherent External Policy.' In *A Common Foreign Policy for Europe? Competing Visions of the CFSP*, eds. Peterson, J. and Sjursen, H. p. 42, 54; Sjursen, H. 1998. 'Enlargement and the Common Foreign and Security Policy: Transforming the EU´S External Policy.' *ARENA Working Papers* vol.18. p. 11 ff.
[263] see also Sjursen, H. 1999. 'The Common Foreign and Security Policy: An Emerging New Voice in International Politics.' *ARENA Working Papers* vol.34; for an empirical critique, see Miskimmon, A. 2007. *Germany and the Common Foreign and Security Policy of the European Union: Between Europeanization and National Adaptation*.
[264] Hanf, K. and Soetendorp, B. eds. 1998. *Adapting to European Integration: Small States and the European Union*. p. 69.
[265] Hocking, B. 2004. 'Diplomacy.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al; Wong, R. 2006. *The Europeanization of French Foreign Policy: France and the EU in East Asia*.

1.3.2. The phenomenon of Europeanisation

It has been seen that Europeanisation, in itself, is a "phenomenon which a range of theoretical approaches have sought to explain"[266]. Identifying and delineating the phenomenon in question should thus be a research priority. This phenomenal approach (what does Europeanisation entails?), however, is often neglected in favour of processual research (how does Europeansation works?). This is disappointing, since as Rosenau rightly put it, "to think theoretically one must be predisposed to ask about every event, every situation, or every observed phenomenon: 'of what is it an instance?'" [267]. The following sections therefore aim at shedding light on the phenomenon of Europeanisation, based on other researchers' findings. This examination cannot not conclusively help determine what the phenomenon of Europeanisation entails (since this has to be explored in relation with the definition of Europeanisation), but it nonetheless paves the way for further phenomenal research, by presenting an overview of its possible manifestations.

1.3.2.1. Substantive and geographical scope covered by Europeanisation studies

The geographical scope of Europeanisation studies in the foreign policy literature mainly covers EU member states. This "EU domination of Europeanization research" [268] falsely tends to conflate Europeanisation with EU-isation [269] or "unionisation"[270]. As remarked by Wallace, it is necessary to "avoid eliding the definition of Europeanisation with membership of the EU"[271]. This EU-isation trap has been acknowledged in the wider Europeanisation literature, and prominent scholars called for widening the geographical scope of Europeanisation research beyond the boundaries of the EU, i.e. amidst candidate states and beyond[272].

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[266] Bulmer, S. 2007. 'Theorizing Europeanization.' In *Europeanization: New Research Agendas*, eds. Graziano, P. and Vink, M. P. p. 47.
[267] Rosenau, J. N. 1980. *The Scientific Study of Foreign Policy*. p. 19-31.
[268] Vink, M. P. and Graziano, P. 2007. 'Challenges of a New Research Agenda.' In *Europeanization: New Research Agendas*, eds. Graziano, P. and Vink, M. P.
[269] Wallace, W. 2000. 'Europeanisation and Globalisation: Complementary or Contradictory Trends?' *New Political Economy* vol.5 (3).
[270] Callewaert, J. 2008. ''Unionisation' and 'Conventionisation' of the Fundamental Rights in Europe.' In *The Europeanisation of International Law: The Status of International Law in the EU and Its Member States*, eds. Wouters, J., et al.
[271] Wallace, W. 2000. 'Europeanisation and Globalisation: Complementary or Contradictory Trends?' *New Political Economy* vol.5 (3).
[272] Grabbe, H. 2001b. 'Profiting from EU Enlargement.' In CER Publications; Haverland, M. 2007. 'Methodology.' In *Europeanization: New Research Agendas*, eds. Graziano, P. and Vink, M. P; Vink, M. P. and Graziano, P. 2007. 'Challenges of a New Research Agenda.' In *Europeanization: New Research Agendas*, eds. Graziano, P. and Vink, M. P; Hix, S. and Goetz, K. H. 2001. 'Introduction: Europeanised Politics?: European Integration and National Political Systems.' In *Europeanised Politics?: European Integration and National Political Systems*, eds. Goetz, K. H. and Hix, S; Liebert, U. 2002. 'Causal Complexities: Explaining Europeanisation.' In CEuS Working Paper, vol.2002/1; Wallace, W. 2000. 'Europeanisation and Globalisation: Complementary or Contradictory Trends?' *New Political Economy* vol.5 (3); Grabbe, H. 2001a. 'How Does Europeanization Affect CEE Governance? Conditionality, Diffusion and Diversity ' *Journal of European Public Policy* vol.8 (6); Grabbe, H. 2002. 'Europeanisation Goes East: Power and Uncertainty in the EU Accession Process.' Conference paper.

Currently, Europeanisation studies in the field of foreign policy have been carried out through single case studies for the following countries: France[273]; Germany[274]; Spain[275]; Poland[276]; Britain[277]; Greece[278]; Ireland[279]; Portugal[280]; the Czech Republic[281], Romania[282] and Estonia[283]. Small-n case studies with comparative insights have been carried out for the following countries: Ireland an Austria[284]; France, Germany, Britain[285]; Hungary, Romania, Slovakia[286]; Netherlands, Denmark, Ireland[287] and the Nordic states[288]. Some studies compare current member states with

[273] Wong, R. 2006. *The Europeanization of French Foreign Policy: France and the EU in East Asia*; Rieker, P. 2005. 'From Common Defence to Comprehensive Security- Towards the Europeanisation of French Foreign and Security Policy?', vol.961.

[274] Miskimmon, A. 2007. *Germany and the Common Foreign and Security Policy of the European Union: Between Europeanization and National Adaptation*; Schmalz, U. 2004. *Deutschlands Europäisierte Aussenpolitik: Kontinuität Und Wandel Deutscher Konzepte Zur Epz Und Gasp*; Lüdeke, A. 2002. *'Europäisierung' Der Deutschen Außen- Und Sicherheitspolitik? Konsumtive Und Operative Europapolitik Zwischen Maastricht Und Amsterdam*; Mair, S. and Tull, D. M. 2009. 'Deutsche Afrikapolitik: Eckpunkte Einer Strategischen Neuausrichtung.' In SWP-Studie.

[275] Torreblanca, J. I. 2001. 'Ideas, Preferences and Institutions:Explaining the Europeanization of Spanish Foreign Policy.' *ARENA Working Papers* vol.26.

[276] Pomorska, K. 2007. 'The Impact of Enlargement: Europeanization of Polish Foreign Policy? Tracking Adaptation and Change in the Polish Ministry of Foreign Affairs.' *The Hague Journal of Diplomacy* vol.2 (1).

[277] Dover, R. 2007. *Europeanization of British Defence Policy*; White, B. 2001. *Understanding European Foreign Policy*. p. 118-141; Blair, A. 2004. 'Diplomacy: The Impact of the EU on Its Member States.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al.

[278] Stavridis, S. 2003. 'The Europeanisation of Greek Foreign Policy: A Literature Review.' *Hellenic Observatory* vol.10; Economides, S. 2005. 'The Europeanisation of Greek Foreign Policy ' *West European Politics* vol.28 (2); Tsardanidis, C. and Stavridis, S. 2005. 'The Europeanisation of Greek Foreign Policy: A Critical Appraisal.' *Journal of European Integration* vol.27 (2); Agnantopoulos, A. 2005. 'The Europeanisation of Greek Foreign Policy: A Conceptual Framework and an Empirical Application in Greek-Turkish Relations.' Conference paper.

[279] Tonra, B. 1999. 'The Europeanisation of Irish Foreign Affairs.' *Irish Studies in International Affairs* vol.10.

[280] Koukis, T. 2001. 'Europeanisation of Foreign Policy Making -Portugal and the Presidency of the Council of Ministers.'

[281] Řiháčková, V. 2005. 'Czech Republic: "Europeanization" of a Hesitant Atlanticist?' *EUROPEUM working paper*; Waisová, Š. 2006. 'Between Atlanticism, Anti-Americanism and Europeanization: Dilemmas in Czech Foreign Policy and the War on Terrorism.' *Politics in Central Europe* vol.2 (2).

[282] Micu, M. 2011. 'The Europeanization of Romanian Foreign Policy: Mitigating European and National 'Misfits' in the International Criminal Court and Kosovo Cases.' *Romanian Journal of European Affairs* vol.11 (4).

[283] Kuus, M. 2002. 'Toward Cooperative Security? International Integration and the Construction of Security in Estonia.' *Millennium - Journal of International Studies* vol.31 (2).

[284] Alecu de Flers, N. 2007. 'National Adaptation to the Common Foreign and Security Policy (CFSP) of the EU? The Effects of the CFSP on the Foreign Policies of Ireland and Austria.' Doctoral thesis; Alecu de Flers, N. 2008. 'Strategisches Handeln Oder Sozialisierung? Zur Europäisierung Irischer Und Österreichischer Außenpolitik Und Ihren Grenzen ' *Zeitschrift für Außen- und Sicherheitspolitik* vol.1 (1).

[285] Aggestam, L. 1999. 'Role Conceptions and the Politics of Identity in Britain, France and Germany.' *ARENA Working Papers* vol.8.

[286] Denca, S. S. 2008. 'The Impact of the European Union on Foreign Policy-Making in Hungary, Romania and Slovakia: Institutional Adaptation, Learning, and Socialization.' *Political Perspectives* vol.2 (2); Denca, S. S. 2009. 'Assessing the Impact of European Integration on the Foreign Policy-Making in Central and Eastern Europe: The Cases of Hungary, Romania, and Slovakia.' Conference paper.

[287] Tonra, B. 2001. *The Europeanisation of National Foreign Policy: Dutch, Danish, and Irish Foreign Policy in the European Union*.

[288] Laatikainen, K. V. 2003. 'Norden's Eclipse: The Impact of the European Union's Common Foreign and Security Policy on the Nordic Group in the United Nations.' *Cooperation and Conflict* vol.38 (4).

prospective ones, e.g. Romania and FYROM[289]; Greece and Turkey[290]; Ukraine, Moldova and Romania[291]; and the Mediterranean states[292]. Some edited books with country-specific chapters have been published, which do address the topic of Europeanisation empirically, although they do not specifically deal with the concept of Europeanisation (but rather with EFP)[293]. In the Balkans, little research has been made on the Europeanisation of national foreign policy *per se*. Domestic change as a result of a unified European Justice and Home Affairs policy[294] or EFP towards Kosovo [295] are remarkable exceptions, but they do not engage with the Europeanisation literature. Europeanisation in the Balkans has been researched by other scholars, but not in the field of foreign policy[296]. Some interesting studies have been carried out elsewhere in non-EU Europe (see the literature review in section 1.4).

Few studies take a cross-country look at substantive foreign policy issues. There are studies that explore how the EU has "europeanised" (i.e. pacified) the confrontational relations between unfriendly neighbours[297]. Others examine how the foreign policy of some member states has changed vis-à-vis the Middle East, South Africa[298], Africa[299], ex-Yugoslavia[300] and Asia[301]. Others take a more transversal look and scrutinise a

[289] Demetropoulou, L. 2002. 'Europe and the Balkans: Membership Aspiration, EU Involvement and Europeanization Capacity in South Eastern Europe.' *Southeast European Politics* vol.3 (2-3).
[290] Terzi, Ö. 2005. 'Europeanisation of Foreign Policy and Candidate Countries: A Comparative Study of Greek and Turkish Cases.' *Politique européenne* vol.17 (3).
[291] Vahl, M. 2005. 'The Europeanisation of the Transnistrian Conflict.' *CEPS Policy Brief* (73).
[292] Stavridis, S. 1999. *The Foreign Policies of the European Union's Mediterranean States and Applicant Countries in the 1990s*.
[293] e.g. Hill, C. ed. 1996. *The Actors in Europe's Foreign Policy*. p.; Manners, I. and Whiteman, R. G. eds. 2000. *The Foreign Policies of European Union Member States*.
[294] Trauner, F. 2008. 'The Europeanisation of the Western Balkans: Deconstructing the Eu's Routes of Influence in Justice and Home Affairs.' Conference paper.
[295] Stahl, B. and Harnisch, S. eds. 2009b. *Vergleichende Aussenpolitikforschung Und Nationale Identitäten: Die Europäische Union Im Kosovo-Konflikt 1996-2008*.
[296] e.g. Demetropoulou, L. 2002. 'Europe and the Balkans: Membership Aspiration, EU Involvement and Europeanization Capacity in South Eastern Europe.' *Southeast European Politics* vol.3 (2-3); Ragaru, N. 2002. ''L' Heure De L'europe' Dans Les Balkans ? Le Mirage Des Promesses D'européanisation.' *Le revue internationale et stratégique* vol.46; Anastasakis, O. 2005. 'The Europeanization of the Balkans.' *Brown Journal of World Affairs* vol.XII (1).
[297] Vahl, M. 2005. 'The Europeanisation of the Transnistrian Conflict.' *CEPS Policy Brief* (73); Agnantopoulos, A. 2005. 'The Europeanisation of Greek Foreign Policy: A Conceptual Framework and an Empirical Application in Greek-Turkish Relations.' Conference paper; Diez, T., et al. 2008. *The European Union and Border Conflicts: The Power of Integration and Association*; Tocci, N. 2007. *The EU and Conflict Resolution: Promoting Peace in the Backyard*; Noutcheva, G., et al. 2004. 'Europeanization and Secessionist Conflicts: Concepts and Theories.' In *Europeanization and Conflict Resolution: Case Studies from the European Periphery*, eds. Coppieters, B., et al.
[298] Smith, M. E. 2004d. 'Institutionalization, Policy Adaptation and European Foreign Policy Cooperation.' *European Journal of International Relations* vol.10 (1); Tonra, B. 2001. *The Europeanisation of National Foreign Policy: Dutch, Danish, and Irish Foreign Policy in the European Union*.
[299] Bagayoko-Penone, N. 2006. 'L'européanisation Des Militaires Francais: Socialisation Institutionnelle Et Culture Stratégique.' *Revue française de science politique* vol.56 (1); Mair, S. and Tull, D. M. 2009. 'Deutsche Afrikapolitik: Eckpunkte Einer Strategischen Neuausrichtung.' In SWP-Studie.
[300] Tonra, B. 2001. *The Europeanisation of National Foreign Policy: Dutch, Danish, and Irish Foreign Policy in the European Union*. chap 10; Stahl, B. and Harnisch, S. eds. 2009b. *Vergleichende Aussenpolitikforschung Und Nationale Identitäten: Die Europäische Union Im Kosovo-Konflikt 1996-2008*.
[301] Wong, R. 2006. *The Europeanization of French Foreign Policy: France and the EU in East Asia*.

policy field (nuclear non-proliferation)[302] or relations with Nato[303]. And some focus specifically on the domestic impact of the CFSP[304] or the European Neighbourhood Policy[305]. Some studies finally explore the transformation of role conceptions[306] or the reorganisation of member states' MFAs[307].

1.3.2.2. Foreign policy actors

In a bottom-up perspective, Europeanisation manifests itself through "a greater consolidation of authority at the EU level"[308]. This implies the empowerment of EFP Community actors, and especially of the Commission[309], which arguably benefits most from the expansion of the EFP agenda. These institutional developments pave the way for a "decentralized but highly institutionalized framework for policy coordination"[310]. The emergence of this institutionalised framework, which precludes cooperation "*à la carte*" in foreign policy, has led to profound changes in the distribution of roles among national actors. With the CFSP becoming "less like a series of periodic meetings", the monopoly held by high-level government officials

[302] Smith, M. E. 2004d. 'Institutionalization, Policy Adaptation and European Foreign Policy Cooperation.' *European Journal of International Relations* vol.10 (1).
[303] Řiháčková, V. 2005. 'Czech Republic: "Europeanization" of a Hesitant Atlanticist?' *EUROPEUM working paper*; Waisová, Š. 2006. 'Between Atlanticism, Anti-Americanism and Europeanization: Dilemmas in Czech Foreign Policy and the War on Terrorism.' *Politics in Central Europe* vol.2 (2).
[304] Dryburgh, L. 2004. 'Domestic Adaptation to the CFSP: The Discursive Aspect.' Conference paper; Schmalz, U. 2004. *Deutschlands Europäisierte Aussenpolitik: Kontinuität Und Wandel Deutscher Konzepte Zur Epz Und Gasp*; Alecu de Flers, N. 2007. 'National Adaptation to the Common Foreign and Security Policy (CFSP) of the EU? The Effects of the CFSP on the Foreign Policies of Ireland and Austria.' Doctoral thesis; Alecu de Flers, N. 2008. 'Strategisches Handeln Oder Sozialisierung? Zur Europäisierung Irischer Und Österreichischer Außenpolitik Und Ihren Grenzen ' *Zeitschrift für Außen- und Sicherheitspolitik* vol.1 (1)., the ESDP Bagayoko-Penone, N. 2006. 'L'européanisation Des Militaires Francais: Socialisation Institutionnelle Et Culture Stratégique.' *Revue française de science politique* vol.56 (1); Pajon, C. 2003. 'L'europe De La Defense Et La Transformation Des Identités Militaires: Quelle Européanisation? Le Cas Des Acteurs Militaires Britannique, Allemand Et Francais.' *Politique européenne* vol.10.
[305] Escribano, G. 2005. ''Europeanisation' without Europe? A Critical Reflection on the Neighbourhood Policy for the Mediterranean.' *Mediterranean & Arab World Working Paper* vol.23.
[306] Aggestam, L. 1999. 'Role Conceptions and the Politics of Identity in Britain, France and Germany.' *ARENA Working Papers* vol.8.
[307] Pomorska, K. 2007. 'The Impact of Enlargement: Europeanization of Polish Foreign Policy? Tracking Adaptation and Change in the Polish Ministry of Foreign Affairs.' *The Hague Journal of Diplomacy* vol.2 (1). or diplomacy Blair, A. 2004. 'Diplomacy: The Impact of the EU on Its Member States.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al; Hocking, B. 2004. 'Diplomacy.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al; Bátora, J. 2007. 'Change Dynamics in Intra-EU Inter-State Relations: Preliminary Observations and Hypotheses.' *EIF Working Paper Series* vol.28; Bátora, J. 2003. 'Does the European Union Transform the Institution of Diplomacy?' *ARENA Working Papers* vol.6.
[308] Smith, M. E. 2004e. 'Toward a Theory of EU Foreign Policy-Making: Multi-Level Governance, Domestic Politics, and National Adaptation to Europe's Common Foreign Security Policy.' *Journal of European Public Policy* vol.11 (4). p. 741.
[309] Smith, M. E. 2000. 'Conforming to Europe: The Domestic Impact of EU Foreign Policy Co-Operation.' *Journal of European Public Policy* vol.7 (4).
[310] Smith, M. E. 2004e. 'Toward a Theory of EU Foreign Policy-Making: Multi-Level Governance, Domestic Politics, and National Adaptation to Europe's Common Foreign Security Policy.' *Journal of European Public Policy* vol.11 (4). p. 746; see also Smith, M. E. 2004d. 'Institutionalization, Policy Adaptation and European Foreign Policy Cooperation.' *European Journal of International Relations* vol.10 (1).

over foreign policy has significantly eroded –though not uniformly[311]. On the one hand, pressures exerted on national bureaucracies to implement EU foreign policy decisions within narrow time constraints have resulted in the centralisation of foreign policy executive power, generally in the hands of the Prime Minister or the Head of State[312]. This change in the balance of executive power in foreign policy, also referred to as "prime-ministerialisation of foreign policy" has been well documented[313]. On the other hand, however, the executive power in foreign policy is subject to pressures for decentralisation[314], which participate in decentralising the EFP-making at the intergovernmental level. The growth in the EFP agenda implies that national political representatives in Brussels are increasingly "forced to act more independently of the centre and on mandates defined in advance"[315]. This "Brusselisation" of foreign policy leaves less time for anchoring foreign policy decisions at home. It translates into an increasing informalisation of national foreign policy, when it is conducted on the European plane.

National foreign policy executives (i.e. individuals) are not the only actors affected by Europeanisation vertical pressures. Adaptational changes also concern bureaucratic structures, which see their organisational pattern profoundly transformed[316]. Organisational changes first ensue through the expansion of the network of diplomatic services, in size, staff, resources, and number of missions[317]. This expansion echoes the growth of the national foreign policy agenda. New national officials are appointed to serve national interests within (or through) the CFSP, and ensure a certain continuity in the pursuit of national foreign policy in Brussels[318]. These are for instance the CFSP counsellors attached to the Permanent Representatives Committee (COREPER), the COREPER II, and the European Correspondents in European capitals. Bureaucratic reorganisation also implies the re-orientation of national foreign Ministries towards Europe. The status of the foreign Ministry, which is to handle European affairs, is usually enhanced relative to the other ministries, and the linkages

[311] Smith, M. E. 2004e. 'Toward a Theory of EU Foreign Policy-Making: Multi-Level Governance, Domestic Politics, and National Adaptation to Europe's Common Foreign Security Policy.' *Journal of European Public Policy* vol.11 (4). p. 746; see also Smith, M. E. 2004d. 'Institutionalization, Policy Adaptation and European Foreign Policy Cooperation.' *European Journal of International Relations* vol.10 (1).
[312] Ekengren, M. and Sundelius, B. 2004. 'National Foreign Policy Coordination.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al.
[313] see also Tonra, B. 2001. *The Europeanisation of National Foreign Policy: Dutch, Danish, and Irish Foreign Policy in the European Union*. p. 257 ff; Smith, M. E. 2000. 'Conforming to Europe: The Domestic Impact of EU Foreign Policy Co-Operation.' *Journal of European Public Policy* vol.7 (4). p. 627; Keukeleire, S. and MacNaughtan, J. 2008. *The Foreign Policy of the European Union*. p. 142 ff.
[314] Ekengren, M. and Sundelius, B. 2004. 'National Foreign Policy Coordination.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al.
[315] Ibid.
[316] Smith, M. E. 2004e. 'Toward a Theory of EU Foreign Policy-Making: Multi-Level Governance, Domestic Politics, and National Adaptation to Europe's Common Foreign Security Policy.' *Journal of European Public Policy* vol.11 (4). p. 747; Keukeleire, S. and MacNaughtan, J. 2008. *The Foreign Policy of the European Union*. p. 142 ff; Smith, M. E. 2000. 'Conforming to Europe: The Domestic Impact of EU Foreign Policy Co-Operation.' *Journal of European Public Policy* vol.7 (4). p. 619 ff.
[317] Tonra, B. 2001. *The Europeanisation of National Foreign Policy: Dutch, Danish, and Irish Foreign Policy in the European Union*. p. 257 ff; Bátora, J. 2007. 'Change Dynamics in Intra-EU Inter-State Relations: Preliminary Observations and Hypotheses.' *EIF Working Paper Series* vol.28.
[318] Smith, M. E. 2004e. 'Toward a Theory of EU Foreign Policy-Making: Multi-Level Governance, Domestic Politics, and National Adaptation to Europe's Common Foreign Security Policy.' *Journal of European Public Policy* vol.11 (4). p. 747.

between political and economic departments are strengthened[319]. More resources are for instance given to diplomatic services for their handling of commercial work[320]. This effect echoes the cross-pillarisation of the EFP[321] and the blurring of the divide between low and high politics in EFP, which spills over the organisation of national bureaucratic structures.

1.3.2.3. Foreign policy contexts

Europeanisation "hits" foreign policy contexts through the emergence of the EU as an incontrovertible opportunity structure, which empowers and constrains foreign policy actors in their relationship with domestic structures of governance. Foreign policy coordination, to start with, means that national actors loose not only parts of their control over the agenda-setting, but also over the foreign policy-process as a whole. Scholars have documented that Europeanisation affects the context of foreign policy-making by increasing the number of actors involved in the determination of national foreign policy, and by fragmenting the handling of foreign policy situations[322]. The increasing number of references to EU activities that are made by national actors in the conduct of national foreign policy shows the incontrovertibility of the European context, even in those fields that should lie beyond the reach of the EFP[323]. Legislative adaptation (or constitutional change) certainly participates in binding national executives to act in accordance with European norms[324]. This adaptation needs not being expressly required by the European Treaties, or the EPC/CFSP. The reorientation of domestic legal structures can also be triggered internally by the intervention of mediating factors. The German Supreme Court, for instance, had to reinterpret some key provisions of Germany's *Grundgestezt* in order to justify the country's military participation in the Balkans[325]. In a similar vein, the compatibility of the neutrality doctrine of some member states had to be vetted in the light of the European Security and Defence Policy (ESDP) in order to allow institutional developments at the EU level[326].

In most of the cases, however, the incontrovertibility of the European context did not emerge through the sole reorientation of national legal structures. Ideational change in national role conceptions, foreign policy identities and security cultures have affected foreign policy contexts in a very remarkable way, i.e. through the subjective perception by foreign policy actors of a European collective identity, towards which

[319] Ibid; Tonra, B. 2001. *The Europeanisation of National Foreign Policy: Dutch, Danish, and Irish Foreign Policy in the European Union*. p. 257 ff.
[320] Hocking, B. 2004. 'Diplomacy.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al.
[321] Stetter, S. 2004. 'Cross-Pillar Politics: Functional Unity and Institutional Fragmentation of EU Foreign Policies.' *Journal of European Public Policy* vol.11 (4).
[322] Ekengren, M. and Sundelius, B. 2004. 'National Foreign Policy Coordination.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al.
[323] Smith, M. E. 2004e. 'Toward a Theory of EU Foreign Policy-Making: Multi-Level Governance, Domestic Politics, and National Adaptation to Europe's Common Foreign Security Policy.' *Journal of European Public Policy* vol.11 (4). p. 746.
[324] Smith, M. E. 2000. 'Conforming to Europe: The Domestic Impact of EU Foreign Policy Co-Operation.' *Journal of European Public Policy* vol.7 (4). p. 624 ff.
[325] Ibid. p. 624.
[326] Ojanen, H. 2003. 'Neutrality and Non-Alignment in Europe Today.' In FIIA Report; e.g. for Austria, see Krüger, M. 2003. 'Austria.' In Neutrality and non-alignment in Europe today; Neuhold, H. 2003. 'Comments on the Austrian Positions.' In Neutrality and non-alignment in Europe today.

national role conceptions have started to converge[327]. Scholars have accordingly documented the emergence of a European civil-military culture[328], or more generally, of a European strategic culture[329]. They have documented the emergence of shared norms among policy-making elites in relation to international politics and of shared definitions of European and national interests[330]. Changes in small states' diplomatic culture have also been documented[331]. Collective identity formation arguably also involves external differentiation, or "othering", in which case the Europeanisation national foreign policy identities manifests themselves through the expression of Anti-American, or anti-Atlanticist sentiments[332]. Europeanisation, in any event, seems to entail changes in national foreign policy actors' views and identities.

The incontrovertibility of the European context finally affects the pursuit of national foreign policy in a very profound manner. Although national and European foreign policies remain analytically separable, they "are no longer separate"[333]. First, Europeanisation affects national foreign policy contexts through the introduction of Multi-Level Governance (MLG) in the field of foreign policy. Smith has identified the key factors fostering or undermining MLG in the pursuit of foreign policy[334]: the inherent characteristics of the policy problem (e.g. time frame, violence); the actors involved in, and the stage of, the policy-making sequence; the novelty of the policy decision; and country specific and situation-specific characteristics. MLG in foreign policy, however, does not necessarily entail "supranational" decision-making[335]. It solely means that the conduct of national foreign policy is located in a more fragmented, multi-layered context of decision-making. It also implies, at the ideational level, a differential treatment of EU and non-EU affairs by foreign policy actors, the former being less considered as high politics than the latter[336]. Second, through Europeanisation, non-governmental actors have been given more access to foreign-policy making. They form a participative context, which influences decision-making. National foreign policy is accordingly also europeanised through the

[327] Aggestam, L. 1999. 'Role Conceptions and the Politics of Identity in Britain, France and Germany.' *ARENA Working Papers* vol.8.
[328] Bagayoko-Penone, N. 2006. 'L'européanisation Des Militaires Francais: Socialisation Institutionnelle Et Culture Stratégique.' *Revue française de science politique* vol.56 (1); Pajon, C. 2003. 'L'europe De La Defense Et La Transformation Des Identités Militaires: Quelle Européanisation? Le Cas Des Acteurs Militaires Britannique, Allemand Et Francais.' *Politique européenne* vol.10.
[329] Meyer, C. O. 2005. 'Convergence Towards a European Strategic Culture? A Constructivist Framework for Explaining Changing Norms.' *European Journal of International Relations* vol.11 (4); Cornish, P. and Edwards, G. 2001. 'Beyond the EU/Nato Dichotomy: The Beginnings of a European Strategic Culture.' *International Affairs* vol.77 (3).
[330] See Wong, R. and Hill, C. eds. 2011. *National and European Foreign Policies: Towards Europeanization*.
[331] Tonra, B. 2001. *The Europeanisation of National Foreign Policy: Dutch, Danish, and Irish Foreign Policy in the European Union*. p. 257 ff.
[332] Řiháčková, V. 2005. 'Czech Republic: "Europeanization" of a Hesitant Atlanticist?' *EUROPEUM working paper*; Tsardanidis, C. and Stavridis, S. 2005. 'The Europeanisation of Greek Foreign Policy: A Critical Appraisal.' *Journal of European Integration* vol.27 (2). p. 234.
[333] Manners, I. and Whiteman, R. G. eds. 2000. *The Foreign Policies of European Union Member States*. p. 243 ff..
[334] Smith, M. E. 2004e. 'Toward a Theory of EU Foreign Policy-Making: Multi-Level Governance, Domestic Politics, and National Adaptation to Europe's Common Foreign Security Policy.' *Journal of European Public Policy* vol.11 (4). p. 749 ff.
[335] Ibid. p. 753.
[336] Bátora, J. 2007. 'Change Dynamics in Intra-EU Inter-State Relations: Preliminary Observations and Hypotheses.' *EIF Working Paper Series* vol.28.

Europeanisation of political parties, parliaments, pressure groups, the media and public opinions[337]. An interesting case here is presented by Perget[338] for the military-industrial complex, the Europeanisation of which was fostered by "negative integration"[339]. Another interesting case concerns the international NGOs, for which Europeanisation meant transnationalisation[340]. Now active at the European level, international NGOs participate in the EFP-making process, especially (but not only) through the Commission's EC Humanitarian Office[341]. Finally, the Europeanisation of foreign policy has manifested itself through changes in public opinion. Public support, or at least "passive approval", is indeed required for further transfers of competence[342]. In Germany, public opinions have played a important role in supporting the development of the EU's as an international actor, but also in constrained the scope of the country's involvement in the CFSP[343]. Changes in public support, thus, may also be indicative of Europeanisation[344].

1.3.2.4. Foreign policy process and instruments

With regards to foreign policy processes, Europeanisation manifests itself most visibly through the rise of foreign policy coordination on the European plane[345]. Coordination takes place in a weakly institutionalized context through the *réflexe communautaire*, which, increasingly, has become the norm rather than the exception. There is, arguably, in the EFP matters an "institutionalised imperative of concertation"[346] imposing regular communication and consultation among member states on any substantive field covered by the Treaties[347].

Procedurally, this commitment to coordination has translated into the prevalence of decision-making by consensus in the Council of Ministers and the European Council. But where Europeanisation has had a distinctive effect on voting behaviour and rationality is in the growing inclination of foreign policy decision-makers to adopt a

[337] Tsardanidis, C. and Stavridis, S. 2005. 'The Europeanisation of Greek Foreign Policy: A Critical Appraisal.' *Journal of European Integration* vol.27 (2). p. 223.
[338] Perget, J. 2009. 'L'européanisation De L'industrie D'armement.' *Tropique* vol.107 (2).
[339] see Knill, C. and Lehmkuhl, D. 1999. 'How Europe Matters. Different Mechanisms of Europeanization.' *European Integration online Papers* vol.3 (7).
[340] Forster, A. 2000. 'Britain.' In *The Foreign Policies of European Union Member States*, eds. Manners, I. and Whiteman, R. G. p. 53.
[341] Hocking, B. 2004. 'Diplomacy.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al.
[342] Smith, M. E. 2004e. 'Toward a Theory of EU Foreign Policy-Making: Multi-Level Governance, Domestic Politics, and National Adaptation to Europe's Common Foreign Security Policy.' *Journal of European Public Policy* vol.11 (4). p. 746.
[343] Miskimmon, A. 2007. *Germany and the Common Foreign and Security Policy of the European Union: Between Europeanization and National Adaptation*.
[344] Foucault, M., et al. 2009. 'Public Opinion and Esdp: Does Strategic Culture Matter?' Conference paper.
[345] Manners, I. and Whiteman, R. G. eds. 2000. *The Foreign Policies of European Union Member States*. p. 243 ff.
[346] Garbo, K. 1999. 'Wide-Awake Diplomacy. Reconstructing the Common Foreign and Security Policy of the European Union.' *Journal of European Public Policy* vol.6 (4). p. 650.
[347] Smith, M. E. 2004e. 'Toward a Theory of EU Foreign Policy-Making: Multi-Level Governance, Domestic Politics, and National Adaptation to Europe's Common Foreign Security Policy.' *Journal of European Public Policy* vol.11 (4). p. 745.

problem-solving attitude[348]. This empirical observation contrasts with the view of liberal intergovernmentalists, who argue that collective decision-making shall converge towards lowest-common-denominator decisions[349].

The inclination towards problem-solving has entailed the shrinking of the range of *domaines réservés* in national foreign policy[350], and the expansion of collective actions[351]. The increase in the overall number of "foreign policy actions" remains insufficiently documented. Smith noted that this number rose from two between 1957 and 1971 to 20 in the 1970s, 50 in the 1980s and over 100 in the 1990s[352]. The number of European Correspondence telex (COREU) similarly rose from 480/year in 1970s to 1300/year in 1990s. The Europeanisation of national foreign policy processes has furthermore resulted in enhanced access to information, especially for small states with limited networks, although the provision of information is not discretionary (which thus induces more dependence)[353]. Similarly, small states have gained an improved access to key international decision-makers through the Presidency[354]. This twofold access improvement has led to reduced fears of being entrapped in great power politics[355] and is supportive of the "voice opportunity" hypothesis[356].

Europeanisation finally has had a transformative effect on national foreign policy instruments. The institutionalisation of the EFP has had a twofold effect on the agenda-setting capacity of national foreign policy actors. On the one hand, their commitment to foreign policy coordination means that they have, at least partly, lost control over it[357]. But on the other hand, foreign policy actors have gained the possibility to project their own interests on the European plane –thus conserving an important access to agenda-setting[358]. The European institutional context has also offered new opportunities to national foreign policy actors in terms of budgetary, diplomatic and economic resources[359]. Through bottom-up Europeanisation they can now exert some influence over their counterparts, e.g. by defining "external goals in

[348] Ibid. p. 745 ff; Smith, M. E. 2000. 'Conforming to Europe: The Domestic Impact of EU Foreign Policy Co-Operation.' *Journal of European Public Policy* vol.7 (4).
[349] Moravcsik, A. 1991. 'Negotiating the Single European Act.' In *The New European Community: Decisionmaking and Institutional Change*, eds. Keohane, R. O. and Hoffmann, S. p. 68 ff; Keohane, R. O. and Hoffmann, S. eds. 1991. *The New European Community: Decisionmaking and Institutional Change*. p. 17 ff.
[350] Smith, M. E. 2004e. 'Toward a Theory of EU Foreign Policy-Making: Multi-Level Governance, Domestic Politics, and National Adaptation to Europe's Common Foreign Security Policy.' *Journal of European Public Policy* vol.11 (4). p. 748.
[351] Smith, M. E. 2004d. 'Institutionalization, Policy Adaptation and European Foreign Policy Cooperation.' *European Journal of International Relations* vol.10 (1). p. 110 ff.
[352] Ibid.
[353] Tonra, B. 2001. *The Europeanisation of National Foreign Policy: Dutch, Danish, and Irish Foreign Policy in the European Union*. p. 257 ff.
[354] Ibid.
[355] Jørgensen, K. E. 2004. 'European Foreign Policy: Conceptualising the Domain.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al. p. 49 ff.
[356] Grieco, J. M. 1995. 'The Maastricht Treaty, Economic and Monetary Union and the Neo-Realist Research Programme.' *Review of International Studies* vol.21 (1).
[357] Ekengren, M. and Sundelius, B. 2004. 'National Foreign Policy Coordination.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al.
[358] Miskimmon, A. 2007. *Germany and the Common Foreign and Security Policy of the European Union: Between Europeanization and National Adaptation*. p. 12.
[359] Keukeleire, S. and MacNaughtan, J. 2008. *The Foreign Policy of the European Union*. p. 144 ff.

terms of shared European, rather than specifically national interest"[360]. This manifestation of Europeanisation is often referred to as "multilateralisation" –and it takes place not only within the EFP, but also in other international fora, such as Nato, the United Nations (UN) or the Organisation for Security and Cooperation in Europe (OSCE)[361]. It can be considered as a novel instrument of foreign policy. For instance, in the 1990s, the Council endorsed some aspects of the Belgian *Afrikapolitik* in its EFP[362]. Similarly, Greece frequently turns to the EU as a "protector power" or a "security provider" in its relationship with Turkey or the Balkans[363]. France, likewise, multilateralised its approach to the first Gulf War conflict[364] at the EU level, and Germany did the same with regards to the fusion of the WEU into the EU and the development of the CFSP[365].

1.3.2.5. Foreign policy outputs

The manifestations of Europeanisation in terms of foreign policy outputs are most visible through the attainment of some form of policy-convergence over time[366]. Member states usually witness an extension of the geographical and issue-area coverage of their foreign policy[367]. Becoming a member state of the EU, indeed, imposes "the burden of having to have an opinion on matters in which they previously had not the slightest interest"[368]. Small states have thus been drawn to contribute to foreign policy situations, in which they would not have been involved, had their foreign policy not been europeanised[369]. For instance, Luxembourg sent EC monitors to Croatia and Slovenia, and assigned a contingent of peace-keepers in Slavonia[370]. Sometimes, EU member states participate in EU activities, although they perceive no direct interest in so doing[371].

[360] Miskimmon, A. 2007. *Germany and the Common Foreign and Security Policy of the European Union: Between Europeanization and National Adaptation*. p. 187.
[361] Keukeleire, S. and MacNaughtan, J. 2008. *The Foreign Policy of the European Union*. p. 142 ff.
[362] Coolsaet, R. and Soetendorp, B. 2000. 'Belgium and the Netherlands.' In *The Foreign Policies of European Union Member States*, eds. Manners, I. and Whiteman, R. G. p. 138.
[363] Economides, S. 2005. 'The Europeanisation of Greek Foreign Policy ' *West European Politics* vol.28 (2).
[364] Blunden, M. 2000. 'France.' In *The Foreign Policies of European Union Member States*, eds. Manners, I. and Whiteman, R. G. p. 39.
[365] Miskimmon, A. 2007. *Germany and the Common Foreign and Security Policy of the European Union: Between Europeanization and National Adaptation*. p. 191 ff.
[366] Wong, R. 2007. 'Foreign Policy.' In *Europeanization: New Research Agendas*, eds. Graziano, P. and Vink, M. P; Torreblanca, J. I. 2001. 'Ideas, Preferences and Institutions:Explaining the Europeanization of Spanish Foreign Policy.' *ARENA Working Papers* vol.26; Wong, R. 2006. *The Europeanization of French Foreign Policy: France and the EU in East Asia*.
[367] Keukeleire, S. and MacNaughtan, J. 2008. *The Foreign Policy of the European Union*. p. 142 ff.
[368] Smith, M. E. 2004d. 'Institutionalization, Policy Adaptation and European Foreign Policy Cooperation.' *European Journal of International Relations* vol.10 (1).
[369] Tonra, B. 2001. *The Europeanisation of National Foreign Policy: Dutch, Danish, and Irish Foreign Policy in the European Union*. p. 257 ff.
[370] Lorenz, P. L. ed. 1996. *Luxembourg: New Commitments, New Assertiveness*. p. 236 ff.
[371] Denca, S. S. 2008. 'The Impact of the European Union on Foreign Policy-Making in Hungary, Romania and Slovakia: Institutional Adaptation, Learning, and Socialization.' *Political Perspectives* vol.2 (2).

In terms of effectiveness, it has been argued that the impact of small member states' foreign policy is greater when it is expressed through the CFSP than as go-alone[372]. But assessing the actual changes in the effectiveness of foreign policy in the light of Europeanisation remains difficult. Laatikainen found for instance that the evolution of the CFSP has "eclipsed the unique Nordic [group's] role" in the United Nations[373]. It has eroded its authority, its autonomy and external recognition, i.e. its capacity to act as a foreign policy actor. Europeanisation, in this sense may sometimes have a disruptive effect on sub-regional integration[374]. Laatikainen, however, has conceded that even though the role of the Nordic bloc may now be less visible, it may have gained in effectiveness, by gaining resonance through the EU[375].

Europeanisation does not always mean effective success. Scholars have showed how conditionality and socialisation that are aimed at conflict settlement may in reality undermine the process of peace-building[376]. It can induce superficial changes[377], or fail to anchor changes in domestic structures of external governance[378]. It can even create further tensions, as national roles are not simply replaced by European ones. For instance, tensions remain between the ESDP and the Irish and Austrian neutrality doctrines[379]. In fact, Europeanisation affects national foreign policy in a very differential manner. Differences in policy outcomes remain among member states owing to their respective history, traditions and bureaucratic politics[380]. And convergence does not garantee cross-sectoral uniformity. For instance, Europeanisation has proved less salient in military policy outputs, where structural limitations to Europeanisation persist. As argued by Miskimmon, "until the EU/Nato relationship is resolved, the EU will remain limited in defence policy and thus fail to exert significant Europeanisation pressure on Germany and the other EU Member States[381]. Europeanisation, by contrast, has proved more effective in commercial foreign policy[382] and in the framework of the pre-accession process[383]. Whereas the

[372] Tonra, B. 2001. *The Europeanisation of National Foreign Policy: Dutch, Danish, and Irish Foreign Policy in the European Union*. p. 257 ff.
[373] Laatikainen, K. V. 2003. 'Norden's Eclipse: The Impact of the European Union's Common Foreign and Security Policy on the Nordic Group in the United Nations.' *Cooperation and Conflict* vol.38 (4). p. 409.
[374] See also Hadjizada, M. and Marciacq, F. 2013. 'New Regionalism in Europe's Black Sea Region: The EU, Bsec and Changing Practices of Regionalism.' *East European Politics* vol.29 (3).
[375] Laatikainen, K. V. 2003. 'Norden's Eclipse: The Impact of the European Union's Common Foreign and Security Policy on the Nordic Group in the United Nations.' *Cooperation and Conflict* vol.38 (4).
[376] Noutcheva, G., et al. 2004. 'Europeanization and Secessionist Conflicts: Concepts and Theories.' In *Europeanization and Conflict Resolution: Case Studies from the European Periphery*, eds. Coppieters, B., et al. p. 25.
[377] Tsardanidis, C. and Stavridis, S. 2005. 'The Europeanisation of Greek Foreign Policy: A Critical Appraisal.' *Journal of European Integration* vol.27 (2).
[378] Wolczuk, K. 2004. 'Integration without Europeanisation: Ukraine and Its Policy Towards the European Union.' In EUI Working Papers RSCAS.
[379] Alecu de Flers, N. 2007. 'National Adaptation to the Common Foreign and Security Policy (CFSP) of the EU? The Effects of the CFSP on the Foreign Policies of Ireland and Austria.' Doctoral thesis; Alecu de Flers, N. 2008. 'Strategisches Handeln Oder Sozialisierung? Zur Europäisierung Irischer Und Österreichischer Außenpolitik Und Ihren Grenzen ' *Zeitschrift für Außen- und Sicherheitspolitik* vol.1 (1).
[380] Manners, I. and Whiteman, R. G. eds. 2000. *The Foreign Policies of European Union Member States*. p. 243 ff.
[381] Miskimmon, A. 2007. *Germany and the Common Foreign and Security Policy of the European Union: Between Europeanization and National Adaptation*. p. 186.
[382] Kavakas, D. 2000. 'Greece.' In *The Foreign Policies of European Union Member States*, eds. Manners, I. and Whiteman, R. G. p. 149.

literature readily addresses the issue of effectiveness, it remains silent about the consequences of Europeanisation for national foreign policies in terms of efficiency and legitimacy.

1.3.3. Mechanisms of Europeanisation

The Europeanisation of national foreign policy cannot be explained through a single mechanism, or a single logic[384]. The literature suggests that it is most often driven by a plurality of mechanisms, with some of them being more salient in some foreign policy activities than in others. This plurality of mechanisms is reinforced by the multifaceted nature of EFP integration, that is driven by intergovernmentalism, transgovernmentalism and supranationalism[385]. The first logic of EFP integration, based on grand bargains, fosters the Europeanisation patterns based on power and interest; the second logic, based on decentralised, albeit authoritative "networks of deliberative forums", fosters the knowledge and identity-based development of a European "culture of cooperation involving standards of behavior, shared understandings and a common language"[386]; as for the third logic, it has a transcendent effect on interests and social identities, by reference to the organisational memory that develops at the EU level.

Europeanisation scholars, however, have not extensively researched in greater details the mechanisms involved. Their explanatory picture mostly remains incomplete. For instance, Schimmelfennig & Sedelmeier identify three mechanisms of Europeanisation vis-à-vis the candidate states: political conditionality (or "reinforcement by reward"); socialisation (social learning) and lesson-drawing[387]. Likewise, Diez*, et al.* identify four "path to EU perturbation" in border conflict management, which echo the top-down conception of external Europeanisation: the "carrot and the stick" (conditionality), the enabling impact of the EU, the connective impact (e.g. when the EU finances activities associating the belligerents), and a constructive impact (which induces identity change)[388].

All in all, the variety of mechanisms at play and the differences in the analytical and theoretical frameworks used by Europeanisation scholars render any attempt at consolidating and generalising these findings very difficult. The following part, consequently, will limit itself to emphasising some interesting points. The first point is that socialisation among foreign policy actors should not be neglected. Even though some EFP sectors, as the military, remain principally the field of grand bargains[389],

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[383] Irondelle, B. 2003. 'Europeanization without the European Union? French Military Reforms 1991–96.' *Journal of European Public Policy* vol.10 (2). p. 223.
[384] Clark, J. and Jones, A. 2011. ''Telling Stories About Politics': Europeanization and the EU's Council Working Groups.' *Journal of Common Market Studies* vol.49 (2).
[385] Smith, M. E. 2004d. 'Institutionalization, Policy Adaptation and European Foreign Policy Cooperation.' *European Journal of International Relations* vol.10 (1). p. 104 ff.
[386] Ibid. p. 105.
[387] Schimmelfennig, F. and Sedelmeier, U. 2004. 'Governance by Conditionality: EU Rule Transfer to the Candidate Countries of Central and Eastern Europe.' *Journal of European Public Policy* vol.11 (4). p. 664-668.
[388] Diez, T., et al. 2008. *The European Union and Border Conflicts: The Power of Integration and Association*.
[389] Miskimmon, A. 2007. *Germany and the Common Foreign and Security Policy of the European Union: Between Europeanization and National Adaptation*.

studies show that "élite socialisation and learning were more decisive" in the French defence policy than interest-based mechanisms[390]. In a similar vein, Europeanisation in CFSP has been found to be "much more [driven by] a process of socialization than forced, formal adaptation"[391]. The argument was also brought by Wong[392]. This is understandable, since no clear vertical chain of command has been established in EFP, which would facilitate the enforcement of mechanisms of legal and political compliance. Miskimmon has also showed that domestic changes in Germany in CFSP matters were mainly driven by socialisation[393]. The superiority of socialisation as a mechanism of Europeanisation in foreign policy meets some resistance though. Keukeleire & MacNaughtan have argued that the significance of socialisation is exaggerated for three reasons: first, the CFSP now includes a growing number of actors in comparison to the EPC club; second, socialisation is weaker in bigger states; third, it is much weaker among foreign policy actors that are not directly involved in foreign policy decision-making (e.g. bureaucracies)[394].

The second point concerns Europeanisation through conditionality. Conditionality entails the manipulation of states utility calculations with the purpose of inducing change (e.g. EU membership in exchange of domestic reforms). The literature on conditionality is voluminous. It indicates that conditions, to be effective, must be "clear, determinate and consistent across target states and international organisations"[395], that is, they must be credible in order to lock in transformations into a predictable course[396]. And the anticipated reward should be higher than the anticipated cost of domestic adaptation[397]. Accession negotiations are typical positive bargaining games with conditional rewards[398]. Even in the earlier phase of the pre-accession strategy, positive conditionality plays an important role. Positive conditionality may be expressed *ex post*, i.e. the reward is granted as an inducement for forthcoming adjustments but may be withdrawn if the obligations are violated[399]. Or it can be expressed *ex ante*, i.e. the reward is granted only after the conditions are fulfilled (e.g. accession conditionality). Because it is more sophisticated and proved

[390] Irondelle, B. 2003. 'Europeanization without the European Union? French Military Reforms 1991–96.' *Journal of European Public Policy* vol.10 (2). p. 208.
[391] Baun, M. and Marek, D. 2009. 'Czech Foreign Policy and EU Membership: Europeanization and Domestic Sources.' Conference paper.
[392] Wong, R. 2007. 'Foreign Policy.' In *Europeanization: New Research Agendas*, eds. Graziano, P. and Vink, M. P. p. 333.
[393] Miskimmon, A. 2007. *Germany and the Common Foreign and Security Policy of the European Union: Between Europeanization and National Adaptation*. p. 187.
[394] Keukeleire, S. and MacNaughtan, J. 2008. *The Foreign Policy of the European Union*. p. 146 ff; see also Pomorska, K. 2007. 'The Impact of Enlargement: Europeanization of Polish Foreign Policy? Tracking Adaptation and Change in the Polish Ministry of Foreign Affairs.' *The Hague Journal of Diplomacy* vol.2 (1).
[395] Schimmelfennig, F. and Sedelmeier, U. 2005. *The Europeanization of Central and Eastern Europe*. p. 3; Schimmelfennig, F. and Sedelmeier, U. 2007. 'Candidate Countries and Conditionality.' In *Europeanization: New Research Agendas*, eds. Graziano, P. and Vink, M. P.
[396] Vachudova, M. 2006. 'Promoting Political Change and Economic Revitalization in the Western Balkans: The Role of the European Union.'; Steunenberg, B. and Dimitrova, A. 2007. 'Compliance in the EU Enlargement Process: The Limits of Conditionality.' *European Integration online Papers* vol.11 (5).
[397] Schimmelfennig, F. and Sedelmeier, U. 2005. *The Europeanization of Central and Eastern Europe*.
[398] Negative conditionality would imply the imposition of sanctions in the case of non-compliance.
[399] e.g. through the human rights clause, see Smith, K. E. 2003. *European Union Foreign Policy in a Changing World*. chap. 5.

more effective, the EU traditionally prefers *ex ante* to *ex post* conditionality[400]. *Ex post* conditionality, indeed, tends to be "static rather than dynamic and symbolic rather than substantial"[401]. Conditionality is an instrument widely used by the EU in its relations with non-EU states. "Democratic conditionality", on the one side, refers to the normative, little quantifiable pre-conditions that applicants must fulfil in political (i.e. liberal democracy) and economic terms (e.g. functioning market-economy) in order to "minimise the risk of new entrants becoming politically unstable and economically burdensome to the existing EU"[402]. "Acquis conditionality", on the other side, refers to the the "rights and obligations, actual and potential, of the Community system and its institutional framework"[403], including the ECJ case law and the EU legislative measures taken under the three pillars, which prospective EU member states are expected to adopt[404]. "*Acquis* conditionality" pre-conditions are not fixed, they grow in accordance to the *acquis communautaire*, which means that membership conditionality regimes are evolutive. They are a "dynamic concept" designed specifically for each applicant[405]. In their empirical studies, several scholars have pointed out the effectiveness of conditionality in the Western Balkans and beyond, as compared to other mechanisms of Europeanisation[406]. The Ohrid process in FYROM and the reorganization of external border control in the region should exemplify this success[407], and allegedly provide the strongest explanation for adaptational change in European non-member states[408]. Conditionality has also proved to be very effective when it targets policy changes rather (rather than being part of the accession process). By relaxing its visa regime with the Balkans countries, the EU could arguably counterbalance the shortcomings of the pre-accession strategy, increased its external leverage and ensure more effectiveness[409]. Policy-conditionality in the Balkans, for some, may even be a more important driving force than membership conditionality. No research, however, has been carried out to assess the

[400] Tocci, N. 2007. *The EU and Conflict Resolution: Promoting Peace in the Backyard*.
[401] Fierro cit. in Keukeleire, S. and MacNaughtan, J. 2008. *The Foreign Policy of the European Union*. p. 207 ff.
[402] Grabbe, H. 1999. 'A Partnership for Accession? The Implications of EU Conditionality for the Central and East European Applicants.' *Robert Schuman Centre Working Paper* vol.12. p. 4.
[403] Lenaerts, K. and Van Nuffel, P. 2004. *The Constitutional Law of the European Union*.
[404] Schimmelfennig, F. and Sedelmeier, U. 2007. 'Candidate Countries and Conditionality.' In *Europeanization: New Research Agendas*, eds. Graziano, P. and Vink, M. P.
[405] Grabbe, H. 1999. 'A Partnership for Accession? The Implications of EU Conditionality for the Central and East European Applicants.' *Robert Schuman Centre Working Paper* vol.12. p. 6.
[406] Demetropoulou, L. 2002. 'Europe and the Balkans: Membership Aspiration, EU Involvement and Europeanization Capacity in South Eastern Europe.' *Southeast European Politics* vol.3 (2-3); Trauner, F. 2007. 'From Membership Conditionality to Policy Conditionality: EU External Governance in South-Eastern Europe.' Conference paper; Vachudova, M. 2006. 'Promoting Political Change and Economic Revitalization in the Western Balkans: The Role of the European Union.'; Loewendahl-Ertugal, E. 2005. 'Europeanisation of Regional Policy and Regional Governance: The Case of Turkey.' *European Political Economy Review* vol.3 (1).
[407] Trauner, F. 2007. 'From Membership Conditionality to Policy Conditionality: EU External Governance in South-Eastern Europe.' Conference paper. p. 6.
[408] Schimmelfennig, F. and Sedelmeier, U. 2004. 'Governance by Conditionality: EU Rule Transfer to the Candidate Countries of Central and Eastern Europe.' *Journal of European Public Policy* vol.11 (4). p. 674; Schimmelfennig, F. and Sedelmeier, U. 2007. 'Candidate Countries and Conditionality.' In *Europeanization: New Research Agendas*, eds. Graziano, P. and Vink, M. P; Trauner, F. 2007. 'From Membership Conditionality to Policy Conditionality: EU External Governance in South-Eastern Europe.' Conference paper.
[409] Trauner, F. 2008. 'The Europeanisation of the Western Balkans: Deconstructing the Eu's Routes of Influence in Justice and Home Affairs.' Conference paper.

impact of conditionality on Balkan states' foreign policies in comparison to the other mechanisms of Europeanisation.

Emulation, finally, seems of little relevance to foreign policy scholars. Denca argues that some emulative behaviour can be evidenced, as candidate states reorganise their former missions to the EU as permanent representations "mirroring the internal structure of the Council's working group, and emulating the existing models in other member states"[410]. But these observations are relatively rare, as most of the research designs do not take seriously the possibility that Europeanisation, in foreign policy matters, ensues through learning. Persuasion, likewise, is little mentioned in the literature. Only Nasra alludes to the importance of this mechanism for small states in order to project their preferences on the European plane[411].

1.4. The Europeanisation of foreign policy in non-EU Europe

1.4.1. The many spaces of non-EU Europe

The concept of non-EU Europe stems from political geography[412]. It denotes a space created from the incongruence of EU and European borders, the former being most prominently defined in organisational-institutional terms by EU membership, while the latter is usually defined in cultural, historical or geographical terms. Since the EU is "currently the core political project in Europe"[413], most of Europeanisation studies tend to conflate the two notions and readily use EU and Europe indiscriminately, as synonyms. This conflation of spaces fuels what Vink and Graziano labelled the "EU domination of Europeanization research"[414]. It is problematic, since it takes for granted the EU-ness of the space located outside the EU but inside Europe. At best, it prejudges the role of the EU in non-EU Europe; at worst, it discards the role of other regional forces.

To understand the concept of non-EU Europe, it is necessary to start with the commonsensical observation that Europe (and thus, non-EU Europe) is "a space of ambiguity", with no established consensus as for where it "begins" and where it "ends"[415]. It is composed of a variety of images and narratives, which acquire their meaning through discourse and practises in a social process that is complex and contested[416]. Depending on the image or narrative that underpins the construct of "Europe", non-EU Europe may be conceptualised in (at least) three different manners,

[410] Denca, S. S. 2009. 'Assessing the Impact of European Integration on the Foreign Policy-Making in Central and Eastern Europe: The Cases of Hungary, Romania, and Slovakia.' Conference paper. p. 16.
[411] Nasra, S. 2009. 'The Europeanization of National Foreign Policy: Bilateral Relations Revisited?' Conference paper.
[412] e.g. Scott, J. W. 2005. 'The EU and 'Wider Europe': Toward an Alternative Geopolitics of Regional Cooperation?' *Geopolitics* vol.10 (3). p. 447; Scott, J. and van Houtum, H. 2009. 'Reflections on EU Territoriality and the 'Bordering of Europe'.' *Political Geography* vol.28. p. 271.
[413] Olsen, J. P. 2002. 'The Many Faces of Europeanization.' *Journal of Common Market Studies* vol.40 (5). p. 927.
[414] Vink, M. P. and Graziano, P. 2007. 'Challenges of a New Research Agenda.' In *Europeanization: New Research Agendas*, eds. Graziano, P. and Vink, M. P.
[415] Scott, J. and van Houtum, H. 2009. 'Reflections on EU Territoriality and the 'Bordering of Europe'.' *Political Geography* vol.28. p. 273.
[416] Paasi, A. 2001. 'Europe as a Social Process and Discourse: Considerations of Place, Boundaries and Identity.' *European Urban and Regional Studies* vol.8 (1).

Westphalian non-EU Europe, neo-Westphalian non-EU Europe and post-Westphalian non-EU Europe[417].

Westphalian non-EU Europe consists of those states which do not participate in the EU's "advanced instance of regional cooperation"[418], whilst being located on the European continent. It is the uni-dimensional negative of the EU space in Europe, the external borders of which are physically determined by individual states' territorial boundaries.

Neo-Westphalian conceptions of non-EU Europe, by contrast, are characterised by a pluridimensional space into which the EU, conceptualised as an international actor, exports its normative preferences[419]. This space is pluridimensional because it is constituted by several "concentric circles"[420], all centred on an EU core. This conception of non-EU Europe is close to the notion of periphery within an empire. The diameter of the circles is determined by the type of institutional link that binds non-EU states to the EU centre, i.e. the institutional distance from the EU core. Neo-Westphalian Europe shares its commitment to hard territoriality with Westphalian non-EU Europe, though at another scale. Close association countries (e.g. Switzerland, Norway) constitute the nearest circle; accession association countries (e.g. Croatia) partake in the second circle; pre-accession association countries (e.g. Albania) in the third circle; the neighbourhood association countries (e.g. Ukraine) in the farthest circle.

This commitment to concentric circles is relaxed in post-Westphalian conceptions of non-EU Europe in favour of a more polycentric space with porous borders. In post-Westphalian Europe, "non-EU" and "EU" Europe are not mutually exclusive. For instance, not all EU member states are part of the Schengen area (e.g. the United Kingdom (UK)) or the Euro-zone (e.g. Denmark); some member states have negotiated transitory arrangements (e.g. Austria regarding the freedom of movement of the Bulgarians), which others have lifted them (e.g. Sweden); and, some member states have negotiated opt-out clauses (e.g. Poland), whereas others have few or no opt-outs on their record (e.g. Spain). This illustrates the fact that EU membership is not premised on perfect homogeneity. On some specific issues, non-EU Europe may then rightly include (temporarily or not) the UK, Denmark, Austria and Poland. To make the matter more complex, some European states use the Euro as official currency (e.g. Montenegro) or are part of the Schengen area (e.g. Switzerland), although they are no EU member-states. And some European non-EU member states, like Norway or Turkey, share important features with EU member states by participating in the European Economic Area (for the former) and in the European customs union (for the latter). In matters of trade policy, it is then questionable that these countries actually belong to non-EU Europe.

[417] Marciacq, F. 2012b. 'The Political Geographies of Europeanisation: Mapping the Contested Conceptions of Europeanisation.' *Journal of Contemporary European Research* vol.8 (1).
[418] Moravcsik, A. 1998. *The Choice for Europe: Social Purpose and State Power from Messina to Maastricht*. p. 4-5.
[419] Olsen, J. P. 2002. 'The Many Faces of Europeanization.' *Journal of Common Market Studies* vol.40 (5). p. 937ff.
[420] Lavenex, S. and Ucarer, E. M. 2004. 'The External Dimension of Europeanization -the Case of Immigration Policies.' *Cooperation and Conflict* vol.39 (4). p. 423.

Understandingly, these institutional overlaps considerably blur the dichotomy between EU-Europe and non-EU Europe in post-Westphalian conceptions of Europe. Institutional overlaps also concern international organisations, such as the Council of Europe, the OSCE, Nato or the Organisation for Economic Cooperation and Development (OECD). These organisations participate in the weaving of European rules and norms to a considerable extent, just as the EU. Since European states multiply cross-memberships, their adherence to European norms shall not necessarily mean that the EU is the sole (and not even mightiest) norm-maker. In scrutinising policy convergence in the European Neighbourhood Policy countries (ENP), for instance, other international, regional and mini-lateral organisations are believed to play an essential role[421]. Sometimes, it may even be impossible to identify ideational lineages or normative property, and to discriminate between EU and non-EU European norms in Europe.

Europe, or as Ruggie puts in a postmodernist manner "EUrope"[422], is in fact best conceptualised as a heterarchical political space admitting "varying degrees of EU-Europeanness"[423] and variable institutional densities[424]. Non-EU Europe, thus, in a post-Westphalian understanding, is neither the mere negative of the EU in (Westphalian) Europe, nor the multilayered circles revolving around the EU core institution in (neo-Westphalian) Europe. It is the post-territorial space transcending EU institutional boundaries, which is delineated, to a large extent, by researchers' interpretivist claims as for what the notion of belonging to the EU and to Europe entails. As noted by an ENP scholar, the EU has "no copyright on the definition of European identity or of European values […After all,] non-candidate countries can claim to have a European vocation even if the EU thinks otherwise"[425]. To sum up, what matters most in post-Westphalian conceptions of non-EU Europe, is not a territorial delineation, placing one state in and one state out of this intermediary space; it is the normative (self-) identification of the people, which depending on its aspirations, bestows a sense of belonging to non-EU Europe.

Non-EU Europe, to conclude with, is not a static concept. It evolves over time, including in Westphalian and neo-Westphalian conceptions of Europe. Austria, Finland and Sweden, for instance used to be part of non-EU Europe before their accession in 1995. And Greenland used to be part of the EU-Europe before its withdrawal from the EU in 1985. Changes in the space of non-EU Europe may have a temporal dimension, but also a sectoral one, especially in the neo-Westphalian and post-Westphalian conceptions of Europe. They follow up the transfer of competences, which gradually empowers EU Community. For instance, France and Germany could be considered as being part on non-EU Europe in military matters in the period

[421] Barbé, E., et al. 2009a. 'Drawing the Neighbours Closer... To What?: Explaining Emerging Patterns of Policy Convergence between the EU and Its Neighbours.' *Cooperation and Conflict* vol.44 (4).
[422] Ruggie, G. J. 1993. 'Territoriality and Beyond: Problematizing Modernity in International Relations.' *International Organization* vol.41 (1). p. 172-173; 140.
[423] Scott, J. and van Houtum, H. 2009. 'Reflections on EU Territoriality and the 'Bordering of Europe'.' *Political Geography* vol.28.
[424] Christiansen, T., et al. 2000. 'Fuzzy Politics around Fuzzy Borders: The European Union's 'near Abroad'.' *Cooperation and Conflict* vol.35 (4). p. 192; Lavenex, S. and Ucarer, E. M. 2004. 'The External Dimension of Europeanization -the Case of Immigration Policies.' *Cooperation and Conflict* vol.39 (4). p. 423.
[425] Nodia, G. 2004. 'Europeanization and (Not) Resolving Secessionist Conflicts ' *Journal on Ethnopolitics and Minority Issues in Europe* (2004-1). p. 3.

spanning from the failure of the European Defence Community in the 1960s to the Treaty of Amsterdam in the early 1990s. Until the WEU was merged in the EU, indeed, the EU did not hold substantive competences in military matters.

1.4.2. The empirical scope of the literature

Although the conceptual scope of the literature on non-EU Europe now seems wider than at first sight, the number of studies devoted to europeanised foreign policy in this space is rather limited. The literature is unambiguously dominated by studies on Turkey, where a large debate has been flourishing over the past five years on the domestic impact of European integration in foreign policy matters. There is, more specifically, a literature examining changes in Turkey's strategic foreign policy priorities[426]; changes and resistance to change regarding specific foreign policy issues in Turkey[427], but also in the Czech Republic[428] and in Bulgaria[429]; changes in security discourse in Turkey[430], but also Estonia[431]; changes in military policy and institutions in contemporary Turkey[432] but also in France in the early 1990s[433]; change in the role of foreign policy actors in Romania and Bulgaria[434] and in Poland[435]; changes in organisational structures and procedural norms in Romania, Slovakia and Hungary[436],

[426] Öniş, Z. and Yılmaz, Ş. 2009. 'Between Europeanization and Euro-Asianism: Foreign Policy Activism in Turkey During the Akp Era.' *Turkish Studies* vol.10 (7); Oğuzlu, T. 2008. 'Middle Easternization of Turkey's Foreign Policy: Does Turkey Dissociate from the West?' *Turkish Studies* vol.9 (1); Özcan, M. 2008. *Harmonizing Foreign Policy: Turkey, the EU and the Middle East*; Öniş, Z. 2004. 'Turkish Modernization and Challenges for the New Europe.' Conference paper; Rumelili, B. 2011. 'Turkey: Identity, Foreign Policy, and Socialization in a Post-Enlargement Europe.' *Journal of European Integration* vol.33 (2).

[427] Terzi, Ö. 2005. 'Europeanisation of Foreign Policy and Candidate Countries: A Comparative Study of Greek and Turkish Cases.' *Politique européenne* vol.17 (3); Aydin, M. and Acikmese, S. A. 2007. 'Europeanization through EU Conditionality: Understanding the New Era in Turkish Foreign Policy.' *Journal of Southern Europe & the Balkans* vol.9 (3); Eryilmaz, B. 2007. 'Europeanization of Turkish Foreign Policy: Cyprus Case.' Conference paper.

[428] Baun, M. and Marek, D. 2009. 'Czech Foreign Policy and EU Membership: Europeanization and Domestic Sources.' Conference paper; Řiháčková, V. 2005. 'Czech Republic: "Europeanization" of a Hesitant Atlanticist?' *EUROPEUM working paper*; Waisová, Š. 2006. 'Between Atlanticism, Anti-Americanism and Europeanization: Dilemmas in Czech Foreign Policy and the War on Terrorism.' *Politics in Central Europe* vol.2 (2).

[429] Dimitrova, G. 2008. 'From Bright Light to Blackout: The Influence of the Europeanization Paradigm on Bulgarian Foreign Policy and Transport and Energy Infrastructure Policy.' Doctoral thesis.

[430] Bilgin, P. 2005. 'Turkey's Changing Security Discourses: The Challenge of Globalisation.' *European Journal of Political Research* vol.44 (1); Oğuzlu, T. 2004. 'The Impact of 'Democratization in the Context of the EU Accession Process' on Turkish Foreign Policy.' *Mediterranean Politics* vol.9 (1).

[431] Kuus, M. 2002. 'Toward Cooperative Security? International Integration and the Construction of Security in Estonia.' *Millennium - Journal of International Studies* vol.31 (2).

[432] Sarigil, Z. 2007. 'Europeanization as Institutional Change: The Case of the Turkish Military.' *Mediterranean Politics* vol.12 (1).

[433] Irondelle, B. 2003. 'Europeanization without the European Union? French Military Reforms 1991–96.' *Journal of European Public Policy* vol.10 (2).

[434] Bechev, D. 2009. 'From Policy-Takers to Policy-Makers? Observations on Bulgarian and Romanian Foreign Policy before and after EU Accession.' *Perspectives on European Politics & Society* vol.10 (2).

[435] Kaminska, J. 2008. 'Taking of Shaping? Poland and the Eastern Dimension of the Common Foreign and Security Policy (CFSP) of the EU.' *Papers of the Cyprus Centrer of European and International Affairs* (3).

[436] Denca, S. S. 2008. 'The Impact of the European Union on Foreign Policy-Making in Hungary, Romania and Slovakia: Institutional Adaptation, Learning, and Socialization.' *Political Perspectives* vol.2 (2).

and in Poland[437]; and changes in the process and outcomes of military procurement in the Czech Republic, Poland and Slovakia[438]. Only a few studies scrutinise changes at prior-accession stages. Most of them, indeed, focus on changes in Central and Eastern European states shortly after their accession in the EU[439]. Only a few contributions examine changes in the earliest stages of accession[440]. This lack of early research is understandable, since Europeanisation research only emerged as a research focus in the late 1990s.

Another strand of the literature examines changes in national foreign policy or security doctrine in Norway[441], Latvia[442] and Finland[443] including in pre-accession period for today-members. But they do not focus specifically on attributing this change to Europeanisation, and often treat the EU and Nato as belonging to a single institutional package[444]. At the limits of the non-EU space in post-Westphalian European, some studies finally focus on the Europeanisation of interstate and secessionist conflicts in Cyprus, Turkey, Serbia-Montenegro, Israel-Palestine and Georgia[445], in Transnistria[446], in Cyprus, Transnistria, Serbia-Montenegro and Abkhazia[447]; policy convergences between the EU on the one hand and Morocco, Ukraine, Georgia and Russia on the other hand[448]; and uploading process in Romania[449].

Only a few contributions dealing with Europeanisation issues in the Western Balkans have been published, some very recently[450]. But these, usually, do not deal with foreign policy specifically.

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[437] Pomorska, K. 2007. 'The Impact of Enlargement: Europeanization of Polish Foreign Policy? Tracking Adaptation and Change in the Polish Ministry of Foreign Affairs.' *The Hague Journal of Diplomacy* vol.2 (1).

[438] Bromley, M. 2007. 'The Europeanisation of Arms Export Policy in the Czech Republic, Slovakia, and Poland.' *European Security* vol.16 (2).

[439] See, most notably, Baun, M. and Marek, D. eds. 2013. *The New Member States and the European Union: Foreign Policy and Europeanization*; Kaminska, J. 2007. 'New EU Members and the CFSP: Europeanization of the Polish Foreign Policy.' *Political Perspectives* vol.2 (2).

[440] e.g. Kramer, H. and Pelinka, A. eds. 1994. *L'autriche Et L'intégration Européenne*; and especially Luif, P. 1994. 'La Neutralité De L'autriche Et L'europe De 1992.' In *L'autriche Et L'intégration Européenne*, eds. Kramer, H. and Pelinka, A.

[441] Moses, J. W. and Knutsen, T. 2001. 'Out: Globalization and the Reorganization of Foreign Affairs Ministries.' *Cooperation and Conflict* vol.36 (4); Græger, N. and Leira, H. 2005. 'Norwegian Strategic Culture after World War Ii: From a Local to a Global Perspective.' *Cooperation and Conflict* vol.40 (1).

[442] Galbreath, D. J. 2006. 'Latvian Foreign Policy after Enlargement: Continuity and Change.' *Cooperation and Conflict* vol.41 (4).

[443] Heikka, H. 2005. 'Republican Realism: Finnish Strategic Culture in Historical Perspective.' *Cooperation and Conflict* vol.40 (1).

[444] e.g. Rasmussen, M. V. 2005. ''What's the Use of It?': Danish Strategic Culture and the Utility of Armed Force.' *Cooperation and Conflict* vol.40 (1). p. 78.

[445] e.g. Tocci, N. 2007. *The EU and Conflict Resolution: Promoting Peace in the Backyard*.

[446] Vahl, M. 2005. 'The Europeanisation of the Transnistrian Conflict.' *CEPS Policy Brief* (73).

[447] Coppieters, B., et al. eds. 2004. *Europeanization and Conflict Resolution: Case Studies from the European Periphery*.

[448] Barbé, E., et al. 2009b. 'Which Rules Shape EU External Governance? Patterns of Rule Selection in Foreign and Security Policies.' *Journal of European Public Policy* vol.16 (6).

[449] Popescu, L. 2010. 'Europeanization of Romanian Foreign Policy.' *Romanian Journal of European Affairs* vol.10 (4).

[450] See, above all, Elbasani, A. ed. 2013. *European Integration and Transformation in the Western Balkans. Europeanization or Business as Usual*; Juncos, A. E. 2011. 'Europeanization by Decree? The Case of Police Reform in Bosnia*.' *Journal of Common Market Studies* vol.49 (2); Ciambra, A. 2008.

1.4.3. Definitions and research variables

The literature in the area usually defines Europeanisation as a process of "domestic adaptation in the conduct of foreign policy, as a result of current or prospective EU membership"[451]. It has also been sometimes defined as "a process which is activated and encouraged by European institutions, primarily by the European Union, by linking the final outcome of a conflict, to a certain degree of integration of the parties involved into it into European structures"[452]. In both case, the *explanandum* is posited at the domestic level, and the *explanans* lies in the dynamic relationship between national and European authorities. Most of the conceptions of Europeanisation are thus related to top-down approaches.

A number of factors can be identified in the specific literature, which play the role of intervening variables or (less frequently) rival hypothesis. First, there are other international organisations, e.g. Nato, UN agencies, the OSCE. These may help (re)shaping actors' interests and changing their behaviour, alongside the EU[453]. The EU, in other words, is not the only organisation that matters in non-EU Europe, and the transformational impact of other *fora* should not be overlooked. The relationship between European non-EU states and non-European countries, e.g. the United States (US), may also play a role that is more significant than the relationship between the same countries and the EU, although both relationships converge towards the same outcome[454]. What some analysts may be tempted to designate as Europeanisation may in fact rather relate to Americanisation.

At the domestic level, a number of factors can be identified, which either have a mediating effect or a transformative impact on foreign policy. Where appropriate,

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'Normative Power' Europe: Theory and Practice of EU Norms. The Case of Macedonia.' In Jean Monnet Working Paper, vol.64; Džihić, V. and Hamilton, D. eds. 2012. *Unfinished Business: The Western Balkans and the International Community*; Freyburg, T. and Richter, S. 2008. 'National Identity Matters: The Limited Impact of EU Political Conditionality in the Western Balkans ' *NCCR Democracy 21 Working Paper* vol.19; Noutcheva, G. 2012. *European Foreign Policy and the Challenges of Balkan Accession*; Noutcheva, G. 2006. 'EU Conditionality and Balkan Compliance: Does Sovereignty Matter?' Doctoral thesis; Subotic, J. 2010. 'Explaining Difficult States: The Problems of Europeanization in Serbia.' *East European Politics & Societies* vol.24 (4); Geddes, A., et al. 2012. *The European Union and South East Europe: The Dynamics of Europeanization and Multilevel Governance*.

[451] Terzi, Ö. 2005. 'Europeanisation of Foreign Policy and Candidate Countries: A Comparative Study of Greek and Turkish Cases.' *Politique européenne* vol.17 (3). p. 13.

[452] Noutcheva, G., et al. 2004. 'Europeanization and Secessionist Conflicts: Concepts and Theories.' In *Europeanization and Conflict Resolution: Case Studies from the European Periphery*, eds. Coppieters, B., et al.

[453] Saideman, S. M. and Ayres, W. R. 2007. 'Pie Crust Promises and the Sources of Foreign Policy: The Limited Impact of Accession and the Priority of Domestic Constituencies.' *Foreign Policy Analysis* vol.3 (3); Bromley, M. 2007. 'The Europeanisation of Arms Export Policy in the Czech Republic, Slovakia, and Poland.' *European Security* vol.16 (2). p. 214ff.

[454] Řiháčková, V. 2005. 'Czech Republic: "Europeanization" of a Hesitant Atlanticist?' *EUROPEUM working paper*; Barbé, E., et al. 2009a. 'Drawing the Neighbours Closer... To What?: Explaining Emerging Patterns of Policy Convergence between the EU and Its Neighbours.' *Cooperation and Conflict* vol.44 (4); Waisová, Š. 2006. 'Between Atlanticism, Anti-Americanism and Europeanization: Dilemmas in Czech Foreign Policy and the War on Terrorism.' *Politics in Central Europe* vol.2 (2); Galbreath, D. J. 2006. 'Latvian Foreign Policy after Enlargement: Continuity and Change.' *Cooperation and Conflict* vol.41 (4).

their interplay with European transformational forces should therefore also be scrutinised. These factors include the growing role of NGOs in transnational politics, which generates domestic pressures[455]; the role of partisan politics, which may prove decisive, also in foreign policy[456]; the role of public opinions, which often (though not always) guides political actions[457]; the role of the military[458]; and the influence of economic factors[459]. In their Europeanisation study, Irondelle[460] and Özcan[461] finally propose a more systematic analysis of mediating institutions likely to play a decisive role. Irondelle[462] lists the following factors: 1) presence of multiple veto points (i.e. are the key foreign policy actors isolated from interest and parliamentary groups and societal pressures, groups?); 2) integrated vs. fragmented executive leadership (i.e. is foreign policy the preserve of the President?); 3) degree of technocratic capture (is foreign policy captured by small technocratic communities?). Özcan[463] follows a similar pathway, and lists the following factors, which he draws from Manners & Whiteman[464]: constitutional design, role of subnational units, relationship between government and parties, role of interest groups and breakdown of domestic-foreign distinction.

1.4.4. The phenomenon of Europeanisation

A phenomenal review of the above-mentioned literature shows that Europeanisation in non-EU Europe affects most of foreign policy dimensions, i.e. foreign policy actors, contexts, processes, instruments and outputs.

1.4.4.1. Foreign policy actors

The conduct of political dialogue with the EU and the preparation for candidate states to participate in the CFSP require the creation of adequate structures at the domestic level[465]: this includes the appointment in candidate states of Associated European

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[455] Bromley, M. 2007. 'The Europeanisation of Arms Export Policy in the Czech Republic, Slovakia, and Poland.' *European Security* vol.16 (2). p. 214ff.

[456] Saideman, S. M. and Ayres, W. R. 2007. 'Pie Crust Promises and the Sources of Foreign Policy: The Limited Impact of Accession and the Priority of Domestic Constituencies.' *Foreign Policy Analysis* vol.3 (3). p. 34ff; Eryilmaz, B. 2007. 'Europeanization of Turkish Foreign Policy: Cyprus Case.' Conference paper; Baun, M. and Marek, D. 2009. 'Czech Foreign Policy and EU Membership: Europeanization and Domestic Sources.' Conference paper.

[457] Saideman, S. M. and Ayres, W. R. 2007. 'Pie Crust Promises and the Sources of Foreign Policy: The Limited Impact of Accession and the Priority of Domestic Constituencies.' *Foreign Policy Analysis* vol.3 (3). p. 206; Řiháčková, V. 2005. 'Czech Republic: "Europeanization" of a Hesitant Atlanticist?' *EUROPEUM working paper*.

[458] Sarigil, Z. 2007. 'Europeanization as Institutional Change: The Case of the Turkish Military.' *Mediterranean Politics* vol.12 (1); Eryilmaz, B. 2007. 'Europeanization of Turkish Foreign Policy: Cyprus Case.' Conference paper. p. 37ff.

[459] Özcan, M. 2008. *Harmonizing Foreign Policy: Turkey, the EU and the Middle East*. p. 165.

[460] Irondelle, B. 2003. 'Europeanization without the European Union? French Military Reforms 1991–96.' *Journal of European Public Policy* vol.10 (2).

[461] Özcan, M. 2008. *Harmonizing Foreign Policy: Turkey, the EU and the Middle East*.

[462] Irondelle, B. 2003. 'Europeanization without the European Union? French Military Reforms 1991–96.' *Journal of European Public Policy* vol.10 (2). p. 221ff.

[463] Özcan, M. 2008. *Harmonizing Foreign Policy: Turkey, the EU and the Middle East*.

[464] Manners, I. and Whiteman, R. G. eds. 2000. *The Foreign Policies of European Union Member States*. p. 252.

[465] Denca, S. S. 2008. 'The Impact of the European Union on Foreign Policy-Making in Hungary, Romania and Slovakia: Institutional Adaptation, Learning, and Socialization.' *Political Perspectives*

Correspondents responsible for coordinating CFSP issues, the nomination and empowerment of political directors in the Ministry of Foreign Affairs, and the selection of foreign policy officials sent to Brussels to participate in various working groups. Europeanisation most markedly ensues through the "numerical augmentation of personnel, increase in organizational complexity, and functional diversification"[466].

Some scholars noted that it also entails the widening of the geographical scope of foreign policy coverage, an increase in the number of external representations worldwide, as well as changes in terms of wages, number of diplomats, age structure and skills[467]. Foreign ministries, it has been found, tend to be rejuvenated and professionalised. This phenomenon has been observed as early as in the mid-1980s in Austria's Foreign Ministry[468] and, in the mid 1990s in the French military[469]. Paralleling these developments, the installation of the electronic system of Associated Countries Network (ACN), which precedes the access to the COREU Terminal System, has been identified as empowering younger diplomats. These are usually better trained to communication technologies[470].

Europeanisation, however, is not always a smooth process of change, as intra- and inter-departmental tensions between bureaucracies can emerge with the differential empowerment of some actors at the expense of others (an issue already raised in the literature on bureaucratic politics). This is particularly the case through the Brusselisation of national foreign policy, which candidate states undergo, i.e. the empowerment of Permanent Representatives in Brussels relative to high officials in the home ministry. Bureaucratic tensions may arise when the most experienced and skilled diplomats are sent to Brussels to head the Permanent Mission with a certain latitude, and when European affairs became directly reattached to the Office of Prime Minister[471]. Europeanisation finally has semantic implications since the "permanent missions" in Brussels are usually renamed "permanent representations" after accession[472].

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vol.2 (2). p. 14,33; Özcan, M. 2008. *Harmonizing Foreign Policy: Turkey, the EU and the Middle East*; Pomorska, K. 2007. 'The Impact of Enlargement: Europeanization of Polish Foreign Policy? Tracking Adaptation and Change in the Polish Ministry of Foreign Affairs.' *The Hague Journal of Diplomacy* vol.2 (1). p. 37ff; Kaminska, J. 2008. 'Taking of Shaping? Poland and the Eastern Dimension of the Common Foreign and Security Policy (CFSP) of the EU.' *Papers of the Cyprus Centrer of European and International Affairs* (3). p. 13ff.

[466] Denca, S. S. 2008. 'The Impact of the European Union on Foreign Policy-Making in Hungary, Romania and Slovakia: Institutional Adaptation, Learning, and Socialization.' *Political Perspectives* vol.2 (2). p. 17.

[467] Pomorska, K. 2007. 'The Impact of Enlargement: Europeanization of Polish Foreign Policy? Tracking Adaptation and Change in the Polish Ministry of Foreign Affairs.' *The Hague Journal of Diplomacy* vol.2 (1).

[468] Luif, P. 1994. 'La Neutralité De L'autriche Et L'europe De 1992.' In *L'autriche Et L'intégration Européenne*, eds. Kramer, H. and Pelinka, A. p. 26-27.

[469] Irondelle, B. 2003. 'Europeanization without the European Union? French Military Reforms 1991–96.' *Journal of European Public Policy* vol.10 (2). p. 217-218.

[470] Pomorska, K. 2007. 'The Impact of Enlargement: Europeanization of Polish Foreign Policy? Tracking Adaptation and Change in the Polish Ministry of Foreign Affairs.' *The Hague Journal of Diplomacy* vol.2 (1).

[471] Ibid. p. 40.

[472] Denca, S. S. 2008. 'The Impact of the European Union on Foreign Policy-Making in Hungary, Romania and Slovakia: Institutional Adaptation, Learning, and Socialization.' *Political Perspectives* vol.2 (2). p. 16.

1.4.4.2. Foreign policy contexts

Europeanisation as a phenomenon of change in foreign policy contexts first involves the de- (and possibly re-) securitisation of foreign policy discourses, the transformation of foreign policy identities, and more questionably, the strategic use of Europeanisation to legitimate reforms.

De-securitisation primarily affects the context of Turkish foreign policy towards highly sensitive issues such as Cyprus and Israel, most notably through a discursive shift "from a hard-line nationalistic stance towards a more balanced and pragmatic approach"[473]. Change, then, aims at making Turkey a security asset for Europe rather than a liability[474], and it builds on the need to complement the EU acting as global player by providing a possible "remedy to the weakness of the EU's influence in […] regions" where Turkey, unlike the EU, is very influential[475]. Europeanisation then ensues through the emergence of alternative discourses on security issues, which question the traditionally hard definitions of 'national security' in Turkey's strategic culture[476]. It implies the redefinition of national security in a more inclusive way that does not exclude the EU and its member states as "Others", but includes them at least partly in Turkey's security definition of the "Self"[477]. This implies in particular "downloading the EU rhetoric of good neighbourly relations and peaceful resolution of disputes"[478].

Change in discursive contexts, however, need not entail the full-fledged de-securitisation of foreign policy. Europeanisation may also support a counter-phenomenon of re-securitisation. For instance, the shift in Estonian security discourse has arguably been "not from a dichotomous, exclusive definition of security to a non-dichotomous, inclusive one, but from dichotomies articulated in terms of military threat to those define in terms of culture and values"[479]. Europeanisation, in other words, seems to transform, rather than terminate, the othering process in candidate foreign policy discourse. In other instances, the dominant elites in Ukraine have been found to use the proclamation of their 'European choice' "as a counterbalance to the pull off Russia"[480].

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[473] Öniş, Z. 2004. 'Turkish Modernization and Challenges for the New Europe.' Conference paper. p. 10; Durmuslar, T. 2008. 'Europeanization of Turkish Foreign Policy: 1999-2007 Period.' Conference paper; Özcan, M. 2008. *Harmonizing Foreign Policy: Turkey, the EU and the Middle East*.

[474] Öniş, Z. 2004. 'Turkish Modernization and Challenges for the New Europe.' Conference paper. p. 10.

[475] Düzgit, S. A. and Tocci, N. 2009. 'Transforming Turkish Foreign Policy: The Quest for Regional Leadership and Europeanisation.' *CEPS Commentary*.

[476] Bilgin, P. 2005. 'Turkey's Changing Security Discourses: The Challenge of Globalisation.' *European Journal of Political Research* vol.44 (1). p. 177.

[477] Terzi, Ö. 2005. 'Europeanisation of Foreign Policy and Candidate Countries: A Comparative Study of Greek and Turkish Cases.' *Politique européenne* vol.17 (3); Pomorska, K. 2007. 'The Impact of Enlargement: Europeanization of Polish Foreign Policy? Tracking Adaptation and Change in the Polish Ministry of Foreign Affairs.' *The Hague Journal of Diplomacy* vol.2 (1).

[478] Terzi, Ö. 2005. 'Europeanisation of Foreign Policy and Candidate Countries: A Comparative Study of Greek and Turkish Cases.' *Politique européenne* vol.17 (3). p. 132; Bechev, D. 2009. 'From Policy-Takers to Policy-Makers? Observations on Bulgarian and Romanian Foreign Policy before and after EU Accession.' *Perspectives on European Politics & Society* vol.10 (2).

[479] Kuus, M. 2002. 'Toward Cooperative Security? International Integration and the Construction of Security in Estonia.' *Millennium - Journal of International Studies* vol.31 (2). p. 299.

[480] Wolczuk, K. 2004. 'Integration without Europeanisation: Ukraine and Its Policy Towards the European Union.' In EUI Working Papers RSCAS. p. 12.

The second type of change in foreign policy contexts that parallels the de- and re-securitisation of security discourses is one involving identity transformation and paradigmatic shifts in foreign policy and security doctrines. Europeanisation in the French military, for instance, has ensued through the shift from the "national sanctuary" narrative based on a conception of security articulated by national deterrence and territorial defence through conscription towards a narrative highlighting a "European commitment" centred on "multinational action" and the principle of cooperation[481]. The paradigmatic shift in the French military doctrine has also affected the traditional security emphasis on nuclear deterrence, which evolved into one of "concerted deterrence"[482]. Similar patterns of paradigmatic change have been observed in Bulgaria with respect to Sofia's foreign policy towards the Balkan (and the war in Kosovo in particular), which involved a shift in decision-making context from the self-asserted "Balkanism" narrative to the Europeanisation paradigm[483]. Likewise, in Finland, Europeanisation has found to be ensuing through the transformation of the country's security identity from one supporting "cautious neutrality" outside Europe into one enthusiastically integrationist underpinned by anti-hegemonic purposes[484]; In Denmark, identity change has affected the traditional normative debate between supporters of "defencism" and "cosmopolitanism" by offering an alternative, i.e. "activism" premised on military engagement and military diplomacy[485]. The actual cause of these instances of identity transformation, however, remains difficult to isolate, and the EU, often, only acts as one driving force among many others. In this respect, the role of other international organisations, e.g. Nato, and the influence historical systemic and domestic developments in international relations, has been underlined[486].

The third type of change in foreign policy contexts involves the possibility of domestic actors of using the Europeanisation narrative to legitimate reforms and choices in foreign policy structures and actions. Although the Europeanisation narrative has been used to determine the appropriate course of action in some instance[487], its purely instrumental usage finds little empirical support in the field of foreign and defence policy[488].

In Turkey and some Central European states, the Europeanisation of foreign policy contexts has also ensued through democratisation. The relationship between

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[481] Irondelle, B. 2003. 'Europeanization without the European Union? French Military Reforms 1991–96.' *Journal of European Public Policy* vol.10 (2). p. 215.
[482] Ibid. p. 216.
[483] Dimitrova, G. 2008. 'From Bright Light to Blackout: The Influence of the Europeanization Paradigm on Bulgarian Foreign Policy and Transport and Energy Infrastructure Policy.' Doctoral thesis.
[484] Heikka, H. 2005. 'Republican Realism: Finnish Strategic Culture in Historical Perspective.' *Cooperation and Conflict* vol.40 (1).
[485] Rasmussen, M. V. 2005. ''What's the Use of It?': Danish Strategic Culture and the Utility of Armed Force.' *Cooperation and Conflict* vol.40 (1).
[486] Luif, P. 1994. 'La Neutralité De L'autriche Et L'europe De 1992.' In *L'autriche Et L'intégration Européenne*, eds. Kramer, H. and Pelinka, A; Heikka, H. 2005. 'Republican Realism: Finnish Strategic Culture in Historical Perspective.' *Cooperation and Conflict* vol.40 (1).
[487] Dimitrova, G. 2008. 'From Bright Light to Blackout: The Influence of the Europeanization Paradigm on Bulgarian Foreign Policy and Transport and Energy Infrastructure Policy.' Doctoral thesis.
[488] Özcan, M. 2008. *Harmonizing Foreign Policy: Turkey, the EU and the Middle East*. p. 162; Irondelle, B. 2003. 'Europeanization without the European Union? French Military Reforms 1991–96.' *Journal of European Public Policy* vol.10 (2).

Europeanisation and democratisation remains puzzling for many scholars, who investigate the interlocking, mutually reinforcing relationship between the two phenomena[489]. The debate, generally speaking, revolves around three axes: 1) is democratisation a prerequisite for Europeanisation[490]?; 2) is democratisation induced by Europeanisation, i.e. is it one of its most remarkable outcomes[491]?; 3) is this relationship dialectal rather than logical[492]? In any event, what is remarkable is that these studies identify the one specific aim of democratisation, i.e. the durable establishment of substantive democracy, as overlapping with the achievements of Europeanisation. In the field of foreign policy, contexts are mainly affected by the Copenhagen criteria prompting an increased role of NGOs and civil society in politics[493]. In Turkey, this grassroots' democratisation has induced a public debate on the meaning of "national security", to which pro-EU actors and Eurosceptics actively participated[494]. Although democratisation is traditionally considered as a primary achievement of Europeanisation, some scholars have nevertheless argued that one should disentangle democratisation *per se* (i.e. driven by global and domestic forces) and democratisation alongside the EU accession process[495]. The two processes may overlap, but they are not congruent, and may even be contradictory. For instance, in the 1990s, Turkey exhibited strong democratisation per se, but growing Euroscepticism in the conduct of its foreign policy[496]. And even today, the democratic reforms launched by Turkey under the guidance of the EU contrast with the growing disillusionment of Turkish public opinions towards EU accession. The latter increasingly constrains the government's manoeuvring power in foreign policy, and can partly explain Turkey's disengagement from the West[497]. In relation to Cyprus and to ESDP issues, the democratisation alongside EU accession process has not produced foreign policy outcomes that favoured the EU's objectives[498].

1.4.4.3. Foreign policy process

[489] Orlovic, S. 2007. 'Democratisation and Europeanisation of Political Parties in Central and South-Eastern Europe.' *Politics in Central Europe* vol.3 (1,2). p. 92; Kobzar, S. A. 2006. 'The European Union as a Factor in the Democratization of Ukraine.' Conference paper; Lajh, D. and Krasovec, A. 2007. 'Post-Yugoslav Region between Democratisation and Europeanisation of Party Politics: Experiences from Slovenia and Bosnia-Herzegovina.' *Politics in Central Europe* vol.3 (1,2); Lewis, P. G. 2008. 'Changes in the Party Politics of the New EU Member States in Central Europe: Patterns of Europeanization and Democratization.' *Journal of Southern Europe and the Balkans* vol.10 (2).

[490] Dolenec, D. 2008. 'Europeanization as a Democratising Force in Postcommunist Europe: Croatia in Comparative Perspective.' *Politička misao* vol.XLV (5).

[491] Agh, A. 1999. 'Europeanization of Policy-Making in East Central Europe: The Hungarian Approach to EU Accession.' *Journal of European Public Policy* vol.6 (5).

[492] Bideleux, R. 2001. 'Europeanisation and the Limits to Democratisation in East Central Europe.' In *Prospects for Democratic Consolidation in East-Central Europe*, eds. Pridham, G. and Agh, A. p. 25; Djordjevic, O. 2008. 'The Limits of Europeanization 'from without': Is There an EU-Driven Democratization Process in Serbia?' *UNISCI Discussion Papers* (18). p. 93.

[493] Özcan, M. 2008. *Harmonizing Foreign Policy: Turkey, the EU and the Middle East*. p. 165-166.

[494] Bilgin, P. 2005. 'Turkey's Changing Security Discourses: The Challenge of Globalisation.' *European Journal of Political Research* vol.44 (1). p. 189.

[495] Oğuzlu, T. 2004. 'The Impact of 'Democratization in the Context of the EU Accession Process' on Turkish Foreign Policy.' *Mediterranean Politics* vol.9 (1). p. 97.

[496] Ibid. p. 111.

[497] Oğuzlu, T. 2008. 'Middle Easternization of Turkey's Foreign Policy: Does Turkey Dissociate from the West?' *Turkish Studies* vol.9 (1). p. 17.

[498] Oğuzlu, T. 2004. 'The Impact of 'Democratization in the Context of the EU Accession Process' on Turkish Foreign Policy.' *Mediterranean Politics* vol.9 (1).

Europeanisation affects foreign policy processes through the growing need, for candidate states, to coordinate with the CFSP and the concomitant Brusselisation of foreign policy decision-making.

Coordination operates in the accession phase through the ACN in the Ministry of Foreign Affairs. It is used by the Council's Secretariat, which therewith asks whether accession states whish to align their position with the position, declaration or action of the EU. Responses are not obligatory, and often, provided too late, if not at all, owing to the difficulty met in some candidate states to use communication technologies. After accession, ACN is replaced by the COREU system, which enables the new member states to participate actively in the CFSP. The coordination requirement instilled by Europeanisation is not limited to the EU, but can be analysed as wider phenomenon of multilateralisation. For instance, in Latvia Europeanisation has been found to entail "engaging with other regional and subregional organizations, including the OSCE, the Council of Europe and the Council of Baltic Sea States", or more generally, "getting out the bilateral mode of thinking"[499].

In candidate states, the epicentre of the foreign policy process is gradually complemented by Brussels' Permanent Missions and Representations, especially in matters overlapping with the CFSP and the EU. This decoupling of foreign policy (also termed Brusselisation) can be seen partly as a response by Permanent Representatives to the lack of reactivity of their home ministry, the diplomatic networks of which are overwhelmed by information, and partly as response to information asymmetries, which empowers diplomats in Brussels, who conduct preparatory meetings (many of them informal) to unveil the position of European partners on particular issues and establish like-minded groups[500]. Candidate or new member states' diplomats in Brussels often receive their instructions from their home Ministry too late to be implemented, or they sometimes receive instructions that are inapplicable, because these would jeopardise their credibility as consensus-seekers. They must therefore adapt to the changing environment by participating more actively in the policy process, e.g. by suggesting positions to their Ministry[501]. In those countries, Europeanisation can thus be said to entail a certain level of de-concentration in decision-making.

In states where the military plays an important role (e.g. Turkey), Europeanisation finally ensues through the "civilianisation" of the policy process, i.e. the development of procedures of civilian control in foreign policy-making and withdrawal of the military's veto power[502]. More generally, it affects procedural norms in candidate

[499] Galbreath, D. J. 2006. 'Latvian Foreign Policy after Enlargement: Continuity and Change.' *Cooperation and Conflict* vol.41 (4). p. 451.
[500] Pomorska, K. 2007. 'The Impact of Enlargement: Europeanization of Polish Foreign Policy? Tracking Adaptation and Change in the Polish Ministry of Foreign Affairs.' *The Hague Journal of Diplomacy* vol.2 (1). p. 42ff.
[501] Ibid.
[502] Aydin, M. and Acikmese, S. A. 2007. 'Europeanization through EU Conditionality: Understanding the New Era in Turkish Foreign Policy.' *Journal of Southern Europe & the Balkans* vol.9 (3). p. 269-270; Sarigil, Z. 2007. 'Europeanization as Institutional Change: The Case of the Turkish Military.' *Mediterranean Politics* vol.12 (1); Durmuslar, T. 2008. 'Europeanization of Turkish Foreign Policy: 1999-2007 Period.' Conference paper.

states' foreign policy making[503]. These "norms-to-be-europeanised" include a sense of diffuse reciprocity, thick trust, mutual responsiveness and consensus reflex[504], as well as confidentiality, consultation, respect for other member states' *domaines réservés*, and rejection of hard bargaining[505].

1.4.4.4. Foreign policy instruments

Only a few studies have investigated bottom-up Europeanisation in non-EU Europe, or more specifically, whether and how non-EU European states make use of the CFSP as a novel instrument to project and magnify own power. This is because candidate states (and non-EU state in general) are presumed to have little or no opportunity to upload their policy preferences[506]. Even after accession, uploads and capacity to make policy at the EU-level remains weak[507]. Candidate and new member states remain first and foremost norm- and policy-takers, and participation in CFSP remains "to a large extent reactive" even after accession[508]. Some attempts at uploading domestic interests have nevertheless been carried out by some Central and Eastern European countries (especially Poland), e.g. with regard to "repairing the transatlantic rifts over Iraq", influencing EU-Russia relations and improving the relationship between the EU on the one side and Ukraine and the Black Sea region on the other side[509]. But these attempts have yielded very moderate success.

In non-EU Europe, Europeanisation has ensued through the renouncement to use hard power instruments. Expectations are formed towards candidate states that they should testify of the "full acceptance of democracy, human rights, peaceful resolution of conflicts, and support of international humanitarian law" in the conduct of their external relations, especially with neighbours[510]. It has been found, additionally, that non-EU states tend to anticipate their membership by aligning their use of softer foreign policy instruments with the EU. Some, for instance have aligned themselves with the EU's Code of Conduct on Arms Exports[511]. Throughout the pre-accession

[503] Denca, S. S. 2008. 'The Impact of the European Union on Foreign Policy-Making in Hungary, Romania and Slovakia: Institutional Adaptation, Learning, and Socialization.' *Political Perspectives* vol.2 (2).
[504] Lewis, J. 2000. 'The Methods of Community in EU Decision-Making and Administrative Rivalry in the Council's Infrastructure.' *Journal of European Public Policy* vol.7 (2). p. 261.
[505] Smith, M. E. 2004c. *Europe's Foreign and Security Policy: The Institutionalization of Cooperation*. p. 122.
[506] Terzi, Ö. 2005. 'Europeanisation of Foreign Policy and Candidate Countries: A Comparative Study of Greek and Turkish Cases.' *Politique européenne* vol.17 (3). p. 133.
[507] Bechev, D. 2009. 'From Policy-Takers to Policy-Makers? Observations on Bulgarian and Romanian Foreign Policy before and after EU Accession.' *Perspectives on European Politics & Society* vol.10 (2).
[508] Pomorska, K. 2007. 'The Impact of Enlargement: Europeanization of Polish Foreign Policy? Tracking Adaptation and Change in the Polish Ministry of Foreign Affairs.' *The Hague Journal of Diplomacy* vol.2 (1). p. 47.
[509] Král, D. 2005. 'Enlargung EU Foreign Policy: The Role of New EU Member States and Candidate Countries.' *Working Papers of the EUROPEUM Institute for European Policy*.
[510] Waisová, Š. 2006. 'Between Atlanticism, Anti-Americanism and Europeanization: Dilemmas in Czech Foreign Policy and the War on Terrorism.' *Politics in Central Europe* vol.2 (2). p. 87; Terzi, Ö. 2005. 'Europeanisation of Foreign Policy and Candidate Countries: A Comparative Study of Greek and Turkish Cases.' *Politique européenne* vol.17 (3). p. 132; Bechev, D. 2009. 'From Policy-Takers to Policy-Makers? Observations on Bulgarian and Romanian Foreign Policy before and after EU Accession.' *Perspectives on European Politics & Society* vol.10 (2).
[511] Bromley, M. 2007. 'The Europeanisation of Arms Export Policy in the Czech Republic, Slovakia, and Poland.' *European Security* vol.16 (2). p. 212.

and post-accession period, the level of transparency in the field of arms exports has markedly increased in accordance with the requirement of EU soft law, although much pressure also emanated from Nato, UN agencies and the US. Foreign policy alignment in this area also includes the application of sanctions and restrictive measures when and where they are required by the EU[512].

1.4.4.5. Foreign policy outputs

Europeanisation, in its most visible manifestation, affects foreign policy outputs by inducing a certain level of policy convergence, i.e. the harmonisation or alignment of states' foreign policy positions, declarations and actions with those of the EU[513]. For instance, Turkey eventually accepted an arrangement on EU-Nato military cooperation after lengthy negotiations carried out in the EU's framework. Turkey had previously vetoed this arrangement in the framework of Nato, because the ESDP used to be perceived "as a challenge that could pose a threat, in case Turkey's membership perspective was not fulfilled"[514]. In a similar vein, Europeanisation students have noted that Poland's foreign policy attitudes towards the ESDP gradually shifted towards greater acceptance[515], and likewise, that Turkey's position towards the Annan Plan became "europeanised" over time[516].

Policy convergence, however, is neither unconditional nor homogenous. Its (differential) impact is contingent on the type of issue that is at stake. As noted by Özcan, Turkey does not blindly align its foreign policy with the EU's, but it acts "selectively as many European countries do, like Britain and Greece"[517]. It only supports those EU positions which are not incompatible with its national interests. This resilience to change in some issue-areas indicates that "foreign policies have been europeanised only to a degree"[518]. Foreign policy interests may change through Europeanisation, but not in an automatic manner, and they may even evolve in the opposite direction, as shown by the on-going shift in Turkey's foreign policy "from a commitment to deep Europeanization to loose Europeanization" and its consequent drive towards "Euro-Asianism" or Middle-Easternisation[519]. In the case of Bulgaria and Romania, similarly, "EU membership has not led to a convergence of foreign

[512] Aydin, M. and Acikmese, S. A. 2007. 'Europeanization through EU Conditionality: Understanding the New Era in Turkish Foreign Policy.' *Journal of Southern Europe & the Balkans* vol.9 (3). p. 272.
[513] Terzi, Ö. 2005. 'Europeanisation of Foreign Policy and Candidate Countries: A Comparative Study of Greek and Turkish Cases.' *Politique européenne* vol.17 (3); Aydin, M. and Acikmese, S. A. 2007. 'Europeanization through EU Conditionality: Understanding the New Era in Turkish Foreign Policy.' *Journal of Southern Europe & the Balkans* vol.9 (3).
[514] Terzi, Ö. 2005. 'Europeanisation of Foreign Policy and Candidate Countries: A Comparative Study of Greek and Turkish Cases.' *Politique européenne* vol.17 (3). p. 128ff.
[515] Kaminska, J. 2008. 'Taking of Shaping? Poland and the Eastern Dimension of the Common Foreign and Security Policy (CFSP) of the EU.' *Papers of the Cyprus Centrer of European and International Affairs* (3). p. 16ff.
[516] Terzi, Ö. 2005. 'Europeanisation of Foreign Policy and Candidate Countries: A Comparative Study of Greek and Turkish Cases.' *Politique européenne* vol.17 (3). p. 128ff.
[517] Özcan, M. 2008. *Harmonizing Foreign Policy: Turkey, the EU and the Middle East*. p. 151.
[518] Icener, E. 2009. 'Understanding Romania and Turkey's Integration with the European Union: Conditionality, Security Considerations and Identity.' *Perspectives on European Politics & Society* vol.10 (2). p. 221.
[519] Öniş, Z. and Yılmaz, Ş. 2009. 'Between Europeanization and Euro-Asianism: Foreign Policy Activism in Turkey During the Akp Era.' *Turkish Studies* vol.10 (7). p. 1; Oğuzlu, T. 2008. 'Middle Easternization of Turkey's Foreign Policy: Does Turkey Dissociate from the West?' *Turkish Studies* vol.9 (1). p. 17.

policy outlook where top priority issues un the realm of 'high politics' and security are at stake"[520]. In the Czech Republic, convergence is limited, or framed, by the country's historical experience and persisting perception of geopolitical vulnerability[521]. When hard security issues are at stake, "Nato and transatlantic partnership is seen as vital"[522]. This perception also prevails in Latvia, which prefers "Nato's hard security guarantees to the EU's soft security mechanisms"[523].

1.4.5. Mechanisms of Europeanisation

There is no systematic study examining the mechanisms of Europeanisation in the geographical and sectoral field of research that is here under consideration. A transversal reading of the scientific literature makes it nevertheless possible to identify three types of mechanisms: political compliance, experiential learning and socialisation. While the first two relate to the logic of consequentialism, the latter implies normative changes in states' interests and is driven by the logic of appropriateness.

1.4.5.1. Political compliance

Political compliance, i.e. conditionality, is found to play a major role, both in candidate states for which there is outspoken prospects of EU accession (e.g. Turkey) and in states which consider themselves as European although this perception is not shared by the EU (e.g. Georgia)[524]. Conditionality implies the adoption of the CFSP *acquis*, which is essentially based "either on legally binding international agreements or on political agreements to conduct political dialogue in the framework of CFSP, to align with EU statements, and to apply sanctions and restrictive measures where required"[525]. Conditionality may also apply to softer norms such as the Code of Conduct on Arms Exports[526], or to the adoption of procedural norms, e.g. the adoption of a "culture of compromise" in the Council[527].

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[520] Bechev, D. 2009. 'From Policy-Takers to Policy-Makers? Observations on Bulgarian and Romanian Foreign Policy before and after EU Accession.' *Perspectives on European Politics & Society* vol.10 (2). p. 211.

[521] Baun, M. and Marek, D. 2009. 'Czech Foreign Policy and EU Membership: Europeanization and Domestic Sources.' Conference paper. p. 1.

[522] Řiháčková, V. 2005. 'Czech Republic: "Europeanization" of a Hesitant Atlanticist?' *EUROPEUM working paper*. p. 2.

[523] Galbreath, D. J. 2006. 'Latvian Foreign Policy after Enlargement: Continuity and Change.' *Cooperation and Conflict* vol.41 (4). p. 451.

[524] Aydin, M. and Acikmese, S. A. 2007. 'Europeanization through EU Conditionality: Understanding the New Era in Turkish Foreign Policy.' *Journal of Southern Europe & the Balkans* vol.9 (3); Pomorska, K. 2007. 'The Impact of Enlargement: Europeanization of Polish Foreign Policy? Tracking Adaptation and Change in the Polish Ministry of Foreign Affairs.' *The Hague Journal of Diplomacy* vol.2 (1). p. 36; Eryilmaz, B. 2007. 'Europeanization of Turkish Foreign Policy: Cyprus Case.' Conference paper. p. 1; Nodia, G. 2004. 'Europeanization and (Not) Resolving Secessionist Conflicts ' *Journal on Ethnopolitics and Minority Issues in Europe* (2004-1).

[525] final Comprehensive Monitoring Reports on Preparations for Membership of the 2004 entrants cit. in Aydin, M. and Acikmese, S. A. 2007. 'Europeanization through EU Conditionality: Understanding the New Era in Turkish Foreign Policy.' *Journal of Southern Europe & the Balkans* vol.9 (3). p. 267.

[526] Bromley, M. 2007. 'The Europeanisation of Arms Export Policy in the Czech Republic, Slovakia, and Poland.' *European Security* vol.16 (2).

[527] Denca, S. S. 2008. 'The Impact of the European Union on Foreign Policy-Making in Hungary, Romania and Slovakia: Institutional Adaptation, Learning, and Socialization.' *Political Perspectives*

Conditionality also relates to the EU *acquis politique*. Although it is not found to prescribe legally binding changes in national foreign policy regimes, conditionality nevertheless plays an important role because it re-orientates the politics of national foreign policy. It demands compliance with the fundamental norms the EU seeks to diffuse, by promoting externally peace, liberty, democracy, human rights and the rule of law[528]. More importantly, the *acquis politique* prescribes that states shall "refrain from irrational foreign policy actions"[529] and shall (peacefully) settle their border conflicts before entering the EU (though Cyprus, helped by Greece succeeded in circumventing this political obligation)[530].

1.4.5.2. Experiential learning

Some indications of experiential learning can be found in the Europeanisation literature. For instance, some candidate states could draw from benchmarking and monitoring mechanisms, from legislative and institutional templates, and from advice and twinning from the EU to improve their foreign policy decisions with regard to arms exports[531]. Likewise, Denca showed that some organisational changes, e.g. concerning the adequate number of diplomats, in candidate states' foreign ministries were "inspired by the experience of some other member states"[532].

1.4.5.3. Socialisation

Considering the thinness of the CFSP and political *acquis*, and the sensitive nature of foreign policy, conditionality and experiential learning are traditionally considered as relatively weak mechanisms of Europeanisation in the field under consideration. Some scholars have instead suggested that socialisation, is better equipped to designate the reasons of institutional change. Socialisation is indeed perceived as effective in "determining the rhetoric and appropriate behaviour of candidates"[533]. It gathers foreign policy decision-makers "around the concepts of common reflexes and norm behaviour and thinking"[534], and it may shed light on why procedural norms such as consensus-building and coordination-reflex are obediently respected[535].

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vol.2 (2); Lewis, J. 2000. 'The Methods of Community in EU Decision-Making and Administrative Rivalry in the Council's Infrastructure.' *Journal of European Public Policy* vol.7 (2). p. 261.

[528] Manners, I. 2002. 'Normative Power Europe: A Contradiction in Terms?' *Journal of Common Market Studies* vol.40 (2).

[529] Özcan, M. 2008. *Harmonizing Foreign Policy: Turkey, the EU and the Middle East*.

[530] Ibid; Aydin, M. and Acikmese, S. A. 2007. 'Europeanization through EU Conditionality: Understanding the New Era in Turkish Foreign Policy.' *Journal of Southern Europe & the Balkans* vol.9 (3). p. 268.

[531] Bromley, M. 2007. 'The Europeanisation of Arms Export Policy in the Czech Republic, Slovakia, and Poland.' *European Security* vol.16 (2). p. 211ff.

[532] Denca, S. S. 2008. 'The Impact of the European Union on Foreign Policy-Making in Hungary, Romania and Slovakia: Institutional Adaptation, Learning, and Socialization.' *Political Perspectives* vol.2 (2). p. 33.

[533] Terzi, Ö. 2005. 'Europeanisation of Foreign Policy and Candidate Countries: A Comparative Study of Greek and Turkish Cases.' *Politique européenne* vol.17 (3). p. 133.

[534] Özcan, M. 2008. *Harmonizing Foreign Policy: Turkey, the EU and the Middle East*. p. 151.

[535] Pomorska, K. 2007. 'The Impact of Enlargement: Europeanization of Polish Foreign Policy? Tracking Adaptation and Change in the Polish Ministry of Foreign Affairs.' *The Hague Journal of Diplomacy* vol.2 (1). p. 45.

The logic of appropriateness, which underpins socialisation, is premised on the formation of a security community, which is "grounded in a feeling of natural solidarity between the European partners", and as such, is capable of transforming states' preferences, including in policy areas as sensitive as high politics [536]. Socialisation is most effective among technocrats and professional officials, and it starts with the pre-accession process[537]. The turning point, however, is the moment when candidate states are granted the status of "active observer" after signing the accession treaties[538]. Active observers cannot fully participate in the CFSP and ESDP, but they can attend to working groups and committees' meetings in the Council and thereby learn the rules and practices operated in the CFSP, ESDP, COREPER II, Political and Security Committee (PSC) and General Affairs and External Relations Council (GAERC), and the collective norms of the EU.

[536] Irondelle, B. 2003. 'Europeanization without the European Union? French Military Reforms 1991–96.' *Journal of European Public Policy* vol.10 (2). p. 218.
[537] Kaminska, J. 2008. 'Taking of Shaping? Poland and the Eastern Dimension of the Common Foreign and Security Policy (CFSP) of the EU.' *Papers of the Cyprus Centrer of European and International Affairs* (3). p. 17.
[538] Denca, S. S. 2008. 'The Impact of the European Union on Foreign Policy-Making in Hungary, Romania and Slovakia: Institutional Adaptation, Learning, and Socialization.' *Political Perspectives* vol.2 (2). p. 23; Pomorska, K. 2007. 'The Impact of Enlargement: Europeanization of Polish Foreign Policy? Tracking Adaptation and Change in the Polish Ministry of Foreign Affairs.' *The Hague Journal of Diplomacy* vol.2 (1). p. 25.

2. Research Design

2.1. The conceptual framework

Concepts are the "building-blocks of all inferences"[539]; they should therefore attract researchers' attention early on, i.e. at the beginning of the elaboration of the research design[540]. This task is here rendered even more important, as the present research design proposes an innovative approach to enquire into a conceptual field that lacks consensual delimitation.

2.1.1. The *definiendum*: what Europeanisation denotes?

Concept formation, in this research design, clearly fosters the *definiendum* over the *definiens*. It is not based on a set of definitional criteria, strictly enabling the observer to readily recognise whether a given phenomenon is an instance of Europeanisation or not. It will be seen that the *definiens* (connotations) adopted as definitional attribute of Europeanisation are not parsimonious, and might even seem abstruse. This is a major weakness –but a necessary evil. There is, indeed, a trade-off between connotations and denotations in concept formation[541]: the longer the list of attributes defining a concept, the narrower the concept and the rarer the associated phenomena. Where concepts can be formed without much trouble (e.g. because they are intuitively "good" or barely contested), prioritising the *definiens* might be appropriate. But where concepts display high levels of essential contestability, tightening the *definiendum* prematurely may only result in even more contestability. For instance, defining Europeanisation as the domestic impact of the EU, instead of Europe, adds to the clarity of the definitional attributes of Europeanisation (given the relative contestability of "Europe"). But it raises new questions since the conflation of Europe with the EU shrinks the *definiendum* of Europeanisation by excluding the domestic impact of the European non-EU organisations (e.g. the OSCE, Council of Europe) from its conceptual domain. That is why this thesis adopts a strategy of concept formation prioritising the *definiendum*. It will seek to identify a range of empirical phenomena in social life, which could be characterised as Europeanisation (based on the definition advanced in the research design). This presumes a relatively large *definiendum*. Then, based on a comparative analysis of these empirical observations, it will seek to refine the *definiens* by looking for meaningful commonalities between the phenomena. In the absence of consensus in the scholarship, the thesis, in other words, will problematise the definition of Europeanisation, rather than positing it right at the beginning. This makes the *definiendum* of Europeanisation closely tied to the *explanandum*.

In the thesis, the Europeanisation *explanandum* is posited at the domestic level in order to differentiate the Europeanisation research domain from neighbouring

[539] Gerring, J. 1999. 'What Makes a Concept Good? A Criterial Framework for Understanding Concept Formation in the Social Sciences.' *Polity* vol.31 (3).
[540] Radaelli, C. M. and Pasquier, R. 2006. 'Encounters with Europe: Concepts, Definitions and Research Design.' *POLITIK 2006*. p. 18.
[541] Gerring, J. 1999. 'What Makes a Concept Good? A Criterial Framework for Understanding Concept Formation in the Social Sciences.' *Polity* vol.31 (3).

concepts, such as European integration. This positioning contrasts with bottom-up conceptualisations of Europeanisation.

The *locus* of the *explanans*, however, is not assumed to reside exclusively in the EU. It will be determined empirically, and may be located on the national, supranational, subnational or transnational levels. This positioning contrasts with the top-down conceptualisation of Europeanisation. Restraining oneself from positing the Europeanisation *explanans* at a given *locus* also implies that deductive research will not be favoured in this thesis. No pre-existing model, or theory, will be tested, which allegedly provides a ready-to-use picture of Europeanisation. This positioning also contrasts with the vertical conceptualisation of Europeanisation, which is often operationalised through the goodness of fit model.

The thesis, instead, will heavily rely on inductive research strategy, and cover a wider spectrum of possible sources of change. It does not, however, deny the fact that change may originate from the EU, but in conceptualising Europeanisation, it treats the EU as a possible but non-unique source of change[542]. The conceptual framework, upon which the research will be conducted, is then closest to horizontal conceptions of Europeanisation. It views the EU as an arena, or a "transfer platform"[543] rather than a *référentiel*.

2.1.2. The *definiens*: how Europeanisation is defined

At this point of the research design, it is essential to keep in mind that the conceptual framework proposed here is not driven by *definiens*. The most important elements within it are not the selection of connotations *per se*, but the enunciation of epistemological, ontological and theoretical choices, which will guide the research.

Amidst the various definitions of Europeanisation that are of particular interest, four quintessential connotational properties can be identified: interactions structure, actors, cross-level agency, and institutional change. These connotational properties will help drawing some definitional boundaries and delineating the conceptual domain of Europeanisation. They are the building blocks of the definition of Europeanisation that will be used in this thesis.

Europeanisation will accordingly be defined as a process of institutional change induced by a variety of actors interacting across different levels of governance within a European interaction structure.

2.1.2.1. Interaction structure

First of all, and most importantly in this research design, Europeanisation is about interactions, i.e. reciprocal and mutual actions. This conceptual dimension has been underlined by Major [544], Wagner *et al.* [545], and Risse, *et al.* [546], for whom

[542] see Collier, D. and Mahon, J. E. 1993. 'Conceptual "Stretching" Revisited: Adapting Categories in Comparative Analysis.' *American Political Science Review* vol.87 (4).
[543] Bulmer, S. and Radaelli, C. M. 2004. 'The Europeanisation of National Policy?' *Queen's Papers on Europeanisation* vol.2004 (1).
[544] Major, C. 2005. 'Europeanisation and Foreign and Security Policy – Undermining or Rescuing the Nation State?' *Politics* vol.25 (3).

Europeanisation referred to the "emergence and development at the European level of distinct structures of governance, that is, of political, legal, and social institutions associated with political problem-solving that formalize *interactions among the actors*, and of policy networks specializing in the creation of authoritative rules"[547]. Although their teleological bias equalling Europeanisation with institution-building is not accepted in this thesis, their definition rightly emphasises the "continuous interactions and linkages between national and European levels"[548]. No wonder then that Conant, in the same book, remarks that variations in the Europeanisation of the judiciary reflect the "general pattern of *interaction* between national Courts and the ECJ"[549]. In another field of research, but similarly, Trenz notes that "Europeanisation is measured through the discursive *interaction* that results in networks of communicative interchange"[550]. All in all, interactions are central to the concept of Europeanisation because they delineate, albeit imperfectly, the *explanans* of Europeanisation. This explains why Wagner *et al.* engaged into developing an interactionist framework of analysis, capturing "the interplay between German policy and European governance, avoiding the pitfalls of both structural determinism and individual voluntarism"[551]. In this research design, interactions are understood as taking place within interaction structures. This premise aims at excluding those coincidental interactions, which are not conducted in the framework of patterned relations between foreign policy actors.

2.1.2.2. Actors

The second connotational property completes the first one by bringing agency back in. It states that Europeanisation is about interactions between actors. This emphasis may seem trivial to researchers committed to methodological individualism, but it is not to the wide spectrum of scholars who research interactions between reified levels of governance. The best definition stressing the role of actors is perhaps provided by Hanf & Soetendorp, who refer to Europeanisation as "a process in which Europe, and especially the European Union, become an increasingly more relevant and important part of political reference for the *actors* at the level of the member states"[552]. Although this view tends to neglect that Europe (and the EU) is also composed of actors, and as such, can hardly be aggregated as a reified *référentiel*, this definition

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[545] Wagner, W., et al. 2006. 'German Foreign Policy in Europe: An Interactionist Framework of Analysis.' In *De-Europeanization by Default. Germany's EU-Policy in Defence and Asylum*, ed. Hellmann, G.

[546] Risse, T., et al. 2001. 'Europeanization and Domestic Change: Introduction.' In *Transforming Europe: Europeanization and Domestic Change*, eds. Green Cowles, M., et al.

[547] Ibid. p. 3., emphasis added; Green Cowles, M. and Risse, T. 2001. 'Transforming Europe: Conclusions.' In *Transforming Europe: Europeanization and Domestic Change*, eds. Green Cowles, M., et al. p. 217.

[548] Risse, T., et al. 2001. 'Europeanization and Domestic Change: Introduction.' In *Transforming Europe: Europeanization and Domestic Change*, eds. Green Cowles, M., et al. p. 2.

[549] Conant, L. 2001. 'Europeanization and the Courts: Variable Patterns of Adaptation among National Judiciaries.' In *Transforming Europe: Europeanization and Domestic Change*, eds. Green Cowles, M., et al. p. 113.emphasis added.

[550] Trenz, H.-J. 2008. 'Measuring the Europeanisation of Public Communication: The Question of Standards.' *European Political Science* vol.7 (3). p. 278.emphasis added.

[551] Wagner, W., et al. 2006. 'German Foreign Policy in Europe: An Interactionist Framework of Analysis.' In *De-Europeanization by Default. Germany's EU-Policy in Defence and Asylum*, ed. Hellmann, G. p. 2.

[552] Hanf, K. and Soetendorp, B. eds. 1998. *Adapting to European Integration: Small States and the European Union*. p. i., emphasis added

illustrates very well the importance of actors at the domestic level. This stance has also been supported in Miskimmon, who highlighted "a move by national actors towards a greater consistency with the EU foreign and security policy"[553], and, in another field, by Dakowska, who referred to "the way in which the extension of European governance to Central and Easter European (CEE) countries affects the perceptions and activities of party leaders from candidate countries"[554].

Actors are essential to conceptualise Europeanisation, because they are those who "adopt working practices, form alliances and networks, make strategic choices, allocate resources, and absorb new ideas: in each case willingly reflecting, and extending the influence of the European Union within the nation-state"[555]. Actors, in this research design, are thus considered as the basic unit propelling Europeanisation. This commitment to actor-oriented perspectives and some form of ontological individualism will be completed by a measure of epistemological interpretivism, so as to take into account the "subjective dimension of foreign policy and the self-understanding of the actors involved"[556]. In this research design, actors are broadly understood as individual and collective agents capable of agency on interaction structures. It is their agency-ness, rather than the level of analysis, that makes them qualify for actor-ness.

2.1.2.3. Cross-level agency

The third connotational property of Europeanisation in this conceptual framework is cross-level agency, i.e. the projection of actions across various levels of governance. Europeanisation is not a process induced by interactions involving actors all located on a single level of governance. It presumes an interaction structure constituted by the crossed participation of a series of national, subnational and supranational actors in Europe. The concept of Europeanisation, therefore, should be committed, to some extent, to MLG theories, and most probably too, to neo-institutionalism. These commitments may be relaxed, but only to a limited extent. Regarding the latter, the concept of Europeanisation may for instance hold despite the conceptualisation of the EU as a negligible institution. Liberal intergovernmentalists, *contra* neo-institutionalists, may neglect the role of supranational actors in their understanding of Europeanisation, but they cannot deny the "emergence and development at the European level of distinct structures of governance"[557], which allegedly have the capacity to influence national foreign policy making. In other words, supra-institutional actors may not be significant, but supra-national institutional settings do matter to national and subnational actors, because their relationships constitute an interaction structure in which cross-level agency is possible.

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[553] Miskimmon, A. 2007. *Germany and the Common Foreign and Security Policy of the European Union: Between Europeanization and National Adaptation*. p. 5.
[554] Dakowska, D. 2002. 'Beyond Conditionality: EU Enlargement, European Party Federations and the Transnational Activity of German Political Foundations.' *Perspectives on European Politics and Society* vol.3 (2). p. 272.
[555] Moxon-Browne, E. 1999. 'The Europeanisation of Political Parties: The Case of the Irish Labour Party.' Conference paper.
[556] Aggestam, L. 1999. 'Role Conceptions and the Politics of Identity in Britain, France and Germany.' *ARENA Working Papers* vol.8; see also Sjursen, H. 1999. 'The Common Foreign and Security Policy: An Emerging New Voice in International Politics.' *ARENA Working Papers* vol.34.
[557] Risse, T., et al. 2001. 'Europeanization and Domestic Change: Introduction.' In *Transforming Europe: Europeanization and Domestic Change*, eds. Green Cowles, M., et al. p. 3.

The commitment to MLG, however, is less negotiable, since virtually every definition of Europeanisation refers to at least two levels of governance. But the demarcation of these levels of governance should not be taken for granted. Levels of governance are political constructs (and no material objects). This implies that the research should not simply rely on pre-existing images, but re-construct the levels across which foreign policy actors supposedly interact. It should be noted here that levels of governance are not always distinct and separable (a claim that echoes post-modernist critiques).

2.1.2.4. Institutional change

The last connotational property of Europeanisation is one identifying, albeit not delineating, the concept's *explanandum*. Europeanisation is about institutional change. In this conceptual framework, institutions are understood in thick, sociological terms, in accordance with Radaelli's[558], Checkel's[559] and Bulmer & Radaelli's[560] reference to Europeanisation as the "construction, diffusion and institutionalisation of formal and informal rules, procedures, policy paradigms, styles, 'ways of doing things' and shared beliefs and norms which are first defined and consolidated in the making of EU decisions and then incorporated in the logic of domestic discourse, identities, political structures and public policies". This view of Europeanisation is advantageous because it takes into account a wide spectrum of changes, may they be formal or informal, direct or indirect, behavioural or attitudinal.

2.2. Research questions

In the previous section, the conceptual domain of the research has been delineated. What was a vaguely specified research area under the generic term of Europeanisation has been narrowed down, and some dimensions of the concept have been prioritised. It is within this framework that the research will be pursued. More specifically, it will be devoted to answering to the following research questions:

> **RQ1:** *Which changes in the institution of national foreign policy can be attributed to those interactions performed on a European interaction structure by national, subnational, supranational or transnational actors?*

RQ1 specifies a dependent variable ("institutional changes"), which it locates at the domestic level (*locus* of the *explanandum*). RQ1 is interested in changes in the institution of foreign policy, not in policy change alone. This implies that the study of patterned changes in states' foreign policy trajectories unfolding over years should be given precedence over the exploration of one-off occurrences. RQ1, in addition, specifies an independent variable, which it does not locate on one level of governance (the *locus* of the *explanans* should be researched empirically). The independent variable consists of "interactions performed […] by national, subnational,

[558] Radaelli, C. M. 2000. 'Whither Europeanization? Concept Stretching and Substantive Change.' *European Integration online Papers* vol.4 (8). p. 4.
[559] Checkel, J. T. 2001. 'The Europeanization of Citizenship?' In *Transforming Europe: Europeanization and Domestic Change*, eds. Green Cowles, M., et al.
[560] Bulmer, S. and Radaelli, C. M. 2004. 'The Europeanisation of National Policy?' *Queen's Papers on Europeanisation* vol.2004 (1). p. 4.

supranational or transnational foreign policy actors". This wording highlights the actor-oriented approach chosen in the research design. To qualify for Europeanisation, interactions have to be conducted "on a European interaction structure". This condition does not refer to the existence of a unique objectivised supranational level of EU governance. It is more than that. An interaction structure is "European" inasmuch as it generates or conforts collective understandings shared by European actors in foreign policy matters. There is no European interaction structure in the absence of shared understandings. RQ1, finally, calls for researching the causal and constitutive connections relating the dependent and independent variable and paying attention to the issue of causal attributedness. At stake is the possibility (or not) to ascribe a distinctive effect to "European interaction structures".

RQ2: *What are the prevailing mechanisms of Europeanisation in the field of foreign policy?*

RQ2 paves the way of the systematic exploration of the connections between the variables. It calls for an argumentation shedding light on the "why" of Europeanisation. The research will seek to answer RQ2 by relying on a multi-theoretical framework derived from the work of Walter Carlsnaes (see section 2.4.2).

RQ3: *What factors decisively support and constrain Europeanisation?*

Having identified the dominating mechanisms of Europeanisation in foreign policy (RQ2), the thesis will explore the "mediating factors" that decisively influence the prevailing mechanisms of institutional change. RQ3 rightfully reminds the goodness of fit approach[561], but it is the result of a very different research process.

The focus of RQ1, RQ2 and RQ3 will be placed sectorally on foreign policy and geographically on non-EU Europe. The choice of foreign policy as domain of empirical research is guided by the complementarities that the chosen approach to Europeanisation has developed with the transformative FPA agenda. Since the issue of "boundary maintenance and boundary crossing" [562] lies at the core of the Europeanisation puzzle, then, the salience of this issue cannot be higher than in a domain specifically concerned by boundaries between insiders and aliens, i.e. in foreign policy. The choice of European non-EU member states is less obvious. While addressing the "no-variation issue", it aims at challenging the post-ontological claim that "Europeanisation would not exist without European integration"[563]. As noted by Irondelle, "Europeanization intervenes not only after the process of integration, when common institutions and policies exist, but also during and even before the process"[564]. More specifically, it aims at shedding light on the transformation of

[561] Börzel, T. A. and Risse, T. 2000. 'When Europe Hits Home: Europeanization and Domestic Change.' *European Integration online Papers* vol.4 (14); Risse, T., et al. 2001. 'Europeanization and Domestic Change: Introduction.' In *Transforming Europe: Europeanization and Domestic Change*, eds. Green Cowles, M., et al; Börzel, T. A. and Risse, T. 2003. 'Conceptualizing the Domestic Impact of Europe.' In *The Politics of Europeanization*, eds. Featherstone, K. and Radaelli, C. M.
[562] Harmsen, R. and Wilson, T. 2000. *Europeanization, Institutions, Identities, Citizenship*. p. 18.
[563] Radaelli, C. M. 2001. 'The Domestic Impact of European Union Public Policy: Notes on Concepts, Methods, and the Challenge of Empirical Research.' *Politique européenne* vol.5.
[564] Irondelle, B. 2003. 'Europeanization without the European Union? French Military Reforms 1991–96.' *Journal of European Public Policy* vol.10 (2). p. 223., emphasis added

Europe's political order from a perspective that is not limited to EU integration studies.

2.3. The research strategy

2.3.1. Bottom-bottom research strategy

In the following part, the structure of inference of the research will be outlined. In accordance with the *definiendum*-oriented conceptual approach of Europeanisation, the design will adopt an actor-oriented strategy giving primary weight to outcome-oriented empirical surveying and inductive research. It will differ from a "baseline strategy", which, starting from the "presence of EU integration, controls the levels of fit/misfit of the EU-level policy vis-à-vis the members states and then explains the presence or absence of domestic change"[565]. Baseline strategies (also called top-down research design models) imply that the research is conducted recursively after presuming the interference of pre-selected intervening variables. They foster deductive reasoning and theory-testing, but are not helpful here, given their inclination for positivist rationalism. Baseline strategies, indeed, usually give more weight to structuralist explanations of Europeanisation. They are thus bound to fail at the very margins of the concept's empirical applicability, i.e. where European structures are the weakest. In the absence of clear EFP institutions, the deductive fit/misfit approach proposed by baseline strategies will at best prove inconclusive. It is, in fact, better suited in order to scrutinise Europeanisation where there is little conceptual debate over the sectoral and geographical domains of applicability of the concept (e.g. Europeanisation of France's agricultural policy), rather than experimenting at its margins.

The research strategy chosen in this thesis is a bottom-bottom approach, sometimes also referred to as bottom-up research design (not to be mistaken with bottom-up conceptions)[566]. The main difference in the bottom-bottom research strategy is that it treats the EU (and other European organisations) as exogenous variables[567]. Instead of inferring Europeanisation from deductive conclusions regarding changing levels of fit/misfit, the bottom-bottom strategy tries to establish inductively whether "the encounter with 'Europe' is one of the critical junctures of the policy process under examination or a less important encounter"[568]. To that end, it starts from "the set of actors, ideas, problems, rules, styles and outcomes at the domestic level at time zero, […] then process-traces the system over the years, […] identifies the critical junctures or turning points –for example when major ideational change takes place, or the constellation of dominant actors is altered; […] and for each juncture [finally examines whether] the cause of this major change [is] domestic or [whether it] come[s] from exogenous variables like the EU-level variables or global-level variables"[569]. It

[565] Exadaktylos, T. and Radaelli, C. M. 2009. 'Research Design in European Studies: The Case of Europeanization.' *Journal of Common Market Studies* vol.47 (3). p. 510.
[566] Radaelli, C. M. and Pasquier, R. 2006. 'Encounters with Europe: Concepts, Definitions and Research Design.' *POLITIK 2006*. p. 17 ff.
[567] Radaelli, C. M. and Pasquier, R. 2007. 'Conceptual Issues.' In *Europeanization: New Research Agendas*, eds. Graziano, P. and Vink, M. P.
[568] Radaelli, C. M. and Pasquier, R. 2006. 'Encounters with Europe: Concepts, Definitions and Research Design.' *POLITIK 2006*. p. 17.
[569] Exadaktylos, T. and Radaelli, C. M. 2009. 'Research Design in European Studies: The Case of Europeanization.' *Journal of Common Market Studies* vol.47 (3). p. 510 ff.

uses constitutive and causal theorising, but backwards, in order to scrutinise the reasons and causes of change in domestic policy and institutions and to generate hypotheses.

2.3.2. The praxis of inductive research

In praxis, the operationalisation of such bottom-bottom research strategy runs as follows: First, empirical observations are collected to constitute the dependent variable. This part is called descriptive analysis. Little attention is paid to explaining or attributing a cause to the observation. This stage reflects the choice of the bottom-bottom research strategy, which "starts from actors, problems, resources, policy style, and discourses at the domestic level"[570], and does not reason deductively in terms of structural or institutional adaptation. The method for data selection will be detailed in section 2.5.

Once empirical data have been collected (and changes in the institution of national foreign policy have been described and thoroughly analysed in a time-sensitive manner), the independent variable (e.g. the EU's CFSP) is exogenised –as one of the possible explanations. The research then specifies the type of inferences that can be attributed to the relationship between the variables, on the basis of the conceptual framework. For instance, changes in states' foreign policy behaviour that are found to be convergent with the EU are attributed to Europeanisation, because of the existence of foreign policy coordination mechanisms. The inference is established by demonstrating that the observations can and should be understood as produced in the framework of a European interaction structure (in the latter example: EU foreign policy coordination mechanisms). The research also examines the type of interaction structure (e.g. the role of the EU therein) as well as its non-EU ramifications (e.g. with the norms of other European organisations, or international norms).The solidity of the inference depends on this work.

Then, the causal and constitutive relationships linking the variables are explored. This part is called argumentative analysis. It draws from a multi-theoretical framework presented in section 2.4. The objective is to identify the causal, constitutive and teleological forces that drove the phenomenon of Europeanisation, as presented in the descriptive analysis, evaluate the salience of the mechanisms at play and the factors that have facilitated or constrained the process.

Throughout the research, empirical checks will be introduced in the data collection procedures so to minimise "the risk of committing the logical fallacy of affirming the consequent"[571]. For instance, domestic convergence in candidate states' diplomatic networks may be indicative of Europeanisation, but it may also be explained by globalisation. This risk of pre-judging the role of the EU arena comparatively to rival, plausible variables should be taken very seriously[572]. Haverland has showed that

[570] Radaelli, C. M. and Pasquier, R. 2006. 'Encounters with Europe: Concepts, Definitions and Research Design.' *POLITIK 2006*. p. 17.
[571] De Vaus, D. A. 2001. *Research Design in Social Research*. p. 13 ff.
[572] Haverland, M. 2007. 'Methodology.' In *Europeanization: New Research Agendas*, eds. Graziano, P. and Vink, M. P; Haverland, M. 2005. 'Does the EU Cause Domestic Developments? The Problem of Case Selection in Europeanization Research.' *European Integration online Papers* vol.9 (2); Radaelli,

neglecting this over-determination pitfall may considerably undermine the capacity of the researcher to establish compelling causality[573]. This problem is most severe in studies using baseline strategies, since these do not treat EU-level variables as exogenous (unlike other intervening variables). They thus tend to inflate the relative and actual importance of Europeanisation compared to other processes of social change. In studies using bottom-bottom research strategies, this risk of over-determination is intrinsically lower, as EU-level independent variables are treated exogenously in the same way as rival (or intervening) variables. But it is not reduced to null, as case selection may have a distortive effect on inferences –a methodological pitfall known as the "no-variation" issue[574], and questions in interviews, by suggesting that the role of the EU is crucial, may overlook the significance of other variables.

2.4. The analytical design

2.4.1. A FPA framework in descriptive research

The descriptive research will identify instances of institutional change with the purpose of constituting the dependent variable. It will rest on the FPA framework inspired by Hill[575] and White[576], and presented in the literature review (see section 1.1.2). This FPA framework, originally conceived with the purpose of analysing states' foreign policy, prescribes the examination of foreign policy through five dimensions: foreign policy actors, foreign policy contexts, foreign policy processes, foreign policy instruments and foreign policy outputs. Although the first step in the research has no explanatory purpose, it can nevertheless use the FPA framework to examine systematically whether some institutional changes have taken place in the five aforementioned dimensions, within the cases and timeframe under consideration.

Table 1 presents (for each of the five FPA dimensions) a set of observable phenomena, which, according to the literature review, may qualify as instances of institutional changes possibly attributable to Europeanisation. In this FPA framework, behavioural and attitudinal indicators will be used to substantiate the various dimensions of change (see section 2.5.3 on the methodology).

C. M. and Pasquier, R. 2006. 'Encounters with Europe: Concepts, Definitions and Research Design.' *POLITIK 2006*.

[573] Haverland, M. 2003. 'Methodological Issues in Europeanisation Research: The 'No Variation' Problem.' Conference paper; Haverland, M. 2007. 'Methodology.' In *Europeanization: New Research Agendas*, eds. Graziano, P. and Vink, M. P; Haverland, M. 2005. 'Does the EU Cause Domestic Developments? The Problem of Case Selection in Europeanization Research.' *European Integration online Papers* vol.9 (2).

[574] Haverland, M. 2003. 'Methodological Issues in Europeanisation Research: The 'No Variation' Problem.' Conference paper; Haverland, M. 2007. 'Methodology.' In *Europeanization: New Research Agendas*, eds. Graziano, P. and Vink, M. P; Haverland, M. 2005. 'Does the EU Cause Domestic Developments? The Problem of Case Selection in Europeanization Research.' *European Integration online Papers* vol.9 (2).

[575] Hill, C. 2003. *The Politics of Foreign Policy*.

[576] White, B. 2004. 'Foreign Policy Analysis and the New Europe.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al.

Table 1: Foreign policy analysis in descriptive research

FPA dimensions	Observable phenomena (instances)
Foreign policy actors	empowerment of EFP Community actors prime-ministerialisation of FP expansion of diplomatic networks (size, staff, resources, etc…) creation of FP structures for conduct of political dialogue with EU widening scope of FP coverage professionalisation of FP ministries (rejuvenation, technology) renaming of ministries, etc…
Foreign policy contexts	emergence of EU as incontrovertible structure (increase in number of reference to EU…) collective identity formation paradigmatic shift in security doctrine de-securitisation, re-securitisation of FP discourse reinforcement of democratisation introduction of MLG, participation of non-govtl actors
Foreign policy process	development of *réflexe communautaire* growing FP coordination Brusselisation of FP decision-making shift towards problem-solving rationality increase in QMV in EFP making, shrinking of *domaines réservés* enhanced access to information
Foreign policy instruments	growing ability to project national preferences on EU level renouncement to use hard power FP issue multilateralisation
Foreign policy outputs	FP convergence FP alignment

2.4.2. A multidimensional framework of analysis in argumentative research

The second analytical framework proposed in this thesis is an adaptation of Carlsnaes's synthetic meta-theoretical framework for the analysis of foreign policy[577]. It was originally designed as a "metatheoretical framework based on a dynamic conception of the interplay over time between interpretative, purposive agents and a structural domain defined in terms of both constraining and enabling properties"[578].

Its purpose will be to offer a framework in inductive research in order to 1) assess the attributability of the data collected by the descriptive research to the phenomenon of Europeanisation, and 2) explore the underpinning forces driving the phenomenon. That is, in other words, to 1) establish that a logical connection exists between, one

[577] Carlsnaes, W. 1992. 'The Agency-Structure Problem in Foreign Policy Analysis.' *International Studies Quarterly* vol.36; Carlsnaes, W. 2002. 'Foreign Policy.' In *Handbook of International Relations*, eds. Carlsnaes, W., et al; Carlsnaes, W. 2004b. 'Where Is the Analysis Fo European Foreign Policy Going?' *European Union Politics* vol.5 (4); Carlsnaes, W. 2008. 'Actors, Structures, and Foreign Policy Analysis.' In *Foreign Policy: Theories, Actors, Cases*, eds. Smith, S., et al.
[578] Carlsnaes, W. 1992. 'The Agency-Structure Problem in Foreign Policy Analysis.' *International Studies Quarterly* vol.36. p. 245.

the one side, the instances of institutional change observed through FPA at the domestic level in descriptive research, and, on the other side, relevant interactions that have been performed on a European interaction structure by a variety of foreign policy actors; and 2) unveiling the mechanisms of Europeanisation that mattered most in the case under consideration and highlighting the facilitating and constraining factors, when appropriate.

Although it will here applied to the field of national foreign policy, it is argued that this framework could similarly be applied to any other policy field, in which actors interact across levels of governance, and could therefore make a valuable contribution to Europeanisation research in general. The analytical framework prescribes a three-step analysis, in order to locate the roots of social action empirically, in both agents and structures. It departs from approaches strictly committed to either methodological holism or methodological individualism, because it considers, in accordance with previous conceptual choices, that both actors and structures matter; and that the forces driving Europeanisation are both endogenous and exogenous. The analytical framework, thus, is designed for the dual purpose of unveiling both reasons and causes of actions. Causes are premised on the ontological existence of (dependent and independent) variables, whereas reasons presume that the phenomenon in question is an effect of the conditions that make it possible, although it does not exist independently of them[579].

2.4.2.1. Intentional analysis –looking for teleological motives

The intentional analysis aims at providing teleological explanations in terms of goals and individual preferences. Rooted in actor-based, individualistic theories, it seeks to understand the relationship between a given phenomenon (e.g. change in foreign policy) and the goal that was pursued by actors as the phenomenon ensued[580].

Sometimes, social action is a matter of will. Alignment, for instance, often implies behavioural change: one actor alters its behaviour in order to get closer to its point of reference. This change may be explained by the intention the actor held to indeed get closer to its point of reference. This argumentation is less trivial than it seems. Sometimes, actors intended to adopt the behaviour that have adopted, but for reasons that had been overlooked by researchers. That is why intentional analysis heavily relies on interpretative studies[581]. Sometimes, also, actors held a different intent than the one that researchers assigned to them. Their alignment may be unintended, unexpected or coincidental. Sometimes, finally, actors did hold the intent at first, but they no longer do (and for some reason, may no longer dis-align themselves). These considerations are important to detect equifinality issues. Of course, an intentional analysis does not elucidate "how a particular intention has come to be a particular *actor's* intention"[582]. That is the field of inquiry of the dispositional analysis.

[579] Fearon, J. and Wendt, A. 2002. 'Rationalism V. Constructivism: A Skeptikal View.' In *Handbook of International Relations*, eds. Carlsnaes, W., et al. p. 58ff.
[580] Carlsnaes, W. 2008. 'Actors, Structures, and Foreign Policy Analysis.' In *Foreign Policy: Theories, Actors, Cases*, eds. Smith, S., et al. p. 97.
[581] Carlsnaes, W. 2002. 'Foreign Policy.' In *Handbook of International Relations*, eds. Carlsnaes, W., et al. p. 343.
[582] Carlsnaes, W. 1992. 'The Agency-Structure Problem in Foreign Policy Analysis.' *International Studies Quarterly* vol.36. p. 255.

2.4.2.2. Dispositional analysis –looking for normative inclinations

The dispositional analysis aims providing an understanding of social change in terms of norms and values. Rooted in normative theories, it does not examine the properties of actors that can objectively explain their intentions and their actions, but enquires into those "reasons" for action [583] that are vested in actors' dispositions. The dispositional analysis, more specifically, aims at understanding "why certain purposes, goals, preferences or choices have been invoked, but not others" at a given moment[584].

Social action, in this understanding, is a matter of inclination. Because actors hold certain causal and principled beliefs (dispositions) regarding the appropriateness of an action (e.g. on the consequences and goodness of alignment), they will develop corresponding intentions and seek to act accordingly. It will not be possible to infer any causal power from these inclinations, since the dispositions fuelling them do not exist independently from the phenomenon. They are held by the same domestic actors, who witness and operate the changes in national foreign policy. But this dispositional analysis can be of great use to understand the constitutive relationships that nourish social action. It will require the examination of the normative constructs that matter in foreign policy, their transformation over time and the exploration of the intersubjective understandings forming collective identities, which, at a higher-level of analysis, sustain dispositions favourable to cooperative behaviours. Discursive and cultural strands of constructivism can hereby proved of great utility.

2.4.2.3. Structural analysis –looking for structural forces

The third analytical approach proposed in this multi-dimensional framework is a structural analysis. It is based on the assumption that agency is "never pursued outside crucible of structural determination"[585]. Researching key structural constraints and enabling factors, and identifying institutional settings are important to identify causal powers.

Social action, after all, is also a matter of structural necessity. It is decisively determined by both material and ideational properties, which exist independently from actors' will and dispositions, although these properties have an impact on their will and dispositions. An EU law obligation to align, for instance, potentially, has a causal effect on actor's behaviour, if the ensuing behaviour is driven by compliance. But it also has a constitutive effect on the context in which dispositions take root (by providing the raw material for a shift towards obedience) and it is also essential to understand why certain intentions are formulated (as structures provide limitations). The whole range of causal powers is best studied through rationalist, often holistic, theories.

[583] Stahl, B. and Harnisch, S. 2009a. 'Nationale Identitäten Und Aussenpolitiken: Erkenntnisse, Desiderate Und Neue Wege in Der Diskursforschung.' In *Vergleichende Aussenpolitikforschung Und Nationale Identitäten: Die Europäische Union Im Kosovo-Konflikt 1996-2008*, eds. Stahl, B. and Harnisch, S.
[584] Carlsnaes, W. 2004b. 'Where Is the Analysis Fo European Foreign Policy Going?' *European Union Politics* vol.5 (4). p. 507.
[585] Carlsnaes, W. 2002. 'Foreign Policy.' In *Handbook of International Relations*, eds. Carlsnaes, W., et al. p. 343.

2.5. Methodological design

2.5.1. Case study

The thesis will follow the methodological design of a cross-national, small-n case study. It will examine the Europeanisation phenomenon in two countries "with the intention of comparing their manifestations in different socio-cultural settings (institutions, customs, traditions, value systems, life styles, language, thought patterns), using the same research instruments"[586].

The two countries selected for this study are part of the "many spaces of non-EU Europe" (see section 1.4.1). Their foreign policy actors interact intensively on European interaction structures, but their relationship to the EU differs meaningfully from each other. This makes them part of different circles of non-EU Europe –a relational property that is all but irrelevant in the study of Europeanisation. Choosing two cases instead of a single one can best capture this dimension. A third (and fourth) case could have been added (at least theoretically) to underline the heterogeneity of non-EU Europe. But it would not have necessarily added much explanatory power. Any new case would have increased the number of intrinsic attributes potentially linked to foreign policy changes (e.g. economy, political system), made comparison more difficult, and blurred the relative significance of the relational properties that constitute the many space of non-EU Europe.

2.5.1.1. FRY/Serbia-Montenegro/Serbia and FYROM/RoM/Macedonia

The cases that have been selected in this thesis are Serbia and Macedonia. Serbia only became an independent state in 2006, following the dissolution of the state union of Serbia and Montenegro[587]. Before that, Serbia was a constituent republic of the state union of Serbia and Montenegro (2003-2006), a loose political union with few competences shared. Between 1992 and 2003, it was a constituent republic of the Federal Republic of Yugoslavia (FRY), a tighter federation consisting, again, of Serbia and Montenegro[588]. Since Serbia only became an independent state in 2006, it might seem odd to speak of "Serbia's foreign policy" before 2006. Foreign policy, indeed, was a one of the few prerogatives of the state union of Serbia and Montenegro between 2003 and 2006 and the FRY between 1992 and 2003. In this thesis, however, little attention will be paid to this issue. A heuristical approach will be adopted, which, unless otherwise indicated, posits that there is no meaningful difference between Serbia-Montenegro, FRY and Serbia's foreign policies. This heuristic is not an optimal solution, but it is an experienced-based technique that enables to study Serbia's foreign policy over a longer period of time, with relative consistency. Serbia, after all, is the legal successor of both the FRY and the state union of Serbia and

[586] Hantrais cit. in Bryman, A. 2004. *Social Research Methods*. p. 53.
[587] In May 2006, Montenegro declared by referendum its independence from the state union. Its independence entailed the end of the state union, and *ipso facto*, Serbia's independence.
[588] Before 1992, Serbia was a constituent republic of the Socialist Federal Republic of Yugoslavia (SFRY), which was dissolved amid the Yugoslav wars. Later, the FRY claimed to be the legal successor of the SFRY. See Bühler, K. G. 2001. *State Succession and Membership in International Organizations*. p. 185ff.

Montenegro[589]. This means that Serbia in 2006 took over the international capacity to assume the state union's rights and obligations. Serbia's post-2006 foreign policy can reasonably be considered as a continuity of FRY/Serbia Montenegro's pre-2006 foreign policy for another reason: the inherent asymmetry of the FRY/Serbia Montenegro, which credited Serbia with more political weight than Montenegro. Belgrade, after all, was not only the capital of Serbia; it was also the capital of the FRY[590], and from 2003, the "administrative centre" of the state union of Serbia and Montenegro, as well as the centre of its legislative and executive power[591]. This means that key institutions of foreign policy (e.g. the federal Ministry of Foreign Affairs, the diplomatic academy, the federal Presidency and the Council of Ministers) were located in Belgrade. Moreover, in the federal administration, many high-ranking positions in foreign affairs were occupied by native Serbs. Between 1992 and 2006, none of the six Foreign Ministers of the FRY/Serbia-Montenegro came from Montenegro[592]. The longer diplomatic tradition of Serbia and its larger resources certainly reinforced the internal asymmetries of the FRY and state union. That is why speaking of Serbia's foreign policy before 2006 to designate, heuristically, the foreign policy of Serbia-Montenegro or FRY, in practical, experience-based terms, is not erroneous (although, constitutionally, it is).

The other case that will be studied in this thesis is Macedonia. Macedonia declared its independence in September 1991, following a referendum. However, it did not receive international recognition right away owing to a dispute with Greece over the name of the country[593]. Greece rejected indeed the name of "Macedonia", which it considered hers, as belonging to the Hellenic heritage of the republic. A solution could only be found in 1995, after Athens and Skopje concluded an Interim Agreement, stating that Greece would no longer oppose Macedonia in international organisations, provided Macedonia is referred to as "former Yugoslav Republic of Macedonia" or "FYROM". Shortly after, in December 1995, the EU accordingly established official diplomatic relations with "FYROM". This agreement, however, does not provide that the only valid name of Macedonia is "FYROM"[594]. Nor does it acknowledge Macedonia's claim to be called "Republic of Macedonia" (RoM). In this thesis, therefore, the abbreviated name of "Macedonia" will be used to designate (depending on the standpoint) either RoM or FYROM.

The choice of Serbia and Macedonia in this thesis, finally, reflects the need to select 1) information-rich ("deep") cases; 2) most similar cases; 3) most meaningfully contrasting cases.

2.5.1.2. Information-rich cases

[589] Art. 60, Constitutional Charter of the State Union of Serbia and Montenegro. 2003.
[590] Art. 5, Constitution of the Federal Republic of Yugoslavia. April 1992.
[591] Belgrade harboured the Assembly of Serbia-Montenegro and its Council of Ministers, whereas Podgorica only harboured the Court of Serbia-Montenegro. Art. 6, Constitutional Charter of the State Union of Serbia and Montenegro. 2003.
[592] Montenegro, however, was well represented in the Chairmanship of the Council of Ministers of Serbia-Montenegro and the Cabinet of FRY.
[593] For a short history, see Mircev, D. 2006. *The Macedonian Foreign Policy*.
[594] This has point has been raised explicitly in 2011 by the ICJ in its interpretation of the 1995 Interim Agreement. See International Court of Justice. 5 December 2011. 'Judgment of the Court Regarding the Objection by Greece to the Admission of the Former Yugoslav Republic of Macedonia to Nato.'

The thesis, conducted under the general auspices of Europeanisation research, has two research *foci*, i.e. a sectoral one (national foreign policy) and a politico-geographical one (non-EU Europe). As it is not possible to examine, analyse and compare all instances of institutional change throughout non-EU Europe, the geographical scope of the research shall be narrowed down by selecting cases that amplify the prospective contribution of the research to the Europeanisation scholarship in general, and shed light on the phenomenon in non-EU Europe in particular. The difficulty, however, is to balance information-richness with relative representativeness. Considering the heterogeneity of the non-EU European space, which encompasses states as diverse as Moldova, Turkey, Belarus, Switzerland and Norway, priority will be given in this thesis to information-richness.

The choice of Serbia and Macedonia is first of all grounded on the fact that the two states have been conducting a very dynamic foreign policy over the past 15 years, whether on the bilateral, regional, European or international level. This dynamism has been amplified by the existence of highly securitised issues in both countries (see Table 2).

Table 2: Present and past security issues in Macedonia and Serbia (as of 2013)

Macedonia	**Serbia**
Highly securitised issues (present)	
Relations with Greece and collaterals (Name issue)	Relations with Pristina and collaterals (Kosovo issue)
(partly) de-securitised issues	
Relations with Kosovo	Relation with Bosnia-Herzegovina
Inter-ethnical relations	Relations with Croatia
	Relations with the Hague Tribunal

The "naming dispute issue" between Skopje and Athens has plagued the foreign relations of Macedonia since its declaration of independence in 1991[595]. Although many EU and Nato member states recognise Macedonia under its constitutional name (including the United Kingdom, Hungary, Luxembourg or Poland), opposition by Greece has translated into repeated (and hitherto rather successful) attempts at barring, or at least retarding, Macedonia's accession to European and Euro-Atlantic structures[596]. Macedonia therefore deploys considerable diplomatic efforts in order to obtain the support of third countries, accepting to recognise the country under its constitutional name (for instance, Andorra in 2010, Bolivia and Namibia in 2011, Hungary in 2012, the Czech Republic in 2013)[597]. Other security issues in Macedonia

[595] for a short overview, see Frčkoski, D. L. 2009. 'The Character of the Name Dispute between Macedonia and Greece.'
[596] e.g. Embassy of the Hellenic Republic of Greece in Washington 29/08/2008; EurActiv 23/06/2008; Grnčarovska 29/10/2010, p. .
[597] Macedonian Information Agency. 6.8.2009. 'Macedonia Establishes Diplomatic Ties with Andorra under Its Constitutional Name'. [accessed 05/11/2010]; United Macedonian Diaspora. 8.3.2013. 'Umd Thanks the Czech Republic for Recognizing Macedonia '. [accessed 7.6.2013]; United Macedonian Diaspora. 18.1.2011. 'Bolivia Becomes 131st Country to Recognize Macedonia's Name'. [accessed 7.6.2013].

concern a border dispute with Kosovo, which has been settled in 2009[598], and the question of territorial decentralisation, which is included in the 2001 Ohrid Agreement, and "necessarily has an ethnical and political dimension"[599].

In Serbia, the foreign policy issue that is most securitised today concerns the Kosovo recognition issue[600]. Following Kosovo's declaration of independence of 17th February 2008, Serbia has embarked on a large-scale diplomatic campaign to prevent UN member states from recognising Kosovo's independence. Its campaign has met mixed results. Within the EU, five states have not recognised Kosovo as independent state as of 2013: Spain, Slovakia, Romania, Greece and the Republic of Cyprus. To support its claim, Serbia has been resorting to a variety of foreign policy actions, e.g. expelling ambassadors of countries that recognised Kosovo[601]. Later, Serbia recently moved its dispute on the judicial level by appealing to the International Court of Justice, but the Court's ruling eventually proved more favourable to Kosovo[602]. Other security topics that have been, or are being de-securitarised in Serbia include Serbia's relations with Bosnia-Herzegovina regarding the past (accusation of genocide) and the Republika Srpska (territorial integrity issues); Serbia's relations with Croatia regarding the past (mutual accusations of genocide); and Serbia's relations with the International Criminal Tribunal for the former Yugoslavia (ICTY), which were fraught until the arrest of Mladić in 2011.

2.5.1.3. Cases with meaningful similarities

To be comparable, cases must be selected so as to minimise the number or the significance of variables other than the *explanans*, which could equally explain the phenomenon of Europeanisation. In Lijphart's word, this concern refers to the issue of "too many variables, too few cases"[603]. It is solved by choosing cases displaying remarkable similarities –except regarding the independent variable, where differences should be most meaningful.

The choice of Serbia and Macedonia is grounded on this logic of meaningful similarity. First, both states share important socio-cultural characteristics. Both are multi-ethnic states with a Slavic, Eastern Orthodox majority, and both have substantial minorities (see Table 3). In Central Serbia, Serbs account for 89.5% of the population; in Vojvodina, they represent 65 %; and in Kosovo[604], they are a minority (around 10% according to the 1991 census, and presumably around 4% today)[605]. In Macedonia, the two thirds of the population are of Slavic ethnicity. Albanians are a

[598] EurActiv. 19/10/2009. '*EU Hails Macedonia and Kosovo for Solving Border Quarrel*.'
[599] Minister Xhaferi cit. in Dnevnik. 06/04/2010. 'Macédoine: « La Décentralisation Est Un Enjeu Qui Aura Toujours Une Dimension Ethnique Et Politique ».'
[600] for an overview of post-war Kosovo and the status question, see Kramer, H. and Džihić, V. 2006. *Die Kosovo-Bilanz: Scheitert Die Internationale Gemeinschaft?*
[601] Deutsche Welle. 10.10.2008. '*Serbia Expels Macedonian, Montenegrin Envoys over Kosovo*.'
[602] International Court of Justice. 22 July 2010. 'Accordance with International Law of the Unilateral Declaration of Indepedence in Respect of Kosovo.'
[603] cit. in Alecu de Flers, N. 2007. 'National Adaptation to the Common Foreign and Security Policy (CFSP) of the EU? The Effects of the CFSP on the Foreign Policies of Ireland and Austria.' Doctoral thesis.
[604] Serbia considers Kosovo as part of its territory, despite the declaration of independence of February 2008.
[605] Republic of Serbia. 2002. 'Final Results of the Census 2002.'; Republic of Kosovo. 2010. 'Kosovo in Figures 2009.'

majority in some municipalities along the Western border, and they represent 20 to 50% of the population in North-Western and Central Macedonia (including Skopje). In confessional matters, it is worth noting that the Macedonian Orthodox Church gained autonomy from the Serbian Orthodox Church in 1959, and declared autocephaly in 1967. This has caused recurrent tensions at the highest level between the two countries[606]. Islam, finally, has a long history in Macedonia and Serbia. It was brought by the Ottomans in the 14th and 15th century, and it is mostly practiced by the Albanians, the Bosniaks, and the Turks.

Table 3: Comparative demographics of Macedonia and Serbia (2002 censuses)

Macedonia		**Serbia***	
~2 million	***Total population***	~7.5 million	
National or ethnic group			
Macedonians	64.18%	Serbs	82.86%
Albanians	25.17%	Hungarians	3.91%
Turks	3.85%	Bosniaks	1.82%
Roma	2.66%	Roma	1.44%
Serbs	1.78%	Yugoslavs	1.08%
Bosniaks	0.84%	Croats	0.94%
		Montenegrins	0.92%
		Albanians	0.82%
		Macedonians	0.35%
Confessions			
Macedonian Orthodox	64.7%	Serbian Orthodox	84.98%
Islam	33.3%	Roman Catholic	5.48%
		Islam	3.20%

* The 2002 census of Serbia excludes Kosovo from its statistics
Sources: Republic of Serbia. 'Final Results of the Census of 2002.'; Republic of Macedonia. 2005. 'Census of population, households and dwellings in the Republic of Macedonia, 2002'.

Second, Serbia and Macedonia share a common history: both peoples used to be ruled by the Ottomans, which they (sometimes jointly) opposed. Following the Balkan wars and the dissolution of the Ottoman Empire, both belonged in turn to the Kingdom of Serbs, Croats and Slovenes (1918-1929), the Kingdom of Yugoslavia (1929-1941) and of the Socialist Federal Republic of Yugoslavia (SFRY) (from 1943 till Macedonia's declaration of independence in 1991)[607].

Third, both states belong to the same geopolitical space, the Balkans, whether naturalistically considered as a geographical reality delineated by the Balkan Peninsula, or normatively considered as a reflection of discursive constructions by the

[606] Macedonian Information Agency. 2009. 'Ivanov - Tadic: Macedonia and Serbia Make Progress in Bilateral Relations'. [accessed 04/11/2010].
[607] for an history of the Balkans, see Castellan, G. 1992. *History of the Balkans: From Mohammed the Conqueror to Stalin*.

West[608]. Both states crystallise a normative imagery that is "paired in opposition to the 'West' and 'Europe', [as] the dark other of 'western civilization'"[609]. This stereotypical imagery, which Todorova terms "Balkanism", has been internalised by local communities to a surprisingly high degree[610]. It is still very lively (cf. the narrative of Balkanisation), and arguably maintains the ambivalence of the "West" towards this "other" Europe. Negative connotations attached to Balkanism are addressed to both Serbia and Macedonia.

Fourth, Serbia and Macedonia share important socio-political characteristics. They are both parliamentary republics endowing the Head of State with limited powers in comparison to the Head of Government, and have unicameral legislatures (see Table 4). In Serbia, the political landscape is dominated by three or four political parties: the pro-European centre-left Democratic Party (DS), affiliated to the Party of European Socialists; the left-wing nationalist Socialist Party of Serbia (SPS), founded by Slobodan Milošević in 1990; the right-wing ethno-nationalist Serbian Radical Party (SRS) and its conservative offspring, the Serbian Progressive Party (SNS); and the centre-right Euro-sceptical Democratic Party of Serbia (DSS), which has lost considerable weight in the past few years. In Macedonia, the political landscape is dominated by the right-wing moderately nationalist Internal Macedonian Revolutionary Organization – Democratic Party for Macedonian National Unity (VMRO-DPMNE), affiliated to the European People's Party; the Centre-left Social Democratic Union of Macedonia (SDSM), affiliated to the Party of European Socialists; and a few Albanian parties, e.g. the Democratic Union for Integration (BDI).

The political system in Serbia and Macedonia has undergone a significant democratisation process in the 2000s. As a result, there has been a certain improvement of civil liberties and political rights in both countries (see Table 5). But the level of democracy in Serbia and Macedonia remains comparable, according to the Bertelsmann Foundation. Even corruption, which has been identified as a major problem by the EU, is a phenomenon that affects both countries in comparable extents.

[608] Todorova, M. 1999. *Die Erfindung Des Balkans*.
[609] Todorova, M. 1994. 'The Balkans: From Discovery to Invention.' *Slavic Review* vol.53 (2). p. 482.
[610] Todorova, M. 1999. *Die Erfindung Des Balkans*.

Table 4: Political and legal system in Macedonia and Serbia

Macedonia	**Serbia**
Parliamentary republic	Parliamentary republic
Executive branch	
President elected by direct vote, 5-year term	
Gjorge Ivanov *VMRO-DPMNE, since May 2009* Branko Crvenkovski *SDSM, May 2004-May 2009* Boris Trajkovski *VMRO-DPMNE, Nov. 1999-Feb. 2004*	Tomislav Nikolić *SNS, since May 2012* Boris Tadić *DS, July 2004-Apr.2012* Milan Milutinović *SPS, Dec.1997-Dec.2002*
Prime Ministers	
Nikola Gruevski *VMRO-DPMNE, since Aug. 2006* Vlado Bučkovski *SDSM, Dec. 2004-Aug. 2006* Hari Kostov *Indep., June 2004-Nov. 2004* Radmila Šekerinska *SDSM, May 2004-June 2004* Branko Crvenkovski *SDSM, Nov. 2002-May 2004* Ljubčo Georgievski *VMRO-DPMNE, Nov. 1998-Nov. 2002*	Ivica Dačić *SPS, since July 2012* Mirko Cvetković *Indep., July 2008-July 2012* Vojslav Koštunica *DSS, March 2004-July 2008* Zoran Živković *DS, March 2003-March 2004* Zoran Đinđić *DS, Jan. 2001-March 2003* Mirko Marjanović *SPS, March 1994-Oct. 2000*
Legislative branch	
Unicameral Assembly 120 seats (123 from 2011) elected for a 4-year term Parliamentary elections in *- **2011**, won by VMRO-DPMNE –led coalition* *- **2008**, won by VMRO-DPMNE –led coalition* *- **2006**, won by VMRO-DPMNE –led coalition* *- **2002**, won by SDSM –led coalition*	Unicameral Assembly 250 seats elected for a 4-year term Parliamentary elections won by *- **2012**, won by SNS –led coalition* *- **2008**, won by DS –led coalition* *- **2007**, won by SRS –led coalition* *- **2003**, won by SRS –led coalition* *- **2000**, won by DS –led coalition*

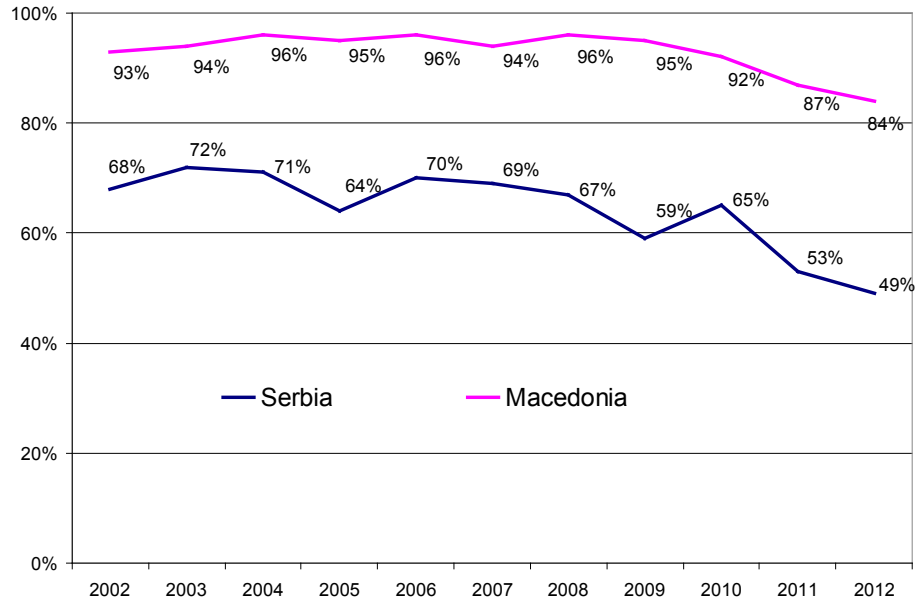
Table 5: Democracy in Serbia and Macedonia

Democracy indexes	Macedonia		Serbia	
	1997	2010	2003	2010
Civil liberties [1)]	4	3	3	2
Political rights [1)]	3	3	2	2
Democracy status [2)]		7.95		8
Stateness [2)]		8.8.		9.3
Rule of law [2)]		7.3		6.8
Stability of demo. institu. [2)]		8.5		8
Corruption perception index[3)]		4.1		3.5

[1)] higher values indicate lesser liberties and rights; source: Freedom House
[2)] source: Bertelsmann Stiftung
[3)] higher values indicate lower corruption perception; source Transparency International

Fifth, Serbia and Macedonia have both a population that supports European integration (see Figure 1), although this support has been declining in the past few years. A meaningful difference between the two countries, however, resides in the absolute level of support, which in Macedonia is 15 to 20% higher than in Serbia.

Figure 1: Popular support for EU integration in Serbia and Macedonia



Source: SEA and SEIO[611].

Sixth, Serbia and Macedonia share important socio-economic characteristics. According to the World Bank, they rank respectively 64th and 68th in terms of gross

[611] Government of Macedonia. 'Public Opinion Survey Iri'. [accessed 5.3.2013]; Government of the Republic of Serbia. July 2011. 'European Orientation of the Citizens of the Republic of Serbia: Trends.'

domestic product (GDP) per capita (PPP)[612]. They have both experienced an economic transition, and they are similarly confronted to market-based pressures emanating from the globalisation. Both economies trade intensively with the EU, their main trading partner[613]. The EU accounts respectively for 60% and 47% of Macedonia's total imports and exports, compared to 54% and 54% of Serbia's total imports and exports. Serbia and Macedonia's exports mostly consist of price-sensitive products (textile and steel for Macedonia, and agricultural products, tires, steel and iron for Serbia). None of the countries cover their imports with their exports. The EU is also a major investor in both countries: it accounts for 75% of the foreign direct investments in both countries.

Seventh, both countries have been recipients of financial assistance provided by the EU in the framework of the Stabilisation and Association Process, through the Instrument for Pre-Accession (IPA) (since 2007), and the Community Assistance for Reconstruction, Development and Stabilisation (CARDS) (between 2000 and 2006). Macedonia also benefited from EU financial assistance prior to 2000[614]. Between 2007 and 2010, Serbia has received around €730 million under the IPA scheme, i.e. a yearly average of €190 million[615]. In the same period, Macedonia has benefited from €300 million, i.e. a yearly average of 75 million[616]. These amounts are similar, if one takes into account Serbia's larger GDP and population.

Serbia and Macedonia are finally both very well integrated in the world system, although some meaningful differences appear with regards to Nato in particular. Both states are members of the United Nations and participate in peace-keeping operations worldwide (cf. Serbia's participation in the MONUC in RDC, UNMIL in Liberia, UNOCI in Côte d'Ivoire and Macedonia's participation in the UNIFIL in Libanon). Serbia and Macedonia are members of the international organisations, such as the Council of Europe or the OSCE, and are also very well integrated in regional organisations (e.g. Southeast European Cooperation Process, Stability Pact for South Eastern Europe and Regional Cooperation Council, Central European Initiative, CEFTA, BSEC).

In the eight dimensions mentioned here (socio-cultural, historical, geopolitical, socio-political, EU-related, socio-economic, related to EU financial assistance, and to the participation to international organisation), Serbia and Macedonia display striking similarities. If cross-national differences are to be found in the *explanandum*, then, the variables underpinning these dimensions will most probably not be the ones that can best explain differential change, as little cross-national variation can be evidenced between them. Some of these variables (e.g. democratisation, globalisation) can nevertheless play a role in co-explaining similarities in the *explanandum*; their relevance will therefore have to be vetted against that of other variables.

2.5.1.4. Cases with meaningful differences

[612] World Bank. 'World Development Indicators Database'. [accessed
[613] European Commission. 'EU-Serbia Relations'. [accessed 03/11/2010]; European Commission. 'EU-the Former Yugoslav Republic of Macedonia Relations'. [accessed 03/11/2010].
[614] European Commission. 'Phare'. [accessed 03/11/2010].
[615] European Commission. 'Serbia - Financial Assistance'. [accessed 03/11/2010].
[616] European Commission. 'The Former Yugoslav Republic of Macedonia - Financial Assistance'. [accessed 03/11/2010].

The third concern in case selection is the need to choose cases displaying meaningful differences. This concern echoes the "no-variation issue" in Europeanisation studies[617], i.e. the need to make sure that the independent variable shows cross-national variations. In the absence of such variations, it is "difficult to *confirm* the 'EU matters' hypotheses when the hypothesised pattern or outcome is matched by our observations, as there is no *systematic* control for other potential explanations, such as globalisation"[618]. Part of this "no-variation" issue is resolved by the choice of a bottom-bottom research design exogenising the independent variable, and the conduct of inductive research limiting the risk of over-determination fallacy. The issue can be further alleviated by choosing cases that display "variations in the EU variable but similarity with regards to other variables"[619]. The choice of Serbia and Macedonia is in this respect quite instructive.

Serbia and Macedonia first exhibit meaningful differences as regards their respective relationship with the EU (see Table 6). Both states started their rapprochement with the EC/EU in the same time, through the Regional Approach in 1997 and became "potential candidates" through their participation in the Stabilisation and Association process (SAp) in 2000. But Macedonia progressed towards EU accession at a much faster pace than Serbia, at least in the 2000s. It signed its Stabilisation and Association Agreement (SAA) in 2001 and witnessed its entry into force in 2004. Serbia signed it in 2008, and had it ratified by all EU member states only in 2013[620]. Macedonia, likewise, was granted the status of EU candidate in 2005, whereas Serbia only reached this stage in 2012. The reasons for Serbia's slower progression towards the EU mainly reside in the country's lack of cooperation with the ICTY (in the mid-2000s) and its problematic relationship with Kosovo (thereafter). Although Macedonia's integration progress, at first, has been swifter in comparison to Serbia, it has been stalled in 2008, mainly because of the "naming issue". Despite the recommendation of the Commission (in 2009, 2010, 2011 and 2012), the Council has not agreed on the opening of accession negotiations with Macedonia. This stalemate has allowed Serbia to "catch up" with Macedonia in the 2010s. In spring 2013, both countries stood again at the same institutional distance from the EU.

[617] Haverland, M. 2003. 'Methodological Issues in Europeanisation Research: The 'No Variation' Problem.' Conference paper; Haverland, M. 2005. 'Does the EU Cause Domestic Developments? The Problem of Case Selection in Europeanization Research.' *European Integration online Papers* vol.9 (2).
[618] Haverland, M. 2005. 'Does the EU Cause Domestic Developments? The Problem of Case Selection in Europeanization Research.' *European Integration online Papers* vol.9 (2). p. 2.
[619] Ibid. p. 7.
[620] Belgium, France, Germany and Romania ratified the SAA between the EU and Serbia in 2012. Lithuania was the last country of the EU that had not ratified the agreement. The reason invoked for this delay was an on-going dispute between Belgrade and Vilnius concerning the cancellation of the privatisation of one Serbia's beer makers, which had previously been purchased by a Lithuanian company and the diplomatic race the two countries run for taking over the Presidency of the UNGA.

Table 6: A comparative chronology of EU-Macedonian and EU-Serbian relations

	Macedonia	**Serbia**
Commission recommends opening of accession negotiations	14 October 2009	22 April 2013
European Council posits the resolution of naming issue as pre-condition	*19-20 June 2008*	*n.a.*
European Council grants Candidate status	16 December 2005	1 March 2012
SAA enters into force	1 April 2004	1 September 2013
Application for EU membership	22 March 2004	22 December 2009
SAA signature	9 April 2001	29 April 2008
SAA negotiations resume	*n.a.*	*13 June 2007*
SAA negotiations called off	*n.a.*	*2 May 2006*
SAA negotiations start	5 April 2000	10 October 2005
Thessaloniki European Council confirms the SAp and offers "European perspectives"	June 2003	June 2003
Zagreb Summit launches the Stabilisation and Association process	November 2000	November 2000
Feira European Council recognises Western Balkan countries as "potential candidates"	June 2000	June 2000
Regional Approach launches conditionality	1997	1997

In addition to these cross-national variations in time, timing and tempo regarding the EU accession process of the two countries, there are also cross-national variations in the type of relationship Serbia and Macedonia have woven with the EU. Macedonia's relationship with the EU (and most of EU member states) is very asymmetrical, politically speaking. Macedonia has neither the capabilities, nor the willingness to act as a regional power, or to counter-balance its relationship with the EU by intensifying its contacts with other entities. Its foreign policy is relatively new –it mostly emerged only after independence. It is, in a word, very dependent from the EU and EU member states. Serbia's relationship with the EU, by comparison, is less asymmetrical, at least in political terms. Its administration has more expertise in international and European affairs, and it has a longer diplomatic tradition within the SFRY. Serbia, furthermore, maintains very good relations with Russia. The two countries regularly exchange official visits at the highest level, and define their relationship as "strategic"[621]. Serbia traditionally relies on Russia's support in the UN Security Council regarding Kosovo, and occasionally used its "Russian option" to inflect EU positions in its favour. This special relationship with Russia attenuates the asymmetry of the relationship with the EU. Serbia, finally, is also very active, diplomatically, within the Non-Aligned

[621] See Republic of Serbia. October 2009. 'National Security Strategy of the Republic of Serbia.' In 2013, Serbia and Russia signed a Declaration on Strategic Partnership. See President of Russia. 24 May 2013. 'Press Statements Following Russian-Serbian Talks.'

Movement (NAM), an international organisation funded in Belgrade in 1961, and still critical of major powers, such as the EU and the US. Serbia has the status of observer in the organisation[622].

Serbia and Macedonia finally differ in their respective relationship with NATO (see Table 7). First, as receiver of security, Macedonia hosted Nato-led military operations between 2001 and 2003, as instability surged in North-eastern parts of the country. The internal conflict, which opposed state's security forces to ethnic Albanians fighters, was a repercussion of the Kosovo war. It was settled by the Ohrid Framework Agreement in 13 August 2001, and Nato accordingly deployed its troops to ensure the proper implementation of the Agreement as well as the stabilisation of the country[623]. But Macedonia's relationship with Nato did not start as receiver of security. Since 1995, Macedonia participates in Nato's Partnership for Peace Programme (PfP), and in 1999, it adhered to the Membership Action Plan (MAP) with the aim of joining the North Atlantic Organisation. In 2008, Macedonia expected to be invited to become a member of Nato, but its expectations were dashed by Greece's opposition owing to the "naming issue". Despite this setback (repeated in 2012), Macedonia still hopes to join Nato. Serbia's relationship with Nato considerably differs from Macedonia. As receiver of security, first, Serbia did not willingly host Nato's operation on its territory during the Kosovo war. In 1999, it was bombed by Nato[624], and forced to accept the deployment of a Nato force (KFOR) in Kosovo. These events have fuelled Serbia's resentment towards Nato in general and the US in particular. The country nevertheless joined the PfP in 2006, in order to gain assistance in its reform of its security sector and defence systems. But Serbia unlike Macedonia, never expressed its intention to join Nato as a member, and therefore does not participate to the MAP. Its outspoken reservation is rooted in Serbia's historical participation in the NAM, its relations with Russia and Nato's role in the Kosovo war. In 2007, Serbia's National Assembly adopted a neutrality doctrine, in order to confirm its opposition to join Nato.

[622] It hosted in 2011 the 50th NAM summit.
[623] In accordance with the Ohrid Framework Agreement of 13 August 2001. The operation "Essential Harvest" in 2001 was intended to disarm ethnic Albanian groups and destroy their weapons; the operation Amber Fox was intended to assist the implementation of the Ohrid Agreement; and the operation Allied Harmony was intended to transfer ownership to Macedonia's security forces. See NATO. 'Nato's Role in the Former Yugoslav Republic of Yugoslavia'. [accessed 12.6.2013].
[624] Operation Allied Force

Table 7: Macedonia and Serbia's relationship with Nato

Macedonia		**Serbia**	
Intention to join Nato		Doctrine of armed neutrality	
Membership Action Plan since	April 1999		
Partnership for Peace since	Nov. 1995	Partnership for Peace since	Dec. 2006

2.5.2. Timeframe: 1997-2013

The empirical research covers a 15-year long period, ideally spanning from 1997 to 2013. 1997 is a milestone for the Western Balkans. It is the year when the GAERC decided to establish a conditionality regime intended to bring the region closer to the EU. Although most of its criteria were economic in essence, the "Regional Approach" signalled the EU's readiness to intensify its strategic dialogue with the Western Balkans[625]. This new step occurred a few years after the end of the war, which tore apart the region between 1991 and 1995. More generally, 1997 marks the starting point of the normalisation of most of Western Balkan states' international relations. In 1997, Macedonia had just settled (at least provisionally) its dispute with Greece. The trade embargo imposed by Athens because of the naming issue had just been lifted, and the 1995 Interim Accord between the Hellenic Republic and the FYROM had just been signed. It was, according to Macedonia's Foreign Minister between 1997 and 1998, a time of "normalisation and breakthrough", especially regarding the "highest priority of the country": EU and Nato integration[626]. For Belgrade, however, this new phase only started after the overthrow of Milošević in October 2000. The Kosovo war in 1998-1999 considerably undermined the relevance (and effectiveness) of the 1997 Regional Approach. And it prevented Belgrade from conducting a foreign policy comparable with the type of foreign policy pursued in times of peace. That is why this period (1997-2000) will not be considered for Serbia/FYR.

2.5.3. Methods and techniques

2.5.3.1. Descriptive research

The purpose of the descriptive research is to identify a set of changes in the institution of national foreign policy. As it does not examine causality relationships, it cannot establish that the institutional changes that have been identified are instances of the Europeanisation phenomenon. But it can nevertheless orientate the argumentative research by providing a set of thickly descriptive observations, whose connection with the Europeanisation phenomenon remains to be established. In a word, the purpose of the descriptive research is to collect preliminary material in order to explore the relationship between the observations and the Europeanisation phenomenon.

[625] Council of the European Union. 29 April 1997a. 'Conclusions of the General Affairs Council.'; European Bulletin. 1997. 'Schlussfolgerungen Des Rates Zur Anwendung Der Konditionalität Bei Der Entwicklung Der Beziehungen Zwischen Der Europäischen Union Und Bestimmten Ländern Südosteuropas.' vol.7.

[626] Handziski, B. 2006. 'Normalisation and Breakthrough.' In *The Macedonian Foreign Policy*, ed. Mircev, D. p. 42.

The descriptive research, to that end, adopts a longitudinal design (see Table 8). It prescribes the collection and description of direct and secondary observations evidencing instances of institutional change in different foreign policy dimensions (actors, contexts, processes, instruments and outputs). As the EU variable is exogenised by the bottom-bottom research strategy, the scope covered by the descriptive research can be very broad, and even include observations, for which no inference of Europeanisation can be drawn. The empirical scope of the descriptive research may be subject to some alterations, depending on the availability of the data, their relevance for FPA, and the overall amount of description generated by the research. For instance, if no data can be found for 2013, or if the data found for Serbia in 1999 are of little use owing to the state of war that prevailed at that time, then the timeframe of the descriptive research may be changed. Likewise, if the research on foreign policy outputs sheds enough light on the process-dimension of foreign policy, then the thesis may drop the specific analysis of foreign policy processes.

Table 8: Longitudinal design for descriptive researchl design for descriptive research

	Year	**1997**	**1998**	**…**	**2013**
Observations	Foreign policy actors (FPact)	$Obs_{1997,FPact}$	$Obs_{1998,FPact}$	…	$Obs_{2013,FPact}$
	Foreign Policy contexts (FPctx)	$Obs_{1997,FPctx}$	$Obs_{1998,FPctx}$	…	$Obs_{2013,FPctx}$
	Foreign Policy processes (FPpss)	$Obs_{1997,FPpss}$	$Obs_{1998,FPpss}$	…	$Obs_{2013,FPpss}$
	Foreign Policy instruments (FPinstm)	$Obs_{1997,FPinstm}$	$Obs_{1998,FPinstm}$	…	$Obs_{2013,FPinstm}$
	Foreign Policy outputs (FPout)	$Obs_{1997,FPout}$	$Obs_{1998,FPout}$	…	$Obs_{2013,FPout}$

NB: $Obs_{1997,FPout.}$ stands for [observation of a phenomenon in 1997 in the field of foreign policy outputs].
Source: adapted from Bryman 2004[627]

The methodology for data selection is guided by two principles: it must be parsimonious and generate and information-rich observations. Parsimony implies that the research should not cover all possible aspects of institutional change in each and every dimension of foreign policy identified by the FPA framework. The purpose of the descriptive research here is not to give an exhaustive account of all the changes that have affected Serbia and Macedonia's foreign policy over the past 15 years; it is to provide the argumentative research with a source of empirical observations for meaningful exploration. Data will therefore be collected gradually until at least one sub-set of observations in the relevant FPA categories meets the Europeanisation *explanans*.

The other principle that will guide descriptive research is the need to select data that provide information-rich observations. Information-richness is understood as both the capacity to generate fruitful argumentation, and to relate to the overall research strategy. The first criterion determines the degree of external validity of the research. Information-poor observations (e.g. superficial changes the foreign ministry's name) will prove of little interest in generalising the findings. The second criterion, i.e. the

[627] Bryman, A. 2004. *Social Research Methods*.

need to select data in accordance with the overall strategy of the research, aims at guaranteeing a high degree of internal validity. Collecting information about institutional change in the CFSP structures in Brussels, for instance, is not very information-rich with regards to the thesis's research questions.

The instruments used for the descriptive research encompass semi-structured interviews as well as content analysis, both qualitative and quantitative. The interviews aim at collecting data on facts and attitudes about past changes in Serbia and Macedonia's foreign policy. Qualitative and quantitative content analyses were used in order to document similar changes, usually in earlier times or over a longer period of time. Quantitative content analysis rather focuses on generating data relative to behavioural changes. The sources in descriptive research include: primary sources (e.g. interviews), secondary sources (e.g. official documents from Serbia, Macedonia, the EU and other international organisations), and secondary literature.

2.5.3.2. Argumentative research

The purpose of the argumentative research is to examine the connection between the observations provided by the descriptive research and the independent variable, in order to establish an inference and examine the mechanisms underpinning Europeanisation. The argumentative analysis, thus, will focus on the exploration of the logical connection between the *explanans* and the *explanandum*, as well as the role of intervening variables.

Concretely, the argumentative research, for the purpose of the analysis, will mainly rely on data collected from foreign policy actors directly, in accordance with the actor-oriented, inductive research design. The identification of the actors that are relevant for drawing the inference and conducting the argumentation will be based on purposive sampling. Experts and elites (then considered as experts) will be asked to identify powerful actors, who might shed light on a particular change that has been observed and described (reputational criterion). Alternatively, they will be identified based on their active participation in the decision-making process that led to the changes identified in the descriptive research (decisional criterion). Or they will be identified in function of their material resources, the formal authority conferred upon them by their function, or their belonging to an organisation that is central in the foreign policy issue that is considered (positional criterion). As a general rule, whenever possible, the data for argumentative research will be extracted from interviews with these actors. In the absence of interviews, the data will be extracted from the analysis of public declarations, from official documents and other secondary sources.

The method used in the argumentative research depends on the type of analysis that was performed (i.e. whether applied to intentional, dispositional or structural analysis). The data for the intentional analysis will mainly be collected through elite-interviews, and researched through qualitative discourse analysis. The purpose of intentional analysis will be to assess the extent to which the instances of institutional change identified by the descriptive research can be traced back to teleological motives for action. The interviews will be semi-structured; they will seek to answer the following question: "what did you seek to achieve through this change in your foreign policy"? The interviews will rely on purposive sampling (with an emphasis on the reputational

and decisional criteria) and they will be conducted under the veil of confidentiality in order to obtain thicker data from the interviewees.

The data for the dispositional analysis will be collected through in-depth interviews and documentary surveying, and analysed through content analysis. The goal will be to apprehend relevant normative changes in Serbia and Macedonia's foreign policy actors and answer the following question: "what inclinations enabled this particular change in foreign policy"? The in-depth interviews will be semi-structured, rely on purposive sampling (with an emphasis on reputational and positional criteria), and will mostly be conducted under the veil of confidentiality. The documentary surveying will above all target Serbia and Macedonia's official documents and public declarations, but it will also include other official sources (e.g. from the EU), as well as leaked diplomatic cables (e.g. Wikileak) and non-governmental reports.

The data for the structural analysis will mainly be collected through documentary surveying, and analysed through content analysis, congruence techniques and process-tracing. The congruence techniques will aim at evidencing qualitative covariation patterns between the independent and dependent variables, and answering the following question: "what structural change may be at the origin of Serbia or Macedonia's foreign policy change"? The data collected from the documentary surveying will, above all, encompass political and legal documents. The analysis of their content will shed light on the existence of structural causes for action. In addition to the congruence techniques, process-tracing will be used with the purpose of remedying the limitations of correlational studies as a source of causal inference[628]. As often noted in the literature, "observed correlations do not provide a solid basis for inferring underlying causality"[629]. Process-tracing can therefore be used to "trace the operation of the causal mechanism(s) at work in a given situation"[630], and thus yield more conclusive results. Process-tracing is a time-sensitive technique that allows for studying the process underpinning decision-making. It may be used as a full-range technique for explaining facts, or as in this thesis, more loosely, as an accompanying instrument used to verify a claim, and "exploring the extent to which [the process] coincides with prior, theoretically derived expectations about the working of the mechanisms"[631]. Process-tracing will be informed by content analysis, and, when possible, by elite interviews.

2.5.3.3. Design of the interviews

Several rounds of interviews have been organised by the researcher in 2011, 2012 and 2013. Overall, around 60 persons have been interviewed, mainly in Serbia, Macedonia and Austria. Some of them were working in Brussels or New York, and a few semi-structured interviewees have been conducted by phone. In order to establish trust, the interviewer assured the interviewees of the confidentiality of the discussion. That is why no information is given about names and the exact functions. In addition to these semi-structured interviews, more than 40 short telephone inquiries have been made, e.g. to document the year of opening of Serbia and Macedonia's embassies

[628] Bennett, A. and George, A. L. 1997. 'Process Tracing in Case Study Research.' Conference paper.
[629] Cf. the equifinality issue. Ibid.Conference paper. p. 2.
[630] Checkel, J. T. 2005. 'It's the Process Stupid! Process Tracing in the Study of European and International Politics.' *ARENA Working Papers* vol.26. p. 6.
[631] Ibid.

worldwide or gain knowledge of factual data. Nearly all Serbia and Macedonia's embassies worldwide have been contacted in this format.

Obtaining the consent of top executives has not been an easy task. Before the interview, for fear of biasing the discussion, the researcher only transmitted little information to the potential interviewees (in the form of an interview information sheet). In order to facilitate the access to key executives, the researcher engaged in the research programme of the OSCE in Prague and got accredited to attend to Permanent Council (PC) meetings in Vienna. He also participated, in 2011, in the academic sessions of the newly established Belgrade Security Forum. At this occasion, he received the support of the organising committee in Belgrade and gained access to top decision-makers. The researcher participated in similar conferences in Skopje, Sarajevo and Podgorica. The researcher finally capitalised on his personal and professional networks, as well as the network of the persons he interviewed (especially for data collected on the basis of the reputational criterion).

Most of the interviews were semi-structured. The interview plan had three parts. First, the researcher sought to capture the type of representations the interviewee had of Europe, the EU and the relationship of his/her country to European foreign policy actors (e.g. in terms of hierarchy, European cohesion, level and frequency of interactions). The researcher sometimes resorted to pictorial elements in order to fuel the discussion. Then the researcher enquired into specific changes that have affected the interviewee's field of competence. He asked them to describe the changes with their own words and to assess their opportunity. The researcher finally enquired into the causes and reasons that, according to the interviewees, can account for the phenomenon. The interviews generally lasted 45 minutes. They were conducted in English, German or French. Most of them were recorded, and then manually transcribed before being coded and analysed. Some of the interviewees refused to be recorded. In that case, the interviewer took hand-written notes.

3. Empirical Research

The empirical study presented in this part of the thesis is conducted with the purpose of 1) evidencing patterned changes in Serbia and Macedonia's foreign policy; 2) whenever possible, inferring Europeanisation from these observations; and 3) identifying the causal and constitutive forces that underpin the phenomenon.

In order to 1) evidence patterned changes in Serbia and Macedonia's foreign policy, the author relies on the FPA framework presented in the research design. It distinguishes five foreign policy dimensions, the differences between which are more analytical than substantive (foreign policy outputs, contexts, actors, instruments and processes). In order to 2) infer Europeanisation from these observations, the author, in accordance with his definitional framework, will examine, whether these are induced by actors interacting across different levels of governance within a European interaction structure. Finally, in order to 3) identify the causal and constitutive forces that underpin the phenomenon, the author with rely on Carlsnaes's multi-theoretical framework of analysis (following the teleological/dispositional/structural trichotomy).

3.1. Changes in Serbia and Macedonia's foreign policy behaviour

This section explores the output and process dimension of Serbia and Macedonia's foreign policy. It assesses the extent to which Serbia and Macedonia's 1) voting behaviour in the United Nations General Assembly and 2) declaratory behaviour in the Organisation for Security and Cooperation in Europe (OSCE) have become convergent with EU positions over time; it infers Europeanisation foreign policy coordination; and it analyses the motives, causes and reasons that best account for the phenomenon. Although other international fora could have been considered (e.g. the Council of Europe), the research will limit itself to the study of convergence in the UNGA and OSCE[632].

3.1.1. Convergence towards EU positions in the UNGA

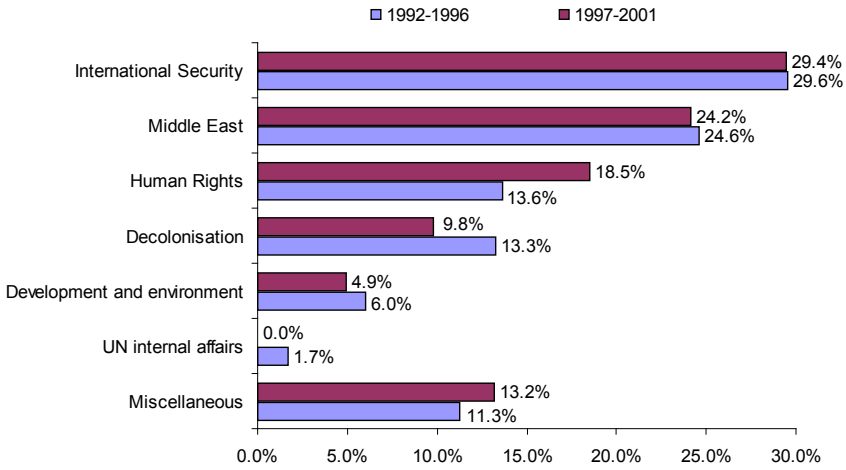
3.1.1.1. Voting in the UNGA

Being "arguably the most important forum for the discussion of global politics"[633], the United Nations General Assembly is a meaningful source of data for researchers willing to investigate states' foreign policy positions on international issues. Therein, all UN member states are able to express their positions on a wide variety of foreign policy issues, most notably by voting. Their votes, for or against UNGA resolutions, are a good depiction of the expression of their interests and preferences in world politics[634].

[632] Both host intense multilateral diplomatic activities with an emphasis on high politics; the former covers a wide range of issue-areas at the international level; the latter, being more specialised, focuses on security in Europe.
[633] Peterson, M. J. 2006. *The UN General Assembly*. p. i.
[634] Luif, P. 2003. 'EU Cohesion in the UN General Assembly.' *ESSI Occasional Papers* (49). p. 13.

The themes covered by UNGA resolutions are delineated by article 13 of the UN Charter, and they are reflected by the interests of the six UNGA Main Committees[635]. In practice, however, the themes covered by the UNGA mainly focus on four issue-areas: political and human rights; decolonisation issues; the Middle East; and international security, including international disarmament, small arms and light weapons, dual-use goods[636]. The relative weight of these issue-areas in the overall lot of resolutions submitted to the UNGA is not balanced, and it did not remain constant overtime. Figure 2 shows that nearly 30% of the resolutions passed on a roll-call basis concern international security, and an additional 25% focus on the Middle East alone. By the end of the 1990s, resolutions on human rights were proportionally more numerous than those on decolonisation. While the latter issue-area has recently been loosing its relevance, the former has gained considerable impetus. This change rightly reflects paradigmatic developments in contemporary world politics. Of course, the themes covered in the UNGA do not always mirror the foreign policy interests of all member states in a perfect manner. But overall, it can be argued that the thematic coverage of the resolutions passed on the UNGA is broad enough to guarantee a satisfying degree of external validity. It can be considered as representative of the typical spectrum of foreign policy issues dealt with in world politics by most of UN member states, including then Serbia, Macedonia and EU member states.

Figure 2: Thematic categorisation of the resolutions passed in the UNGA between 1992 and 2001



Source: own calculations, data from Hosli et al. 2010, p. 41.

Resolutions in the UNGA are passed on a one-country-one-vote basis [637] in accordance with the UN "sovereign equality principle"[638]. The voting rule, defined in the UN Charter and in the UNGA Rules of Procedure, is majoritarian. The type of majority required (simple or two-thirds) depends on the type of issue brought to the

[635] i.e. disarmament and international security issues; political issues and decolonisation; economic and financial issues; social, humanitarian and cultural issues; administrative and budgetary issues and legal issues. United Nations. 1984. 'Rules of Procedure of the United Nations General Assembly.'
[636] Voeten, E. 2000. 'Clashes in the Assembly.' *International Organization* vol.54 (2); Luif, P. 2003. 'EU Cohesion in the UN General Assembly.' *ESSI Occasional Papers* (49); Hosli, M. O., et al. 2010. 'Voting Cohesion in the United Nations General Assembly: The Case of the European Union.' Conference paper.
[637] Rule 82, United Nations. 1984. 'Rules of Procedure of the United Nations General Assembly.'
[638] Art. 2 (1), United Nations. 1945. 'Charter of the United Nations.'

vote[639]. In practice, however, most of UNGA draft resolutions are passed by consensus, i.e. without a vote. It means that delegates express their position "by show of hands or by standing", and their individual vote is not recorded[640]. This decision mode concerns no less than 70% of UNGA draft resolutions[641]. Rule 87b of the UNGA Rules of Procedure nevertheless foresees that "any representative may request a recorded vote", in which case the roll-call voting procedure applies. In practice, only the most controversial and politicised resolutions follow this path[642]. Recorded votes are registered by the UN Bibliographic Information System (UNBIS) and are readily available for public consultation[643].

Only the member states of the United Nations are entitled to vote in the UNGA. As the EU is not granted the status of full member of the UN[644], it cannot vote in the UNGA[645]. Most of the positions of the EU can nevertheless be modelled, based on EU member states' voting behaviour and used as pivot (see 3.1.1.2). Changes in the distance that separates the EU from Serbia or Macedonia can be measured accordingly by comparing Serbia or Macedonia's positions to EU modelled preferences.

3.1.1.2. Measuring voting convergence in the UNGA

The dataset that is used in this part of the study consists of the voting positions recorded in the UNGA after roll-call votes. The temporal scope of the research spans from the establishment of the EU by the Maastricht Treaty in 1993 (52nd Plenary Session of the UNGA) to the full entry into force of the Lisbon Treaty in 2010 (65th Plenary Session of the UNGA). The geographical scope of the research encompasses 1) a varying number of EU member states (12, 15, 25 or 27 depending on the measurement year); 2) Serbia[646] and Macedonia[647]; 3) associated states from the

[639] Rules 83-84, United Nations. 1984. 'Rules of Procedure of the United Nations General Assembly.'
[640] Ibid.
[641] Peterson, M. J. 2006. *The UN General Assembly*. p. 74; see also Luif, P. 2003. 'EU Cohesion in the UN General Assembly.' *ESSI Occasional Papers* (49). p. 22.
[642] Hosli, M. O., et al. 2010. 'Voting Cohesion in the United Nations General Assembly: The Case of the European Union.' Conference paper. p. 5.
[643] See United Nations Bibliographic Information System. [accessed 21/12/2010].
[644] The EU has an observer status in the UNGA. In 2011, it was granted enhanced powers, but still, cannot vote.
[645] European Union @ United Nations. 'The EU at the UN - Overview'. [accessed 10/01/2011]; see also Eeckhout, P. 2004. *External Relations of the European Union: Legal and Constitutional Foundations*. p. 200.
[646] The Socialist Federal Republic of Yugoslavia was an original member of the United Nations, the Charter having been signed on its behalf on 26 June 1945 and ratified 19 October 1945, until its dissolution following the establishment and subsequent admission as new members of Bosnia and Herzegovina, the Republic of Croatia, the Republic of Slovenia, The former Yugoslav Republic of Macedonia, and the Federal Republic of Yugoslavia. The Federal Republic of Yugoslavia was admitted as a Member of the United Nations by General Assembly resolution A/RES/55/12 of 1 November 2000. On 4 February 2003, following the adoption and promulgation of the Constitutional Charter of Serbia and Montenegro by the Assembly of the Federal Republic of Yugoslavia, the official name of "Federal Republic of Yugoslavia" was changed to Serbia and Montenegro. Finally, in a letter dated 3 June 2006, the President of the Republic of Serbia informed the Secretary-General that the membership of Serbia and Montenegro was being continued by the Republic of Serbia, following Montenegro's declaration of independence. See United Nations. 3 July 2006. 'Press Release Org/1469.'
[647] By resolution A/RES/47/225 of 8 April 1993, the General Assembly decided to admit as a member of the United Nations the state being provisionally referred to for all purposes within the United

Western Balkans and the Black Sea region (for comparative purposes), and alternative major powers (e.g. China, Russia, the United States), to be used as control variables. The data are collected from a research database compiling UN records until 2007[648], and retrieved manually from the UNBIS Website for subsequent years[649].

The original data [voting position], recorded by UNBIS, may take five different values, depending on the states' behaviour with regards to voting on specific resolutions. These values are [yes] (i.e. vote in favour), [no] (i.e. vote against), [abstain] (i.e. no vote although present), [absent] (i.e. no vote because absent) and [not a member] (i.e. vote because no voting right). To extract more information from the dataset, the data are re-coded. First, [not a member] values are discarded from the dataset as they do not carry substantive information of states' foreign policy choices in the UNGA. [Abstain] and [absent], by contrast, are considered just similarly as [yes] and [no], i.e. as substantive positions -except when [absence] is systematic, i.e. is repeated more than ten times in a raw (e.g. Greece in 1996 owing to a strike of Greek diplomats). When [absence] is systematic, then the data are discarded as non-data because the repetition of absence supposes an impossibility to express one's position rather than substantive preferences. Otherwise, [absence] is treated as [abstain], since leaving the UNGA facilities at the occasion of a vote presumably conveys a substantive message on one's position. This re-coding is consistent with other studies[650]. It considers that states may choose to avoid confrontation by being selectively absent at the roll-call vote, or by abstaining when the vote takes place. Though different in behaviour, both non-voting options may be considered as expressing attitudinal preferences. In deciding whether this non-voting option shall be given the same substantive weight as [yes] and [no], this study follows Luif (2003)[651] and Hurwitz (1975)[652] in the calculation of voting distance indexes (VDI) and Hix, Noury and Roland (2005)[653] in the calculation of levels of similarity (LoS). In the former case, [abstain] and [absent] are treated as "partial agreement"[654], i.e. coded with a value of 0.5. In the latter case, [abstain] and [absent] are treated nominally as full-fledged positions (see Table 9).

The literature on policy convergence underlines the different "directions" of convergence[655]. Knill, for instance, distinguishes between σ-convergence, i.e. the "decrease in variation of policies", which is operationalised as a measure of regional cohesion, and δ-convergence, which is operationalised "by comparing countries'

Nations as "The former Yugoslav Republic of Macedonia" pending settlement of the difference that had arisen over its name.

[648] Voeten, E. 'Iqss 2008 Dataverse: United Nations General Assembly Voting Data'. [accessed 20/12/2010].

[649] United Nations Bibliographic Information System. [accessed 21/12/2010].

[650] e.g. Luif, P. 2003. 'EU Cohesion in the UN General Assembly.' *ESSI Occasional Papers* (49).

[651] Ibid.

[652] Hurwitz, L. 1975. 'The Eec in the United Nations: The Voting Behavior of Eight Countries, 1948-1973.' *Journal of Common Market Studies* vol.13 (3).

[653] Hix, S., et al. 2005. 'Power to the Parties: Cohesion and Competition in the European Parliament, 1979-2001.' *British Journal of Political Sciences* vol.35 (2).

[654] Hurwitz, L. 1975. 'The Eec in the United Nations: The Voting Behavior of Eight Countries, 1948-1973.' *Journal of Common Market Studies* vol.13 (3).

[655] Holzinger, K. and Knill, C. 2005. 'Causes and Conditions of Cross-National Policy Convergence.' *Journal of European Public Policy* vol.12 (5). p. 778.

distance changes to an exemplary model" [656]. Whereas σ-convergence informs researchers on growing similarities over time among a group of actors, without positing a gravity centre towards which actors move, δ-convergence refers to one actor changing its behaviour through alignment. In choosing its indicators of convergence, this study favours the measurement of δ-convergence over σ-convergence. It assumes that EU positions are fixed, and act as a pivot against which Serbia/Macedonia's positions can be weighed. It thus presupposes the unilateral alignment of Serbia/Macedonia towards EU positions. This assumption finds considerable support from empirical observations.

Table 9: Measuring voting δ-convergence

Indicator	EU positions modelled	[not a member]	[absent]	[abstain]
Level of similarity (LoS) measures the % of positions that are identical	a) by proxy (Luxembourg) b) by consensus through unanimity	discarded	equals [abstain]; nominal value, treated at equal footing with [yes] and [no]	equals [absent]; nominal value, treated at equal footing with [yes] and [no]
Voting distance index (VDI) measures the distance between voting positions			equals [abstain]; ordinal value equating half a [yes]	equals [abstain]; ordinal value equating half a [yes]

The levels of similarity (LoS) index measures the frequency at which two foreign policy actors voted identically on a given set of UNGA resolutions. It is calculated by aggregating the occurrences of identical voting (coded "TRUE"), such as

$$LoS_t = \frac{\sum_t TRUE_{a,bx}}{n} \qquad (1),$$

whereby $\sum_t TRUE_{a,bx}$ represents the number of identical votes over t, and n represents the total number of resolutions for which both parties to the dyad expressed their respective position.

Δ-convergence is measured by computing dyadically the voting distance (VDI) that separates the position of two foreign policy actors on a given resolution x. As the variable takes numerical values, the voting distance (VDI_t) between two partners over a predefined period of time t can be aggregated arithmetically into:

$$VDI_t = \frac{\sum_t \left|A_x - B_x\right|_t}{n_t} \qquad (2),$$

whereby $\left|A_x - B_x\right|$ is the voting distance on resolution x between A and B, and n represents the total number of resolutions for which both parties to the dyad have

[656] Knill, C. 2005. 'Introduction: Cross-National Policy Convergence: Concepts, Approaches and Explanatory Factors.' *Journal of European Public Policy* vol.12 (5). p. 6.

expressed a position. If for a given resolution x, the voting position of A is strictly identical to the voting position of B, then, VDI_x is 0; if A and B fully disagree, then it is 1; and if A and B partially disagree, then, it is 0.5.

Level of similarity and voting distance indexes are measured in dyads, between an actor A (e.g. EU) and an actor B (e.g. Serbia). As the EU cannot express its positions by voting in person, these have to be modelled. They are first modelled by proxy, using Luxembourg's voting behaviour as pivotal point of reference. Luxembourg, being one of "most Community-minded of all the member states"[657], typically votes in the UNGA as the majority of the member states, and with minimal voting deviation from the EU's median position (see Table 10). This voting behaviour contrasts for instance with the relatively peculiar voting behaviour of France or the United Kingdom (UK)[658].

Table 10: Selecting the best EU proxy among EU member states

	Total voting distance (VDI) from EU median position *1993-2010*
Best proxy	
LUX	**12**
DEN	15.5
NTH	16.5
ITA	18
BEL	19
GER	21
FIN	21.5
POR	22
SPN	33.5
AUS	40.5
SWD	47.5
GRC	58.5
IRL	56.5
FRN	108.5
Worst proxy	
UKG	132

Source: own calculations

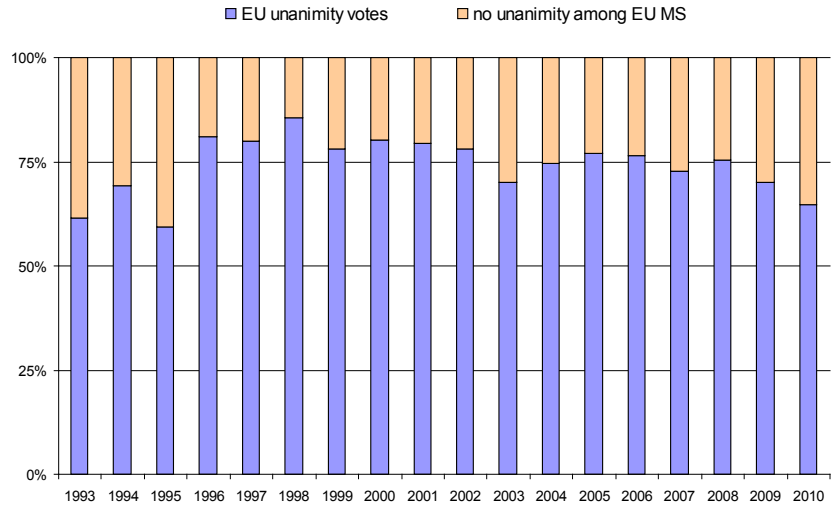
In addition, EU positions will be modelled by identifying those resolutions where the member states of the EU (12,15,25,27) voted unanimously[659]. This represents 74% of the resolutions between 1993 and 2010 –a shrinking percentage though (see Figure 3). In the absence of unanimous position, no calculation (whether LoS or VDI) can be performed, as no EU position is said to have emerged.

[657] Foot, R. 1979. 'The European Community's Voting Behaviour at the United Nations General Assembly.' *Journal of Common Market Studies* vol.17 (4). p. 357.

[658] The peculiarity of the voting behaviour of France and the UK is sometimes traced back to their status of nuclear powers, or former colonisers. See e.g. Beauguitte, L. 2009. 'Multiscalar Approaches of Voting Behaviour of European Countries in the United Nations General Assembly.' Conference paper; Foot, R. 1979. 'The European Community's Voting Behaviour at the United Nations General Assembly.' *Journal of Common Market Studies* vol.17 (4). p. 352ff; Luif, P. 2003. 'EU Cohesion in the UN General Assembly.' *ESSI Occasional Papers* (49); Lindemann, B. 1976. 'Europe and the Third World: The Nine at the United Nations.' *The World Today* vol.32 (7); Winkelmann, I. 2000. 'Europäische Und Mitgliedstaatliche Interessenvetretung in Den Vereinten Nationen.' *Zeitschrift für ausländisches öffentliches Recht und Völkerrecht* vol.60 (2). p. 421ff; Hurwitz, L. 1975. 'The Eec in the United Nations: The Voting Behavior of Eight Countries, 1948-1973.' *Journal of Common Market Studies* vol.13 (3).

[659] see Beauguitte, L. 2009. 'Multiscalar Approaches of Voting Behaviour of European Countries in the United Nations General Assembly.' Conference paper; Luif, P. 2003. 'EU Cohesion in the UN General Assembly.' *ESSI Occasional Papers* (49).

Figure 3: Percentage of UN resolutions for which EU member states voted unanimously

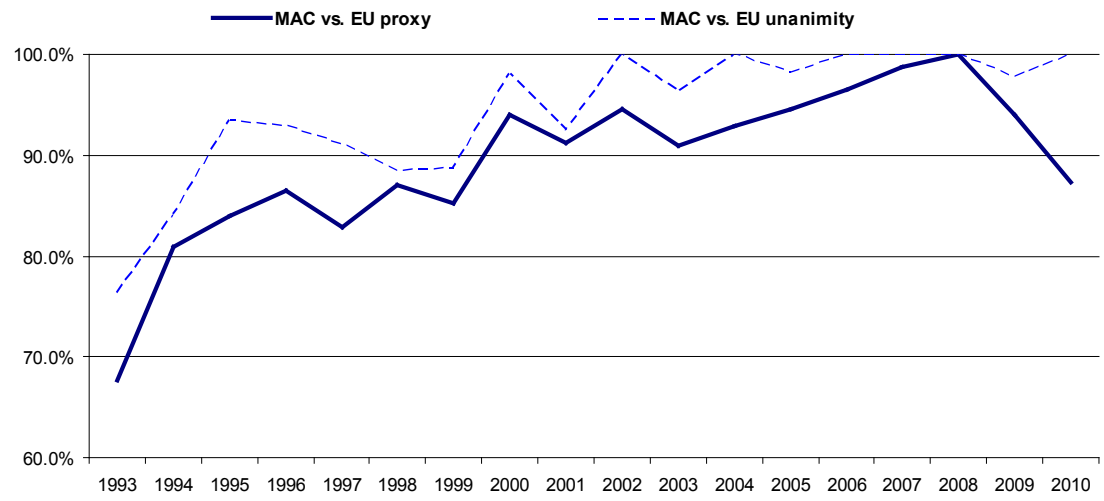


Source: own calculations

3.1.1.3. Serbia and Macedonia's voting behaviour in the UNGA

Over the past fifteen years, Macedonia's level of voting similarity (LoS) with the EU in the UNGA has been shifting from very high to quasi-systematic identity (see Figure 4). Macedonia's LoS with the EU was initially low in 1993, but it rapidly grew to 80-90% and peaked to 100% in 2008. This means that, in 2008, Macedonia and the EU adopted a perfectly identical voting behaviour over the 77 resolutions passed at the UNGA during that year, including with regards to "abstention" and "absence" (measurement by proxy). More recently, however, Macedonia's LoS with EU proxy positions has been shrinking. In 2010, it reached pre-1999's levels. This decline, however, did not affect Macedonia's positions on resolutions for which the EU voted unanimously. Macedonia's LoS with EU unanimity has indeed constantly remained close to 100% over the past five years. And it is also generally higher than Macedonia's LoS with EU proxy positions. This indicates that voting convergence, in the case of Macedonia, is more resilient and is stronger, when the EU adopts unanimous positions.

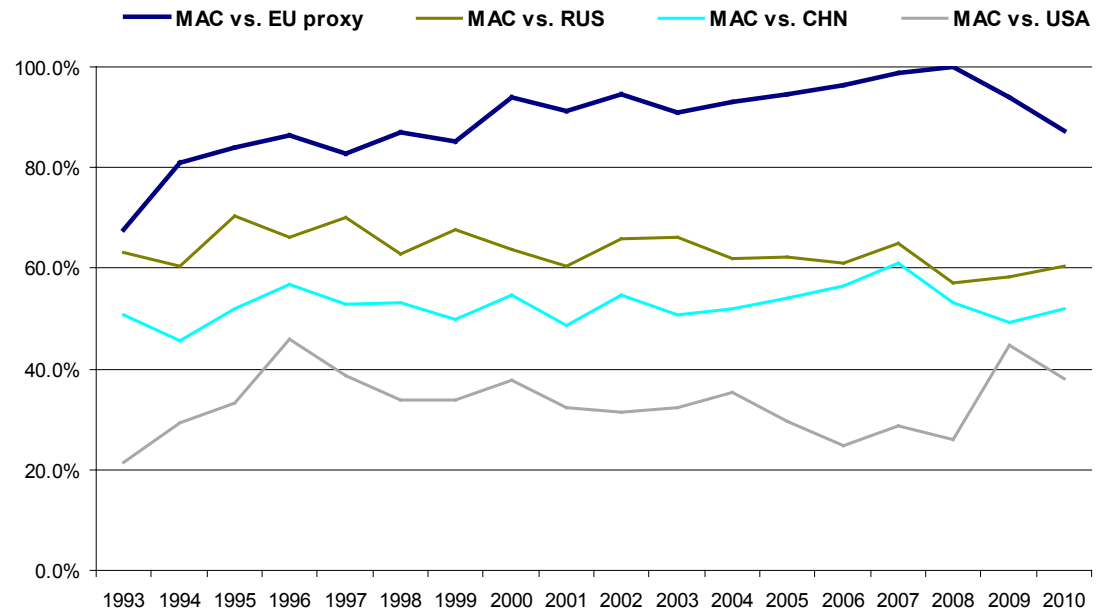
Figure 4: Macedonia's level of voting similarity with EU proxy and unanimity positions



Source: own calculations

Macedonia's LoS with EU proxy is not only high in absolute terms; it is distinctively higher. Over the past fifteen years, Macedonia's votes coincided with the foreign policy positions of the United States in only 22 % to 46% of the resolutions passed in the UNGA. This LoS is at least twice as low as with the EU proxy. Although Macedonia's foreign policy positions sometimes came closer to China (LoS ranging from 47% to 61%) and Russia (LoS ranging from 57% to 70%), none of these levels recalls the remarkable convergence that characterises the EU-Macedonia relationship (see Figure 5). Besides, the voting behaviours of Macedonia on the one side and the US, China and Russia on the other side have not become more similar over time. They remained constantly distant, and one can therefore hardly speak of voting convergence.

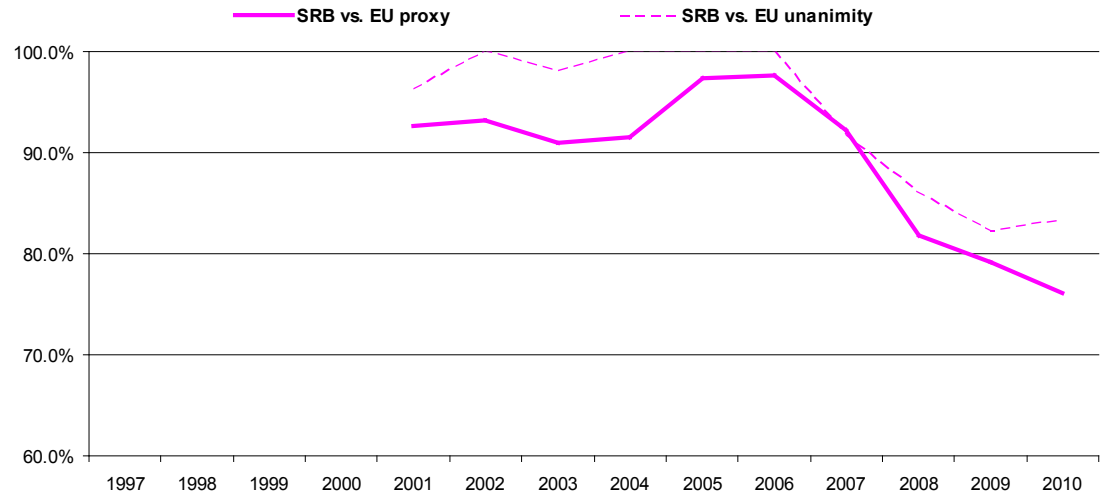
Figure 5: Macedonia's level of voting similarity with control cases (LoS)



Source: own calculations

Serbia's voting pattern herein admits several similarities with Macedonia's, but also some notable differences. Between 1997 and 2001, Serbia was not recorded as a member of the UN, or it was systematically absent. Data can only be retrieved from 2001 onwards. And Serbia's level of voting similarity with EU proxy in the following period (2001-2006) immediately rose at Macedonia's levels, i.e. above 90% (see Figure 6). Where Serbia's voting pattern differs from Macedonia's is from 2007 onwards. After reaching levels of voting similarity as high as 95% in 2006, Serbia's voting behaviour started to diverge in 2007. In 2010, Serbia's LoS fell to 76%, amplifying previous decreases in 2007, 2008 and 2009 (measurement by proxy). Unlike Macedonia, observable signs of voting divergence also affected Serbia in those resolutions for which the EU had reached a unanimous position. After a 20%-fall, its LoS stabilised around 80% in 2010. Although unanimity increases Serbia's propensity to vote like the EU, it is not enough to guarantee identical voting.

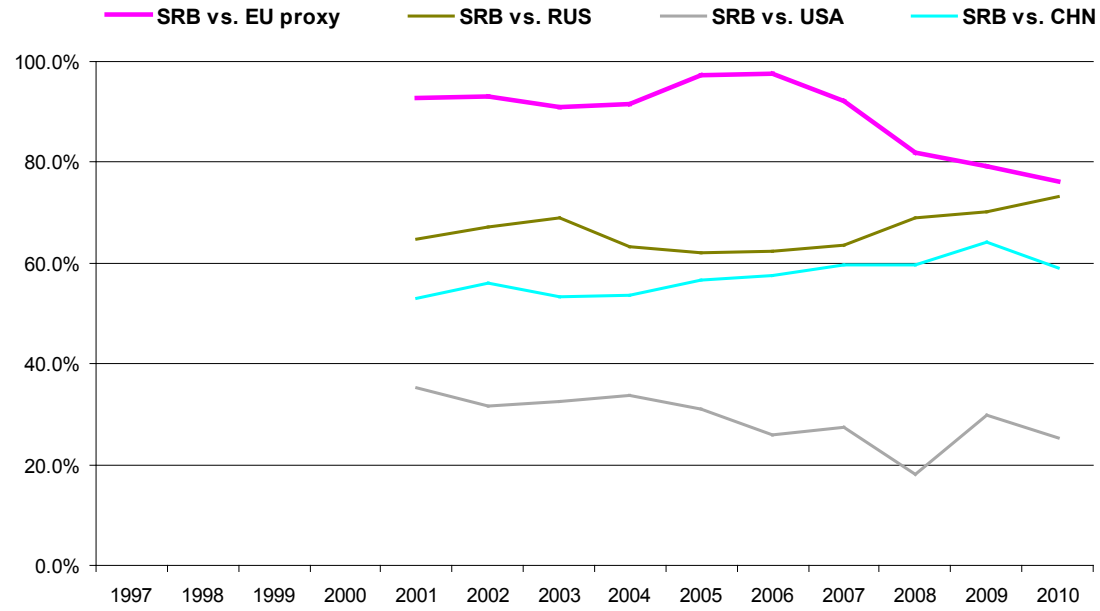
Figure 6: Serbia's level of voting similarity with EU proxy and unanimity positions (LoS)



Source: own calculations

Still, Serbia's voting behaviour remains distinctively closer to the EU. Serbia's LoS is the lowest with the USA: it fell from 36% in 2001 to 18% in 2008. And it is the highest with Russia. Very interesting, indeed, is Serbia's concomitant δ-convergence with Russia, especially in the past five years, as its positions started to diverge from the EU (see Figure 7). This finding suggests that Serbia's dis-alignment from the EU is accompanied by a realignment of its multilateral diplomacy towards Russia. If the trend is not reversed, Russia could overstep the EU in the UNGA as Serbia's closest voting partner.

Figure 7: Serbia's level of voting similarity with control cases (LoS)

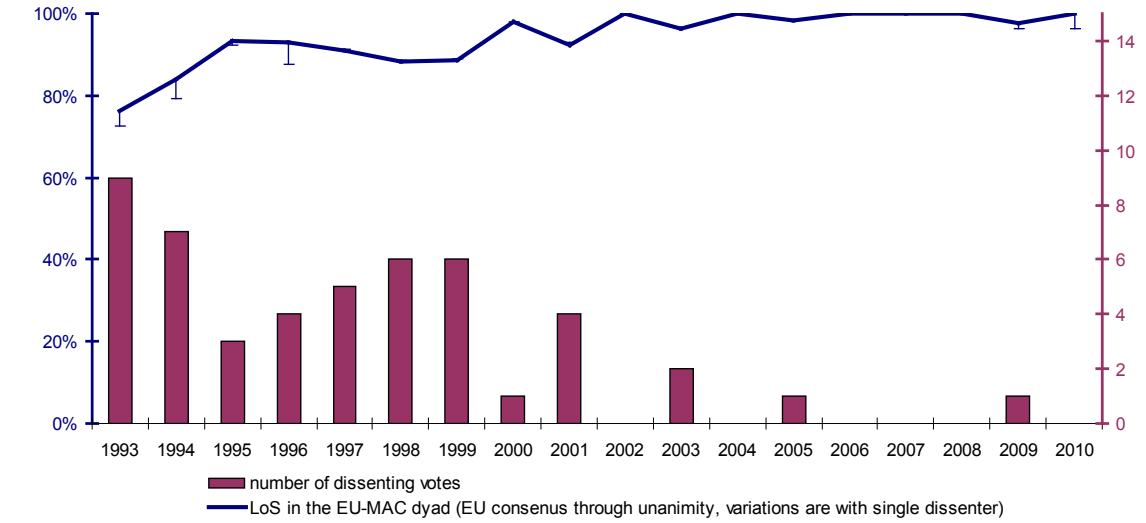


Source: own calculations

An important result of this research is that Macedonia and Serbia's LoS tends to peak when EU member states express unanimous positions. EU unanimity, in other words, often "transpires" into non-EU Europe by capturing the consenting votes of Serbia and Macedonia. Their level of voting similarity is by contrast generally lower when compared to EU proxy positions (a derivation from EU median positions). Although the difference is not considerable, this indicates that, when EU member states expressed mixed preferences, Macedonia and Serbia have a slightly higher propensity to side with EU dissenters.

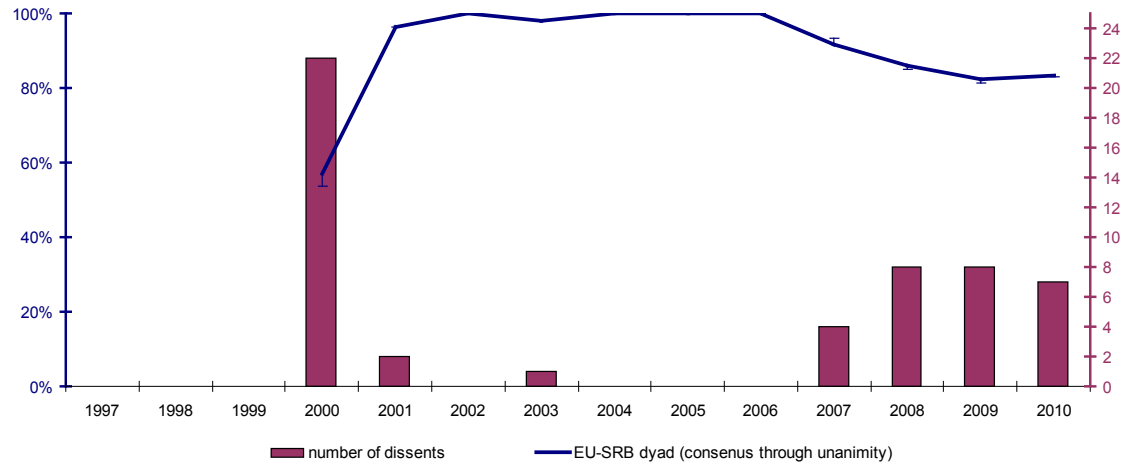
In the past few years, Serbia showed a higher propensity to dissent from the EU than Macedonia. Between 2002 and 2010, Macedonia has remained perfectly aligned with the EU throughout the 428 UNGA resolutions in which the EU voted unanimously. It only dissented four times, being absent when the EU voted (see Figure 8). By contrast, the number of dissenting positions expressed by Serbia rose from 3 between 2001 and 2006 to 27 between 2007 and 2010 (see Figure 9).

Figure 8: Non-similarities in Macedonia's voting behaviour



Source: own calculations

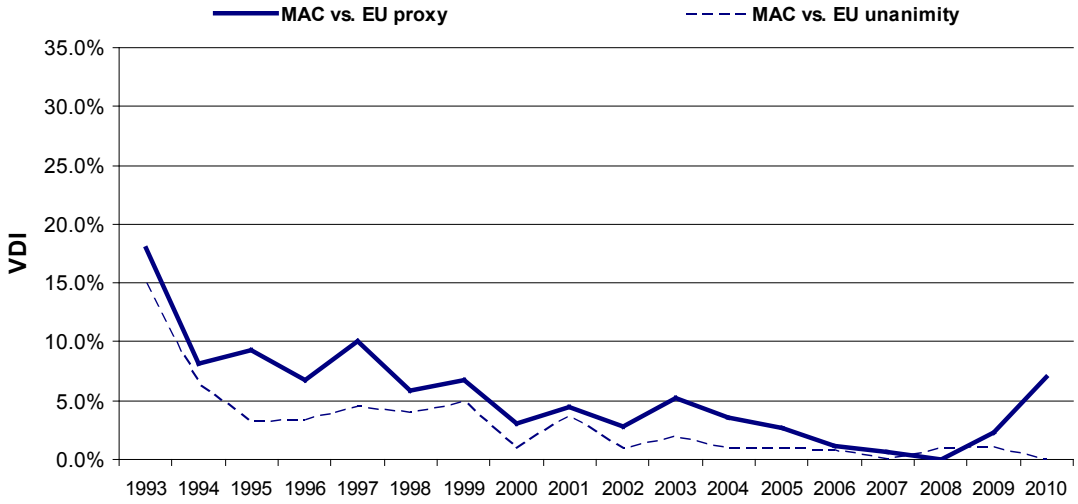
Figure 9: Non-similarities in Serbia's voting behaviour



Source: own calculations

The analysis of Serbia and Macedonia's Voting Distance Indexes (VDI) provides further insights on patterns of voting dissension, by mitigating the impact of non-substantive positions (i.e. [abstain] and [absent]), and focusing on distance rather than similarity. Figure 10 shows that Macedonia's voting distance to EU unanimous positions fell to null in 2002 and remained so thereafter. Interestingly, convergence measured by decreasing VDI is generally higher than convergence measured by increasing LoS, because Macedonia's dissenting positions, often, have been non-substantive, i.e. mildly expressed by abstention or absence (see Table 11). From 1997 to 2010, Macedonia dissented from EU unanimity in only 25 UNGA resolutions (out of 1243 unanimous positions). And it never opposed EU positions in a frontal manner (e.g. voting [yes] when the EU unanimous position was [no]). Macedonia, instead, preferred to express its dissent mildly, by abstaining from voting in 67% of the cases of non-congruent voting, or being absent of the vote in 25% of the cases. These dissents mostly concerned human rights questions.

Figure 10: Macedonia's voting distance to EU proxy and unanimity positions



Source: own calculations

Table 11: Resolutions with incongruent voting positions (Macedonia vs. EU unanimity)

Date	Resolution	FP position		VDx between MAC and					issue area	
		EU unanimity*	*MAC*	*EU*	*RUS*	*TUR*	*CHN*	*USA*	*code**	*description*
11/4/1997	R/52/10	1	0.5	**0.5**	0.5	0.5	0.5	0.5	IS	CUBA, U.S. EMBARGO
12/6/1997	R/52/133	0.5	1	**0.5**	0	0	0	0.5	HR	HUMAN RIGHTS, TERRORISM
12/6/1997	R/52/139	1	0.5	**0.5**	0.5	0.5	0	0.5	HR	HUMAN RIGHTS, KOSOVO
12/6/1997	R/52/142	1	0.5	**0.5**	0	n.m.	0.5	0.5	HR	HUMAN RIGHTS, IRAN
12/3/1997	R/52/169F	0	0.5	**0.5**	0.5	0.5	0.5	0.5	ECOD	SUDAN, ASSISTANCE
10/4/1998	R/53/4	1	0.5	**0.5**	0.5	0.5	0.5	0.5	IS	CUBA, U.S. EMBARGO
12/4/1998	R/53/155	0.5	1	**0.5**	0	0	0	1	ECOD	RIGHT TO DEVELOPMENT
12/4/1998	R/53/158	1	0.5	**0.5**	0.5	n.m.	0.5	0.5	HR	HUMAN RIGHTS, IRAN
12/4/1998	R/53/164	1	0.5	**0.5**	0.5	0.5	0	0.5	HR	HUMAN RIGHTS, KOSOVO
12/6/1998	R/53/77U	1	n.m.	#N/A	#N/A	#N/A	#N/A	#N/A	IS	NUCLEAR DISARMEMENT
6/3/1999	R/53/227	1	n.m.	#N/A	#N/A	#N/A	#N/A	#N/A	ME	LEBANON, INTERM FORCE
11/4/1999	R/54/35	1	abs.	#N/A	#N/A	#N/A	#N/A	#N/A	IS	SOUTH ATLANTIC, ZONE OF PEACE
12/6/1999	R/54/164	0.5	1	**0.5**	0	0	0	0.5	HR	HUMAN RIGHTS, TERRORISM
12/6/1999	R/54/177	1	0.5	**0.5**	0	#N/A	0.5	0.5	HR	HUMAN RIGHTS, IRAN
12/6/1999	R/54/179	1	abs.	#N/A	#N/A	#N/A	#N/A	#N/A	HR	HUMAN RIGHTS, DEM. CONGO
12/6/1999	R/54/183	1	0.5	**0.5**	0.5	0.5	0	0.5	HR	HUMAN RIGHTS, KOSOVO
12/3/2000	R/55/114	1	0.5	**0.5**	0.5	#N/A	0.5	0.5	HR	HUMAN RIGHTS, IRAN
6/6/2001	R/55/180B	1	abs.	#N/A	#N/A	#N/A	#N/A	#N/A	ME	LEBANON, INTERM FORCE
12/5/2001	R/56/146	0	0.5	**0.5**	0.5	#N/A	0.5	0.5	HR	HUMAN RIGHTS COMMITTEE
12/5/2001	R/56/165	0	0.5	**0.5**	0.5	0.5	0.5	0.5	HR	HUMAN RIGHTS, GLOBALIZATION
12/5/2001	R/56/171	1	0.5	**0.5**	0.5	#N/A	0.5	0.5	HR	HUMAN RIGHTS, IRAN
6/18/2004	R/58/307	1	abs.	#N/A	#N/A	#N/A	#N/A	#N/A	ME	LEBANON, INTERM FORCE
12/8/2003	R/58/35	1	abs.	#N/A	#N/A	#N/A	#N/A	#N/A	IS	NUCLEAR SECURITY
11/29/2005	R/60/30	1	abs.	#N/A	#N/A	#N/A	#N/A	#N/A	ECOD	LAW OF THE SEA
21/12/2009	R/64/209	2	abs.	#N/A	#N/A	#N/A	#N/A	#N/A	ECOD	GLOBALIZATION, UN

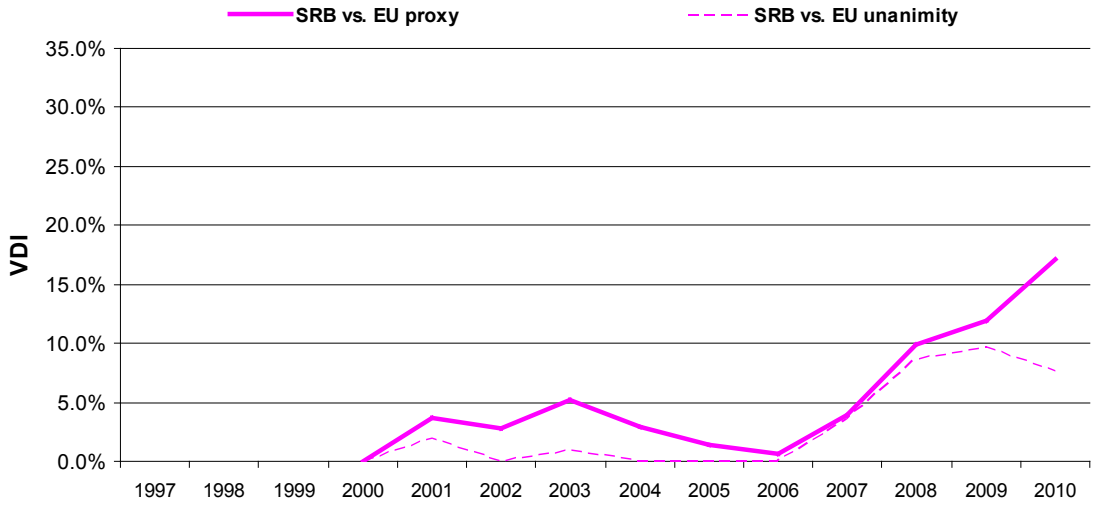
* EU (15, 25, 27); IS (International Security); HR (Human Rights); ME (Middle-East); ECOD (Economy and Development)
** Foreign policy positions are coded as an ordinal variable: 0 (no); 0.5 (abstain); 1 (yes); n.m. ("not a member") and abs. (recorded as "absent") are discarded.
*** VDx is the Voting Distance between two parties –it takes the following values 0% (identical votes, highlighted in green); 50% (partial disagreement, highlighted in grey); 100% (frontal dissent, highlighted in red)

Source: own compilation

The situation is different for Serbia. Between 2000 and 2006, Serbia's voting distance index remained quasi null. All but two dissenting positions (in 2001 and 2004) were caused by Serbia's systematic absence from the UNGA. But Serbia's voting distance to EU unanimity positions jumped to 10% in 2009 (see Figure 11). Although such levels are not alarmingly high, they nevertheless confirm Serbia's recent detachment from the EU in the UNGA. A more detailed analysis of Serbia's dissenting positions shows that most of them, just as Macedonia's, are expressed mildly through abstention (36%), or through recorded absence (36%) (see Table 12). These dissenting positions concern for instance draft resolutions on human rights issues and international security. But in 2008, for the first time in a decade, Serbia expressed a

position that was antagonistic to the EU's unanimous preference[660]. It reiterated its frontal opposition to EU unanimity in 2009 [661], and repeatedly thereafter, by abstaining as the EU unanimously decided not to abstain. Interestingly, Serbia's dissenting positions systematically matched with the positions of Russia. In other terms, when Serbia did not follow the EU, it voted like Russia.

Figure 11: Serbia's voting distance to EU proxy and unanimity positions



Source: own calculations

Table 12: Resolutions with incongruent positions (Serbia vs. EU unanimity)

Date	Resolution	FP position		VDx between SRB and				issue area	
		EU unanimity*	*SRB*	*EU*	*RUS*	*CHN*	*USA*	*code**	*description*
11/3/2000	R/55/6		abs.						
…									
11/5/2000	R/55/115								
6/6/2001	R/55/180B	1	abs.	#N/A	#N/A	#N/A	#N/A	ME	LEBANON, INTERM FORCE
12/7/2001	R/56/179	0.5	1	**0.5**	0	0	1	ECOD	ECONOMIC COERSION
5/6/2004	R/58/292	1	0.5	**0.5**	0.5	0.5	0.5	ME	STATUS OCCUPIED TERRITORY
12/18/2007	R/62/142	0.5	1	**0.5**	0	0	1	HR	RACIAL DISCRIMINATION
12/19/2007	R/62/184	0	0.5	**0.5**	0	0.5	0.5	ECOD	INTERNATIONAL TRADE
12/22/2007	R/62/241	1	abs.	#N/A	#N/A	#N/A	#N/A	ECOD	UN-BUDGET
12/22/2007	R/62/236	1	abs.	#N/A	#N/A	#N/A	#N/A	ECOD	UN-BUDGET
12/2/2008	R/63/47	0	0.5	**0.5**	0	0	0.5	IS	NUCLEAR WEAPONS USE
12/2/2008	R/63/75	0	0.5	**0.5**	0	0.5	0.5	IS	NUCLEAR WEAPONS USE
12/18/2008	R/63/190	1	abs.	#N/A	#N/A	#N/A	#N/A	HR	HUMAN RIGHTS, DPR KOREA
12/18/2008	R/63/182	1	0.5	**0.5**	0	0	0	HR	HUMAN RIGHTS ADVANCEMENT
12/18/2008	R/63/191	1	0	**1**	0	0	1	HR	HUMAN RIGHTS, IRAN
12/18/2008	R/63/162	0.5	1	**0.5**	0	0	1	HR	RACIAL DISCRIMINATION, ELIMINATION
12/24/2008	R/63/245	1	abs.	#N/A	#N/A	#N/A	#N/A	HR	HUMAN RIGHTS, MYANMAR
2/12/2009	R/64/59	0	0.5	**0.5**	0	0.5	0.5	IS	NUCLEAR WEAPONS USE
2/12/2009	R/64/37	0	0.5	**0.5**	0	0	0.5	IS	NUCLEAR NON-PROLIFERATION
18/12/2009	R/64/174	0	1	**1**	0	0	1	HR	HUMAN RIGHTS ADVANCEMENT
18/12/2009	R/64/175	1	abs.	#N/A	#N/A	#N/A	#N/A	HR	HUMAN RIGHTS, DPR KOREA
18/12/2009	R/64/176	1	abs.	#N/A	#N/A	#N/A	#N/A	HR	HUMAN RIGHTS, IRAN
18/12/2009	R/64/147	0.5	1	**0.5**	0	0	1	HR	RACIAL DISCRIMINATION--ELIMINATION
21/12/2009	R/64/188	0	0.5	**0.5**	0	0.5	0.5	ECOD	INTERNATIONAL TRADE
24/12/2009	R/64/238	1	abs.	#N/A	#N/A	#N/A	#N/A	HR	HUMAN RIGHTS, MYANMAR
8/12/2010	R/65/80	0	0.5	**0.5**	0.5	1	0	IS	MULTILATERALISM--DISARMAMENT
8/12/2010	R/65/60	0	0.5	**0.5**	0.5	0.5	0	IS	NUCLEAR NON-PROLIFERATION
20/12/2010	R/65/167	0	0.5	**0.5**	0.5	1	0	ECO	GLOBALIZATION--INTERDEPENDENCE
21/12/2010	R/RES/65/226	1	abs,	#N/A	#N/A	#N/A	#N/A	HR	HUMAN RIGHTS--REPORTS
21/12/2010	R/65/195	1	abs.	#N/A	#N/A	#N/A	#N/A	HR	UN HUMAN RIGHTS COUNCIL--REPORTS
21/12/2010	R/65/202	0.5	1	**0.5**	1	1	0	HR	SELF-DETERMINATION OF PEOPLES
24/12/2010	R/65/259	1	abs.	#N/A	#N/A	#N/A	#N/A	misc.	UN--BUDGET (2010-2011)

* EU (15, 25, 27); IS (International Security); HR (Human Rights); ME (Middle-East); ECOD (Economy and Development)
** Foreign policy positions are coded as an ordinal variable: 0 (no); 0.5 (abstain); 1 (yes); n.m. ("not a member") and abs. (recorded as "absent") are discarded.
*** VDx is the Voting Distance between two parties –it takes the following values 0% (identical votes, highlighted in green); 50% (partial disagreement, highlighted in grey); 100% (frontal dissent, highlighted in red)

Source: own compilation

[660] UNGA Resolution R/63/191 on the situation of human rights in the Islamic Republic of Iran
[661] UNGA Resolution R/64/174 on human rights, fundamental freedoms and cultural diversity

3.1.2. Convergence towards EU positions in the OSCE

3.1.2.1. Declaratory politics in the OSCE

Born in Helsinki as a Conference (in 1973), the OSCE is a regional, Vienna-based organisation with 56 participating states and 12 Partners for Cooperation, in which intense diplomatic activities are deployed in the pursuit of security-oriented goals in Europe. The OSCE aims at promoting, through diplomatic means, a comprehensive approach to European security in three dimensions: politico-military, economic and environmental, and human. Its activities cover a wide range of issues (from the promotion of good governance, fair elections and fundamental freedom to cooperation against international terrorism, support for the negotiations on conventional arms forces and control of trade in small arms and light weapons (SALW)), and a broad geographical area (from North America and Continental Europe to South Caucasus). Just as those in the UNGA, the debates in the OSCE lie at the crux of European states' foreign policy interests.

A closer look at the OSCE organisation, however, shows an institution, which, comparatively to the UN, is more purposive at the strategic level, more integrated, institutionally, and more intertwined with the EU than its larger, New-York-based counterpart. Its comprehensive approach to European security, enshrined in landmark Summit documents articulates a collective, goal-oriented vision of European security[662]. To implement this vision, the OSCE can rely on resources of its own. Its large network of OSCE missions is a guarantee for extracting first-hand information and backing the organisation's activities in the field. The OSCE conducts activities as diverse as conflict resolution in South Caucasus, confidence-building in the Balkans and monitoring elections in Eastern Europe. The organisation is finally very much intertwined with the EU. Through their geographical and functional overlaps, the EU and the OSCE share "domain similarities" propitious to inter-organisational cooperation[663]. The EU-OSCE relationship is described as based on "commonalities of interests and objectives"[664]. For that matter, the EU is committed to act externally in accordance with the principle of the Helsinki Final Act and with the aims of the Charter of Paris[665], and it has acknowledged, in its 2003 European Security Strategy, its strong interest in enhancing the "strength and effectiveness of the OSCE"[666]. The EU is also intertwined with the OSCE through the extensive development of cooperative initiatives in the field. The two organisations meet regularly at the highest level[667], and have established an inter-organisational framework of cooperation at the

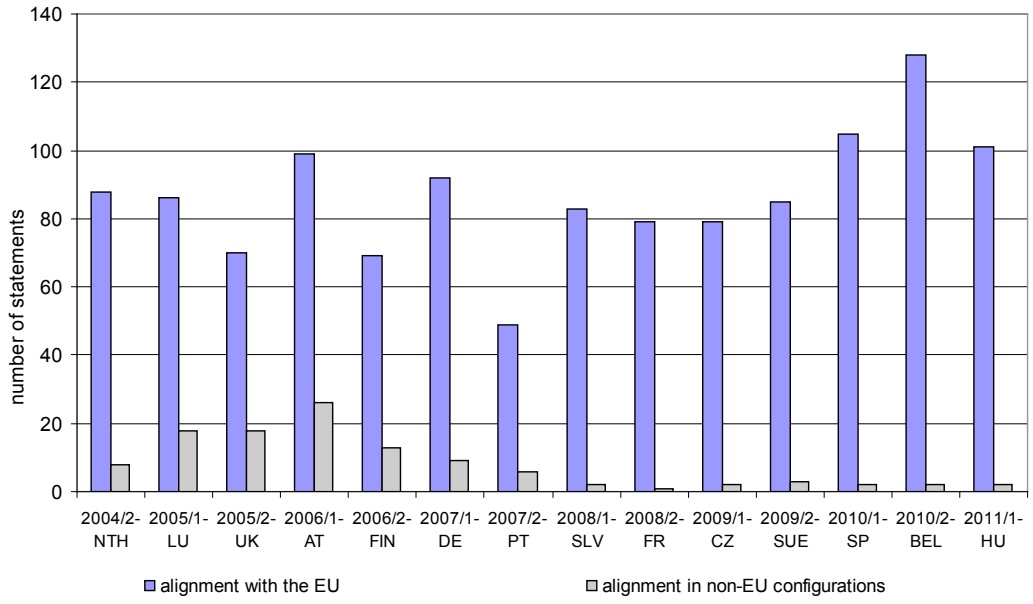
[662] See most notably the 1975 Helsinki Final Act, the 1996 Declaration on a Common and Comprehensive Security Model for Europe for the Twenty-First Century and the 1999 Charter for European Security.
[663] Biermann, R. 2008. 'Towards a Theory of Inter-Organizational Networking: The Euro-Atlantic Security Institutions Interacting.' *The Review of International Organizations* vol.3 (2).
[664] Interview with an Official from the Delegation of the European Union to the International Organisations in Vienna. Vienna, 01/08/2011
[665] Article 11.1 TEU, Treaty of Maastricht. 7 February 1992.
[666] Council of the European Union. 12 December 2003. '*European Security Strategy: A Secure Europe in a Better World*.' p. 9.
[667] OSCE. 2007. '*Handbook of the Organisation for Security and Cooperation in Europe*.' p. 101.

political level[668]. In terms of financial and staffing resources, the EU is the OSCE's primary contributor.

Although decisions taken by the OSCE have no legal power, they are politically binding. These decisions are taken in different *loci* and at different levels, i.e. occasionally in OSCE Summits; yearly by the Ministerial Council (MC); and weekly, at the ambassadorial level, by the Permanent Council (PC) and the Forum for Security Cooperation (FSC). As a rule, they are taken by consensus. As no vote takes place in the OSCE, it is not possible to research δ-convergence by scrutinising EU and non-EU states' voting behaviour, unlike in the UNGA.

This limitation can be circumvented by the analysis of states' declaratory behaviour. The OSCE, after all, is an organisation, which very much relies on shame and fame politics, and the participating states do engage, intensively, in declaratory politics. They use their declaratory might as a diplomatic instrument endowed with substantive powers. Among them, the growing use of non-EU states' formal alignment with EU statements is of particular interest, not least because of the EU's activism in promoting such alignment. Other alignment groups do exist in the OSCE, which are not centred on the EU. Statements are for instance sometimes issued on behalf of the GUAM (Georgia, Ukraine, Azerbaijan, Moldova) or the 'likeminded' (i.e. Switzerland, Liechtenstein, Canada, Norway, Iceland), or an *ad hoc* group of countries (e.g. France and the United States). But these configurations have considerably shrunk in significance over time, whereas the relative weight of the EU in the OSCE's alignment politics has remained outstandingly high (see Figure 12)

Figure 12: The EU as primary actor in OSCE alignment politics



NB: the acronyms under the timeline stand for the countries holding the Presidency of the Council
Source: own calculations

[668] Council of the European Union. 17 November 2003. 'Conclusions on EU-Osce Cooperation in Conflict Prevention, Crises Management and Post-Conflict Rehabilitation.'; Council of the European Union. 4 April 2001. 'Psc Conclusions on EU-Osce Relations in Conflict Prevention and Crisis Management.'

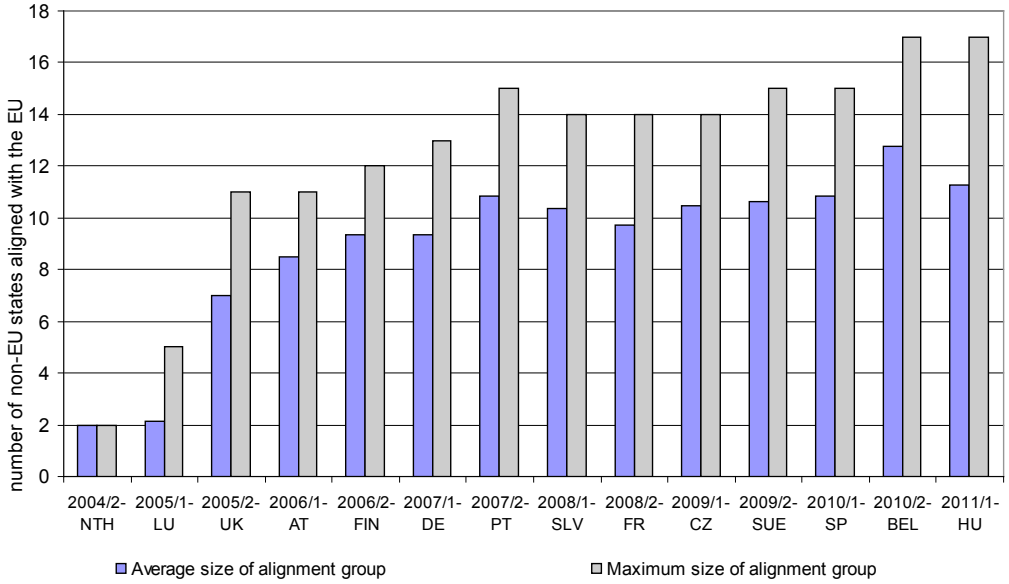
Δ-convergence, in the form of declaratory alignment, has been extensively supported by the EU in its external relations with other OSCE participating states, as part of its political dialogue framework. Although the EU cannot personally voice its positions in the OSCE (it has not the status of participating state), it is represented by the rotating Presidency in all meetings. It is then the Presidency that, speaking on behalf of the EU, reads out EU statements. As a rule, these statements are open to alignment, and the list of non-EU states that accept alignment is added at the bottom end of EU declarations, following a predefined model:

> *"The Candidate Countries Turkey, Croatia*, the former Yugoslav Republic of Macedonia*, Montenegro* and Iceland+, the Countries of the Stabilisation and Association Process and potential candidates Albania, Bosnia and Herzegovina, Serbia, and the EFTA countries Liechtenstein and Norway, members of the European Economic Area, as well as Ukraine, the Republic of Moldova, Armenia, Azerbaijan and Georgia align themselves with this declaration.*
>
> ** Croatia, the former Yugoslav Republic of Macedonia and Montenegro continue to be part of the Stabilisation and Association Process.*
> *+ Iceland continues to be a member of the EFTA and of the European Economic Area".* [669]

The size of the EU-led alignment group in the OSCE has steadily increased since 2004 (see Figure 13). In 2004, alignment was only offered by the EU to two European non-EU states (Croatia and Turkey) besides Bulgaria and Romania, which joined the EU in 2007. In 2011, by contrast, the EU offered alignment to up to 17 European non-EU states (from Ukraine and Azerbaijan to Norway and San Marino). This means that on some declarations, the EU speaks on behalf of 44 (out of 56) participating states. EU diplomats in Vienna readily concede that they strive for achieving the largest possible base of consensus in the OSCE [670]. They therefore usually extend an invitation to align to most European non-EU states, i.e. EU candidate states, members of the European Free Trade Area (EFTA), Western Balkan states (as part of the Stabilisation and Association process), and East-European countries (as part of the ENP) (see Table 13)[671].

[669] European Commission. 27 January 2011. 'Internal Note in-01-11-Sv.'
[670] Interview with an Official from the Permanent Representation of Belgium to the Osce. Vienna, 26/04/2011; Interview with an Official from the Delegation of the European Union to the International Organisations in Vienna. Vienna, 01/08/2011; Interview with a Political Advisor to the Presidencies of the Council of the EU at the Osce & the EU Delegation to the Osce in Vienna. Vienna, 11/08/2011
[671] However, the criteria, on which the decision to offer alignment is based, remain fuzzy. For instance, the EU does not invite all ENP countries (e.g. Belarus). And it invites, since 2010, two micro-states (San Marino and Andorra), despite the fact that the EU has not concluded a framework for political dialogue with these two countries on issues relevant to OSCE politics. On the top of it, the EU did not accede to the request of Monaco, which in 2011, sought to join the alignees' group, although it is, in many respect, comparable with Andorra or San Marino. Interview with a Political Advisor to the Presidencies of the Council of the EU at the Osce & the EU Delegation to the Osce in Vienna. Vienna, 11/08/2011

Figure 13: From EU-29 to EU-44 / the rising size of the EU-led alignment group



Source: own calculations

3.1.2.2. Measuring declaratory alignment in the OSCE

How to measure the (changing) frequency at which Serbia and Macedonia have aligned themselves with EU statements in the OSCE? The measure is computed from a binary variable [aligned; not aligned] for all EU statements, and aggregated on a semester basis (per Presidency). A 100%-result means that alignment has been systematic with all EU statements with no exception in the period of reference; a 0%-result means that no occurrence of alignment has been recorded. Data are drawn from the statements and declarations made by the EU in the OSCE's different loci of decision-making (mainly PC and FSC). The dataset discards the few statements that were closed to any form of alignment[672]. All in all, the research analyses the individual positions of Serbia and Macedonia towards 1214 EU statements between mid-2005 and mid-2011. It is indeed in 2005 that the EU offered alignment for the first time to Serbia and Macedonia (see Table 13). Data collection has been performed manually by retrieving data from OSCE documents (e.g. PC and FSC meeting journals) and consulting archives at the OSCE documentation repository in Prague[673].

[672] These statements are usually purely informative. For instance, they inform OSCE participating states on a declaration issued by the EU's High Representative.
[673] Access has been granted through the doctoral candidate's participation in the 2011 OSCE researcher-in-residence programme.

Table 13: Chronology of non-EU states' first alignments

	date	declaration
TUR (Turkey)	13/01/2000	PC.DEL/2/00
CRO (Croatia)	29/06/2004	PC.DEL/600/04
ICL (Iceland)	02/06/2005	PC.DEL/442/05
LICHT (Liechtenstein)	02/06/2005	PC.DEL/442/05
NRW (Norway)	02/06/2005	PC.DEL/442/05
UKR (Ukraine)	19/05/2005	PC.DEL/392/05
MDA (Moldova)	30/06/2005	PC.DEL/699/05
ALB (Albania)	07/07/2005	PC.DEL/721/05
BOS (Bosnia-Herzegovina)	07/07/2005	PC.DEL/721/05
MAC (fYRoM)	14/07/2005	PC.DEL/745/05
SRB (Serbia)	14/07/2005	PC.DEL/748/05
MNG (Montenegro)	18/07/2006	PC.DEL/759/06
AZE (Azerbaijan)	05/07/2007	PC.DEL/698/07
GEO (Georgia)	14/06/2007	PC.DEL/563/07
ARM (Armenia)	21/06/2007	PC.DEL/615/07
ANDO (Andorra)	25/06/2010	PC.DEL/639/10
SANM (San Marino)	25/06/2010	PC.DEL/639/10

NB: Serbia in 2005 and 2006 refers to the state union of Serbia-Montenegro
Source: own compilation

3.1.2.3. Serbia and Macedonia's declaratory behaviour in the OSCE

The comparative analysis of Serbia and Macedonia's declaratory behaviour in the OSCE yields interesting results. It shows first that over the past six years, the two countries have aligned themselves with EU statements remarkably often, but not at the same level (see Table 14). Macedonia has aligned itself with almost all EU statements, and thus behaved just like a member state of the European Union. Its level of alignment has oscillated between 91% and 99%, and it culminated most recently in 2010-2011. Serbia, by contrast, did not reach the 90%-level of alignment, except in 2006. It started high, at the same level as Macedonia, but it soon decreased, reaching 60% in 2009 (see Figure 14). During the Czech Presidency, Serbia only aligned itself with half of the statements the EU issued in the OSCE. In 20110/2011, Serbia's level of alignment with EU statements rose again and stabilised around 80%.

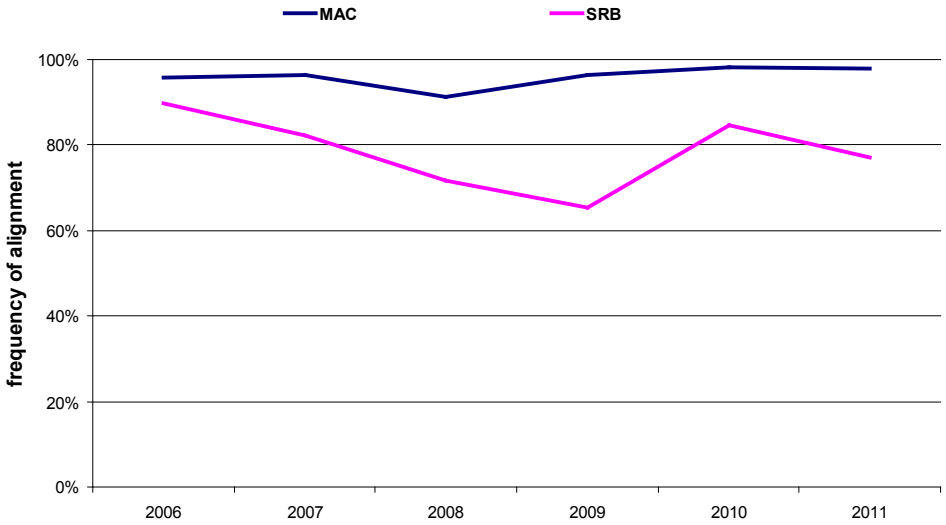
Serbia and Macedonia's declaratory behaviour can also be analysed in the light of other non-EU states' propensity to align (see Figure 15). Macedonia's highly convergent behaviour, for instance, echoes that of regional neighbours (Albania, Bosnia, Croatia), whereas Serbia's dis-alignment between 2007 and 2009 recalls Turkey's behaviour.

Table 14: Frequency of Alignment with EU statements (OSCE)

Year/semester/ presidency	MAC	SRB	ALB	BOS	CRO	UKR	TURK	ICL
2005/2-UK	84%	67%	91%		97%	73%	97%	39%
2006/1-AT	97%	91%	94%	95%	99%	78%	95%	62%
2006/2-FIN	94%	88%	97%	94%	99%	72%	91%	70%
2007/1-DE	96%	85%	97%	98%	98%	63%	84%	70%
2007/2-PT	98%	78%	96%	96%	90%	80%	94%	86%
2008/1-SLV	92%	72%	96%	90%	98%	69%	89%	76%
2008/2-FR	92%	68%	86%	91%	98%	48%	85%	91%
2009/1-CZ	96%	56%	96%	99%	97%	77%	82%	92%
2009/2-SUE	96%	72%	99%	99%	97%	62%	69%	91%
2010/1-SP	97%	84%	95%	91%	98%	39%	70%	98%
2010/2-BEL	99%	85%	96%	98%	98%	55%	76%	99%
2011/1-HU	98%	77%	93%	86%	98%	27%	71%	98%

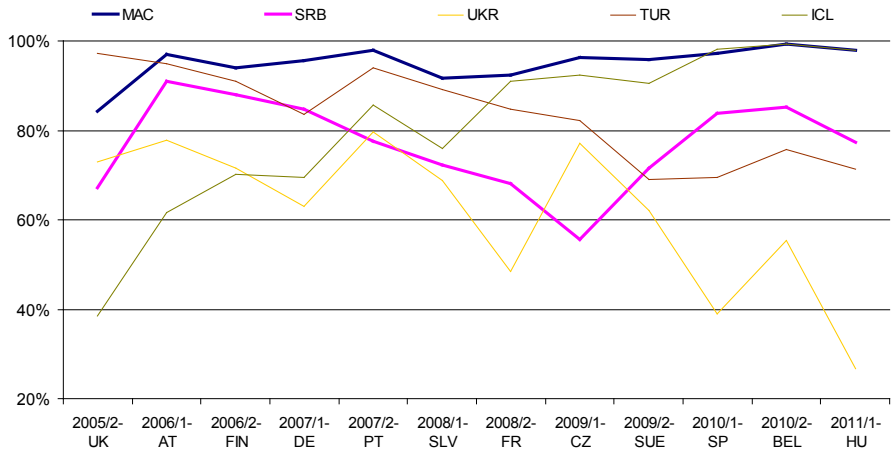
Source: own calculations

Figure 14: Frequency of Alignment with EU statements (OSCE, per year)



Source: own calculations

Figure 15: Frequency of Alignment with EU statements (OSCE)



Source: own calculations

Over the past six years, Macedonia responded favourably to the EU's proposal for alignment in all but 47 cases (out of 1214). A fourth of these occurrences of non-alignment concerned EU statements on Macedonia itself (e.g. on elections in Macedonia, or on the OSCE mission in Macedonia); a growing third related to soft security issues (e.g. migration issues, protection of minorities, freedom of the media); and the rest concerned international security issues (e.g. SALW process), Russia and Central Asia (e.g. human rights violations and conflict in Transnistria or Georgia), as well as EU statements on the Western Balkans (e.g. ICTY, Kosovo, Serbia, Albania). Serbia, by contrast, did not respond favourably to the EU's proposal to align in 227 cases (out of 1214). Most of them were EU statements targeting Russia or its neighbours for their alleged violation of human rights, their failure to provide justice, or their implication in some conflict in the region. These issues constitute Serbia's primary source of non-alignment, followed by EU statements on Serbia or Kosovo (see Table 15).

Table 15: Serbia and Macedonia's non-alignment with EU statements in the OSCE (2005-2011)

Macedonia	47 statements	
Soft security issues	33%	++
Macedonia	25%	
International security	20%	
Central Asia and Russia	15%	--
Western Balkans	8%	

Serbia	227 statements	
Central Asia and Russia	56%	++
Serbia and Kosovo	16%	--
Soft security issues	14%	
Western Balkans	10%	
International security	3%	

Source: own calculations

3.1.3. Inferring Europeanisation

3.1.3.1. Alignment as a result of foreign policy coordination

Although European integration, in its early ages, did not focus much on foreign policy issues *per se*, its purpose did convey aspirations that pertained to foreign policy coordination. Of course, the resources deployed to "strengthen the safeguards of peace and liberty" in Europe were at first economic, but the message, "calling upon the other peoples of Europe who share their ideal to join in their efforts" was in fact primarily political[674]. After several failures (in the 1950s and 1960s), a proper framework for foreign policy coordination took shape in 1970: the European Political Cooperation (EPC). The EPC reflected the member states' will to "speak with one voice", through the "harmonisation of their views in the field of international politics"[675]. The EPC, however, was due to take place through intergovernmental cooperation, in a framework that was institutionally distinct from the European Communities. This changed in 1986, when the EPC received a legal basis in the Single European Act (SEA)[676]. From then on, the Communities were to foster agreement beyond economic matters, in the field of high politics.

In world affairs, the SEA committed the member states to "endeavour to adopt common positions […]"[677], as well as to "avoid any action or position which impairs their effectiveness as a cohesive force in international relations or within international organizations"[678]. These steps paved the way for the establishment, in 1993, of the Common Foreign and Security Policy (CFSP). In addition to the institutional changes it entailed, the Maastricht Treaty sharpened the legal wording of the SEA, demanding that the member states "*coordinate* their action in international organizations" and strive for "*concerted* and *convergent* action"[679].

[674] Treaty of Rome. 25 March 1957. Preamble.
[675] Foreign Ministers of the Member States. 27 October 1970. '*Davignon Report*.' article II.1.b.
[676] Single European Act. 29 June 1987. Title III, article 30.
[677] Ibid. article 30 (7a).
[678] Ibid. article 30 (2d).
[679] Treaty of Maastricht. 7 February 1992. article J.2 (3), emphasis added.

Until the 2000s, foreign policy coordination, however, remained a matter that rarely involved third states. Although the Treaties do mention the complementarities that exist between the EC/EU and some international organisations (most notably the United Nations and the OSCE), their relationship was not one *stricto sensu* defined by principles of foreign policy coordination, not least because these international organisations had not developed a foreign policy of their own. This concept of "European foreign policy", first introduced by the SEA[680], implies that that the EU is capable of conducting a foreign policy that is more than the sum of the foreign policy of its member states[681]. And it is precisely this capability, derived from the EU's internal CFSP *acquis*, that allows the EU today to coordinate its foreign policy externally, by extending its "common order" beyond its borders, towards non-EU Europe[682]. Once seeking to speak with one voice, the EU, relying on greater institutional actorness on the world scene, now strives for speaking on behalf of non-EU states too[683].

The EU extends parts of its CFSP foreign policy coordination *acquis* in non-EU Europe through the so-called "political dialogue" with associated states. Its foundations are usually laid in the form of a "joint declaration on political dialogue", and later institutionalised as part of the EU's numerous Association Agreements with non-EU states. The formulation chosen to set up political dialogue is rigorously similar to EU member states' treaty obligations. It provides that the signatories (i.e. the EU and its Associate) shall meet occasionally at the ministerial level, and ensure an "increasing convergence of positions on international issues", including "in the areas covered by the Common Foreign and Security Policy of the European Union"[684]. In multilateral *fora*, convergence shall be striven for by "providing mutual information on foreign policy decisions, taking full advantage of diplomatic channels, including contacts in the bilateral as well as the multilateral field, such as UN, OSCE meetings and elsewhere"[685].

In order to achieve these objectives, the EU introduced, in the 2000s, a mechanism of alignment, which allows non-EU states to join EU statements in the OSCE and vote like the EU in the UNGA. This mechanism, enacted as part of the EU's political dialogue with SAp countries, was introduced by the Thessalonica Agenda for the Western Balkans in 2003. The Agenda provides that EU-Western Balkans meetings should be held annually at the Political Director level at the margins of the UNGA "to discuss international issues, in particular those on the UNGA agenda"[686]. More specifically, it foresees that the EU will "invite, as appropriate, the SAp countries to

[680] Single European Act. 29 June 1987. article 30.
[681] See White, B. 2001. *Understanding European Foreign Policy*.
[682] Ekengren, M. and Sundelius, B. 2004. 'National Foreign Policy Coordination.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al. p. 112.
[683] The EU's actorness in world politics should not be overestimated, though. The EU failed indeed to speak with one voice in a number of occasions, most notably regarding the US-backed intervention in Iraqi.
[684] See for instance the Stabilisation and Association Agreement between the European Communities and their Member States of the one part and the former Yugoslav Republic of Macedonia of the other part. 26 March 2001. articles I4, I6.
[685] See for instance the Ibid. articles I3, I2.
[686] European Council. 16 June 2003. 'Thessalonica Agenda for the Western Balkans.'

align themselves *with EU demarches, declarations and common positions on CFSP issues*"[687]. It is based on this provision that the EU shaped its alignment mechanism.

3.1.3.2. The alignment mechanism in practice

The practice of alignment in the OSCE and UNGA rests on a set of informal rules. In the UNGA, the procedure for alignment is initiated in New York, generally on Tuesdays, after the EU's internal coordination meetings. These meetings are usually reserved for EU member states, and they are held at the ambassadorial level. They follow Mondays' Council's meetings in Brussels, where sensitive issues can be discussed. Their aim is to build consensus among EU member states on specific UNGA resolutions. Only after a common position is (provisionally) agreed on in New York may Serbia and Macedonia be invited to align themselves with EU positions. The voting position of the EU is then communicated 1) to Macedonia during the briefing meeting organised by the EU with EU candidate states at the deputy-ambassadorial level (shortly after the EU's internal coordination meeting), and 2) to Serbia through a communication per email (since the briefing meetings are only open to EU candidates). Once the invitation to align is formulated, Serbia and Macedonia's delegates in New York usually consult their home ministry before making a decision[688]. Their decision (not) to align does not need to be transmitted to the EU prior to the roll-call vote. It is signalled directly at the occasion of the vote.

The alignment mechanism in the OSCE is operated quite similarly to the UNGA. The Permanent Council (PC) is the primary locus of declaratory politics in the OSCE, and its regular meetings take place every Thursday morning. Intense consultations precede these meetings to coordinate the positions of EU member states internally at first, and only then externally, with non-EU states. The process usually starts one week before the PC meeting with preliminary consultations among EU member states' *chefs de file*. The decision, by the EU, to make a declaration at a PC meeting is taken on Mondays, around 3 p.m., during the internal coordination meeting of the EU's member states' permanent representatives. Preliminary consultations give birth to a initial draft statement, which is then discussed at the expert-level, on Tuesdays. The draft statement is subsequently circulated for approval among EU member states in the evening. On Wednesdays, the draft statement is amended by experts in accordance with EU member states' responses. At 3 p.m., a meeting is eventually held at the deputy-ambassadorial level, to finalise the negotiations. Depending on the sensitivity of the topic, the negotiations can be short, ending around 4 p.m., or lengthy, in which case consensus is finalised at the ambassadorial level on Thursdays morning, shortly before the PC meeting. Non-EU states do not participate in this process of internal coordination. Nor are they allowed to formally participate in the decision-making process, e.g. by making suggestions or amendments. Some of them, however, are informed of the general topic of the statement the EU plan to make on Tuesdays, at the occasion of their weekly briefing meeting (at the ambassadorial level). These are the candidate states (e.g. Macedonia) and the so-called likeminded[689]. These thus

[687] Ibid. emphasis in original; See also European Commission. 16 June 2003. 'The Western Balkans and European Integration.'

[688] Serbia and Macedonia's delegates in New York may also confer with third partners before making a decision. But démarches on specific resolutions are more often conducted in the capital, e.g. by the US delegation in Skopje, and Russia's delegation in Belgrade.

[689] Switzerland, Liechtenstein, Canada, Norway and Iceland

receive the information earlier than other non-EU states (e.g. Serbia). The formal proposition to align, however, is formulated at the same stage of the process for all, i.e. only after consensus has emerged among EU members, i.e. at the earliest on Wednesdays afternoon. The draft declaration is then sent by email to Serbia and Macedonia's permanent mission in Vienna, and these are expected to reply before the beginning of the PC meeting, by the next morning. In the absence of reply, it is assumed that they do not align. Owing to the tight deadline, some non-EU states may not succeed in replying on time. The EU, under the Belgian Presidency, has accordingly softened its deadline rule, and now accepts belated communications until Thursdays afternoon. The names of latecomers are simply added on the alignment list before the final text is published.

The practice of alignment in the OSCE also changed in another respect. With the entry into force of the Lisbon Treaty, a more stringent interpretation of the "speaking with one voice principle" was introduced, and replaced by a "speaking with a single voice principle"[690]. Under the Spanish Presidency, an informal email was sent to non-EU delegations, which formalised a norm that previously existed, but only tacitly. This email stated the following:

> *"Dear Colleagues,*
> *Please be advised that, except in special circumstances previously agreed upon, no alignments to EU statements can be accepted from delegations that are going to deliver statements on the same issue on a national basis".* [691]

This new rule allows the EU Presidency to remove from the list of alignees the name of a country that has notified its willingness to align, if this country, at the OSCE meeting, makes a statement in its national capacity. Originally intended to "limit as much as possible national statements" that contradict the EU, it is now applied with the idea that a plurality of statements, even concordant ones, is detrimental to the effectiveness of collective actions in international affairs[692].

3.1.3.3. The architects of alignment

The primary architect of alignment, on the EU's side, is the Presidency of the Council. It is responsible for coordinating the EU's foreign policy, both internally and

[690] Interview with an Official from the Permanent Mission of Turkey to the Osce. Vienna, 08/07/2011; Interview with an Official from the Permanent Mission of Macedonia to the Osce. Vienna, 08/07/2011; Interview with an Official from the Permanent Mission of the Republic of Serbia to the Osce in Vienna. Vienna, 17/10/2011; Interview with an Official from the Delegation of the European Union to the International Organisations in Vienna. Vienna, 01/08/2011; Interview with a Political Advisor to the Presidencies of the Council of the EU at the Osce & the EU Delegation to the Osce in Vienna. Vienna, 11/08/2011; Interview with an Official from Delegation of the European Union to the Former Yugoslav Republic of Macedonia. Skopje, 01/11/2011; Interview with an Official from Ministry of Foreign Affairs of the Republic of Macedonia, United Nations Unit Skopje, 07/03/2011; Interview with a Member of the Parliament at the National Assembly of Serbia. Belgrade, 14/09/2011; Interview with an Official from the Ministry of Foreign Affairs of the Republic of Serbia, Directorate General for Multilateral Cooperation. Belgrade, 13/09/2011; Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Multilateral Affairs. Skopje, 02/11/2011

[691] Email Communication Forwarded by a Political Advisor to the Presidencies of the Council of the EU at the Osce & the EU Delegation to the Osce in Vienna. 16/08/2011

[692] Interview with an Official from the Delegation of the European Union to the International Organisations in Vienna. Vienna, 01/08/2011

externally, organising meetings, liaising with the Political and Security Committee in Brussels, and of course, enacting the alignment mechanism. In comparison, the delegation of the European Commission in New York and Vienna only played a limited role. Having the status of observer in the UN and OSCE, it could attended most of the proceedings in the UNGA and OSCE, and it was "fully associated" with the work of the Presidency in accordance with the Treaties, but it was not endowed with substantive powers in CFSP[693]. Its involvement was therefore basically limited to being kept informed. Its role, however, is expected to change, following the entry into force of the Treaty of Lisbon in December 2009.

In New York, the Presidency's work is assisted by the New York Liaison Office (NYLO) of the Secretariat of the Council. But this assistance is first and foremost logistical[694]. The NYLO also provides information, reports and analyses to the EU's High Representative for the CFSP and to General Secretariat of the Council. As its activity primarily focus on the internal side of the coordination process, the nature of NYLO is closer to an "information bureau rather than as a political institution" capable of dealing with external affairs[695]. Until Lisbon, the NYLO coexisted with the Delegation of the European Commission to the United Nations. As a result of the Treaty of Lisbon, the Delegation of the European Commission and the Council's NYLO were fused into a Delegation of the European Union to the United Nations. Its mandate is now to "reinforce the coordination of the common European Union (EU) policies and approaches at the United Nations, including the drafting of EU statements and the adoption of EU positions on Resolutions and other texts"[696].

The entry into force of the Treaty of Lisbon has resulted in the renegotiation of the role of the EU delegations in New York and Vienna. Their involvement in foreign policy coordination has been reinforced vis-à-vis the Presidency[697]. In the OSCE, EU statements are now drafted by a joint team composed of the staff of the EU Presidency and the newly established EU Delegation. And they are issued by the EU delegation –and no longer the permanent representation of the EU member state presiding over the Council. In New York, the role of the EU delegation has been likewise enhanced (e.g. it organises and chairs coordination meetings). Yet, the EU delegations in New York and Vienna have not been able to take on the entirety of the workload that was hitherto assumed by the rotating Presidency. Understaffed, disorganised, they still rely on the Presidency to operationalise the EU's political dialogue with non-EU states in general, and enact the alignment mechanism in particular. The EU delegations and the rotating Presidencies thus cooperate "in a pragmatic way, looking at the staff available, on the basis of an *ad hoc* division of

[693] Ibid.
[694] Tuesdays' briefings were organised in NYLO facilities. Interview with an Official from Ministry of Foreign Affairs of the Republic of Macedonia, United Nations Unit Skopje, 07/03/2011
[695] Farrell, M. 2006. 'EU Representation and Coordination within the United Nations.' *GARNET Working Paper* vol.6 (6). p. 14; Rasch, M. B. 2006. 'The European Union's Common Foreign and Security Policy - Regime Functioning, Evolution and Quality Exemplified by the Eu's Representation in the United Nations.' Conference paper. p. 11-12.
[696] European Union @ United Nations. 'The EU at the UN - Overview'. [accessed 10/01/2011].
[697] Interview with an Official from the Delegation of the European Union to the International Organisations in Vienna. Vienna, 01/08/2011; Interview with a Political Advisor to the Presidencies of the Council of the EU at the Osce & the EU Delegation to the Osce in Vienna. Vienna, 11/08/2011

labour"[698]. Eventually, the EU delegations in New York and Vienna will take over a large part of the rotating Presidency's competences, including those related to the alignment mechanism[699].

The alignment mechanism also relies on bilateral contacts between Serbia and Macedonia on the one side and some EU member states on the other side[700]. When pieces of information are missing, Serbia and Macedonia's delegates readily contact their EU closest partners (e.g. Slovenia) in New York. EU member states may not only remedy a lack of information. They also play an inspirational role in the UNGA, when the EU has not reached a consensus position. Macedonia's diplomats are for instance well aware that France and the UK often hold positions that are not "typical EU positions", especially on decolonisation issues or Middle East affairs[701]. In order to have a taste of the EU's position, Macedonia, more often than Serbia, then consults with other EU member states (e.g. again Slovenia) to enquire into their national position. Its participation, as EU candidate, in EU briefing meetings certainly facilitates these informal consultations. Multilateral foreign policy coordination is then also conducted at the mini-lateral level, on an ad hoc basis.

On the Serbia/Macedonia's side, finally, the alignment mechanism is handled at two locations: in Vienna and New York first, by the national representatives, who receive the invitation to align; and in Belgrade and Skopje too, by state officials in the Ministry of Foreign affairs (MFA), who send the instructions (not) to align. Interactions with EU actors often imply both actors[702]. In New York, Serbia and Macedonia's representatives always request instructions from their home Ministry before transmitting their decision (not) to align. Decision-making, then, is centralised in Belgrade and Skopje, generally in a Unit/Department for UN affairs within the MFA. Depending on the sensitivity of the issue at play, the head of this unit usually launches a series of consultations within the MFA. On Palestine, for instance, she may confer with the department responsible for relations with Middle East countries. In some cases, the decision (not) to align is taken at a higher level within the Ministry. Once the decision (not) to align is taken, it is communicated back from Belgrade/Skopje to Serbia/Macedonia's permanent mission in New York. Little

[698] Interview with an Official from the Delegation of the European Union to the International Organisations in Vienna. Vienna, 01/08/2011

[699] Ibid.

[700] Interview with an Official from Ministry of Foreign Affairs of the Republic of Macedonia, United Nations Unit Skopje, 07/03/2011; Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Bilateral Relations with Non European Countries. Skopje, 03/11/2011; Interview with an Official from the Permanent Mission of the Republic of Serbia to the Osce in Vienna. Vienna, 17/10/2011

[701] Interview with an Official from Ministry of Foreign Affairs of the Republic of Macedonia, United Nations Unit Skopje, 07/03/2011; Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Bilateral Relations with Non European Countries. Skopje, 03/11/2011

[702] Interview with an Official from the Permanent Mission of the Republic of Serbia to the Osce in Vienna. Vienna, 17/10/2011; Interview with a Political Advisor to the Presidencies of the Council of the EU at the Osce & the EU Delegation to the Osce in Vienna. Vienna, 11/08/2011; Interview with an Official from Ministry of Foreign Affairs of the Republic of Macedonia, United Nations Unit Skopje, 07/03/2011; Interview with an Official from the Ministry of Foreign Affairs of the Republic of Serbia, Directorate General for Multilateral Cooperation. Belgrade, 13/09/2011; Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Multilateral Affairs. Skopje, 02/11/2011; Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Bilateral Relations with Non European Countries. Skopje, 03/11/2011

latitude is left to their representatives abroad. Their role is limited to transmitting the EU invitation to Skopje/Belgrade in due time, acting in accordance with the capital's instructions in the UNGA, and gathering information on the position of particular member states, when the EU has no unanimous position.

In the OSCE, the situation is different. In Vienna, Serbia and Macedonia's representatives can now decide on the spot whether they align or not, without systematically involving their home Ministry. This decentralisation of foreign policy decisions on alignment has been gained ground gradually, as a response to the time constraints under which the alignment mechanism is enacted. Since the EU only communicates its statement to non-EU states a few hours before the PC meetings, little time is left for consultations with and within the MFA. Serbia and Macedonia's heads of missions have thus been granted by their home Ministry "a margin of appreciation"[703], according to which they can decide whether instructions from the MFA are required or not. On a number of issues, which 1) are not critical to Serbia/Macedonia's interests; 2) are widely accepted by the international community; 3) have already been discussed within the Ministry, decisions to align are primarily taken locally, in Vienna. On more sensitive issues, Serbia and Macedonia's representatives still request instructions, though. But interestingly here, Serbia more often than Macedonia: as noted by an EU official, "Macedonia always aligns and says it right away, whereas Serbia often seeks for instructions"[704]. Obviously, Serbia's representatives are keener on viewing European foreign policy as tackling sensitive issues.

3.1.4. Argumentative analysis

In accordance with the multi-theoretical framework developed in the research design, the following part of the thesis explores the (structural) causes, (dispositional) reasons and (teleological) intentions that best account for Serbia and Macedonia's foreign policy convergence towards the EU in the UNGA and OSCE. But it also examines the factors that constrained or reversed convergence, and prevented Europeanisation from taking root in Serbia after 2006.

3.1.4.1. Structural analysis

More than elsewhere, the EU has woven in the Western Balkans a series of contractual relations, which extend the realm of its governance beyond its organisational borders. Starting from the 1996 Regional Approach, its conditionality-based approach has been developed over the years, so as to encompass all of the EU's acquis including CFSP matters. Strategically bound to Western Balkan states' accession perspectives, the existing conditionality regime comprises a plethora of rules, some pertaining to foreign policy coordination in multilateral *fora*. What are, in this context, the structural settings that, weighing on Serbia and Macedonia's foreign policy behaviour, purportedly lead to their Europeanisation? And in which respect do they differ for Serbia and Macedonia?

[703] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Multilateral Affairs. Skopje, 02/11/2011

[704] Interview with a Political Advisor to the Presidencies of the Council of the EU at the Osce & the EU Delegation to the Osce in Vienna. Vienna, 11/08/2011

3.1.4.1.1. Non-concomitant obligations to align

It has been seen that Serbia and Macedonia interact routinely with EU actors in the framework of the EU's political dialogue with non-EU states. This political dialogue was established with Macedonia through the signature of a Cooperation Agreement on 29 April 1997[705]. In the annex to this agreement, Macedonia and the EU issued a "Joint Declaration on political dialogue"[706], which introduced two soft obligations: an *obligation de moyen* regarding foreign policy coordination, and an *obligation de résultat* regarding foreign policy convergence. The *obligation de moyen* pertained to the need to coordinate one's foreign policy by

> *"providing mutual information on foreign policy decisions, taking full advantage of diplomatic channels, including contacts in the bilateral as well as the multilateral field, such as UN, OSCE meetings and elsewhere".*[707]

As for the *obligation de résultat*, it states that actors should act with the purpose of

> *"bringing about mutual understanding and increasing convergence of positions on international issues, and in particular on those matters likely to have substantial effects on one or the other Party".*[708]

This contractual framework was consolidated in March 2001 with the signature of a Stabilisation and Association Agreement (SAA) between Macedonia and the EU[709]. Title II of this Agreement specifies that political dialogue between the Macedonia and the EU "shall be further developed and intensified", with the intent of establishing "close links of *solidarity*" and "*common views* on security and stability in Europe, including in the areas covered by the Common Foreign Security Policy of the European Union"[710]. It reiterates the obligation to strive for "*increasing convergence* of positions" [711], and strengthens the *obligation de moyen,* adding that foreign policy coordination should take "full advantage of *all* diplomatic channels"[712]. The wording of the SAA logically echoes the Treaties[713], since its aim is to prepare the signatory to EU accession. With the introduction, for Western Balkan states, of the alignment mechanism in 2003, the EU eventually routinised foreign policy coordination. In its conclusions at the Thessaloniki Summit, the Presidency stated that the EU would hitherto invite SAp countries to "align themselves with EU demarches, declarations and common positions on CFSP issues", and "as appropriate", allow them to participate in co-ordination and briefing meetings[714].

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[705] Council of the European Union. 29 April 1997b. 'Council's Decision on the Cooperation Agreement between the European Community and the Former Yugoslav Republic of Macedonia.'
[706] Council of the European Union. 29 April 1997c. 'Joint Declaration on Political Dialogue between the EU and the Former Yugoslav Republic of Macedonia.'
[707] Ibid.
[708] Ibid.
[709] Stabilisation and Association Agreement between the European Communities and their Member States of the one part and the former Yugoslav Republic of Macedonia of the other part. 26 March 2001.
[710] Ibid. article 7.
[711] Ibid.
[712] Ibid. article 9.2, emphasis added.
[713] e.g. art. 11 TEU, Treaty of Maastricht. 7 February 1992.
[714] Presidency of the European Council. 21 June 2003. 'Thessaloniki EU-Western Balkans Summit Declaration.' p. Annex 1.

Although this possibility was offered to Serbia and Macedonia indiscriminately, the process that framed Serbia's foreign policy coordination with the EU only started several years after Macedonia (see Table 16). It started in 2001 with the establishment of an EU/FRY Consultative Task Force (CTF) composed of senior officials, entrusted with the duty to prepare Serbia to SAA negotiations[715]. But the CFT did not engage in foreign policy matters, and mostly focussed on legal and judicial reforms and economic matters. In 2003, the CTF evolved into an Enhanced Permanent Dialogue (EPD)[716], as the European Council decided to extend its "bilateral political dialogue at the ministerial level […] to Serbia and Montenegro"[717]. In September 2003, Serbia and the EU accordingly issued a Joint Declaration on political dialogue[718], the wording of which echoes Macedonia's joint declaration of 1997. It formulates both types of obligations (*de moyen* and *de résultat*), though five years later. These obligations were later enshrined in Serbia's SAA[719], in January 2008, in a wording that, again, perfectly matches with Macedonia's SAA, although Macedonia had signed it seven years before. One of the few differences concerned the future of political dialogue, which, in Macedonia's SAA, shall be "developed and intensified" [720] (art. 7), whereas in Serbia's SAA, it simply "shall be further developed".[721]

Table 16: Serbia & Macedonia's obligations towards the EU in multilateral diplomacy: different timeframes

	Obligation to communicate	**Obligation to converge**	**Legal basis**
Macedonia	1997 / 2001	1997/ 2001	Joint declaration on political dialogue (OJ C 240 29 April 1997) SAA (doc. 6726/01 26 March 2001)
Serbia	2003/ 2008	2003/ 2008	Joint declaration on political dialogue (doc. 12616/03 17 September 2003) SAA (doc. 16005/07 22 January 2008)

The key difference between Serbia and Macedonia's obligations, then, is not substantive: it is a difference in time and timing. In time first, because Macedonia had to coordinate its foreign policy with the EU five years before Serbia; and in timing then, because Macedonia first engaged in political dialogue, and then was offered alignment, whereas Serbia's political dialogue postdates the introduction of the EU's alignment mechanism (2003). Whereas the alignment mechanism logically emerged

[715] Council of the European Union. 10 July 2001. 'EU/Former Republic of Yugoslavia Consultative Task Force: Terms of Reference.' p. 1.
[716] Presidency of the European Council. 14 April 2003. 'Draft Conclusions on the Western Balkans.'
[717] European Council. 16 June 2003. 'Thessalonica Agenda for the Western Balkans.'
[718] Council of the European Union. 17 September 2003. 'Joint Declaration on Political Dialogue between the EU and Serbia and Montenegro.'
[719] Stabilisation and Association Agreement between the European Communities and their Member States of the one part and the Republic of Serbia of the other part. 22 January 2008.
[720] Article 7 of the Stabilisation and Association Agreement between the European Communities and their Member States of the one part and the former Yugoslav Republic of Macedonia of the other part. 26 March 2001.
[721] Article 10.1. of the Stabilisation and Association Agreement between the European Communities and their Member States of the one part and the Republic of Serbia of the other part. 22 January 2008.

as an instrument to reach the objectives stated in the political dialogue framework (regarding both key obligations), for Serbia, it was introduced as a novelty with no referent agreed upon as to its purpose. Making use of it, thus, had the benefit of being totally cost-free for Serbia: it was a right without duty. This imbalance may have facilitated Serbia's sudden alignment with EU positions from 2003 to 2006.

3.1.4.1.2. Political compliance

Following the conclusion of this framework for political dialogue, the EU has regularly controlled that Serbia and Macedonia fully comply with their obligations in the UNGA and OSCE. But the careful examination Serbia/Macedonia's conditionality dialogue with the EU shows that this follow-up has been more thorough for Macedonia than for Serbia. It started as early as 2004 through encouragements addressed to Macedonia by the SAA Council, stating that "as it moves closer to the European Union, [Macedonia] is encouraged to continue to align itself with established EU positions, also on international issues"[722]. As Macedonia's alignment became systematic, the EU, between 2005 and 2011, repeatedly acknowledged and welcomed the fact that Macedonia "has continued to align itself with a number of EU common positions and statements"[723].

Serbia's follow-up on alignment, by contrast, only started later, in 2010, through the Commission's progress report[724]. In 2011, the Commission enquired more specifically into the question, asking in its Questionnaire: "How many measures (declarations, demarches, common positions) have you aligned with since July 2008?" [725]. Considering Serbia's lesser propensity to align, the assessment was of course not as congratulatory as Macedonia's. The analytical report accompanying the Commission's Opinion thus stated that the country "needs to align further with EU statements and Council decisions"[726].

3.1.4.1.3. The compellingness of EU obligations

[722] Council of the European Union. 14 September 2004. 'Joint Press Release -EU-Former Yugoslav Republic of Macedonia Stabilisation and Association Council Meeting.'
[723] Ibid; European Commission. 9 November 2005a. 'Analytical Report for the Opinion on the Application from the Former Yugoslav Republic of Macedonia for EU Membership.'; European Commission. 6 November 2007b. 'The Former Yugoslav Republic of Macedonia 2007 Progress Report.'; Council of the European Union. 30 January 2006. 'Council's Decision on the Principles, Priorities and Conditions Contained in the European Partnership with Serbia and Montenegro Including Kosovo as Defined by the United Nations Security Council Resolution 1244 of 10 June 1999.'; European Commission. 5 November 2008c. 'The Former Yugoslav Republic of Macedonia 2008 Progress Report.'; European Commission. 14 October 2009b. 'The Former Yugoslav Republic of Macedonia 2009 Progress Report.'; European Commission. 9 November 2010b. 'The Former Yugoslav Republic of Macedonia 2010 Progress Report.'; European Union - Republic of Macedonia Joint Parliamentary Committee. 19 February 2010. 'Recommendations of the European Union - Republic of Macedonia Joint Parliamentary Committee.'; European Commission. 12 October 2011d. 'The Former Yugoslav Republic of Macedonia 2011 Progress Report.'; European Union - Republic of Macedonia Joint Parliamentary Committee. 30 November 2010. 'Final Recommendations.'; European Commission. 12 October 2011c. 'Enlargement Strategy and Main Challenges 2011-2012.'
[724] European Commission. 9 November 2010c. 'Serbia 2010 Progress Report.'
[725] European Commission. 2010e. 'Questionnaire Delivered by the European Commission to the Republic of Serbia.' chapter 31.A.9.
[726] European Commission. 12 October 2011a. 'Analytical Report for the Opinion on Serbia's Application for Membership of the European Union.'

Serbia and Macedonia responded to the EU's conditionality regime by enshrining in key documents the obligation to align their foreign policy behaviour with the EU's. Macedonia acknowledged the compellingness of EU obligations in this respect as early as 2001, in its national plan for the implementation of the SAA[727]. Serbia, having not signed a SAA by that time, waited until 2005 to acknowledge in its National Strategy document the compellingness of EU obligations[728]. Differences between Serbia and Macedonia do not only concern these timeframes. They also relate to the legal understanding the two countries had of their respective obligation to align. Whereas Macedonia committed itself repeatedly to "adhere to EU common positions, declarations and statements, whether they are based upon EU invitation or on a unilateral basis"[729], Serbia rather only stressed that it would "work carefully towards aligning its positions with the EU statements, bearing in mind its national interests and the EU accession as its priority objective"[730]. The difference in tone barely conceals different perceptions regarding the compellingness of EU obligations. Whereas Macedonia understands political compliance with the CFSP acquis as unconditional, Serbia cautiously qualifies its position with a safeguard clause. It declares its will to comply with the CFSP acquis, provided EU positions do not conflict with its national interest.

At the individual level, political compliance ensues in the UNGA and OSCE through the diffuse pressures exerted by the EU on Serbia and Macedonia's foreign policy actors. These pressures are diffuse because they are rarely exerted directly (e.g. through diplomatic *démarches*). EU diplomats indeed usually resent presenting alignment as a formal imperative derived from contractual obligations, as such an approach carry the risk of antagonising EU partners[731]. Diffuse though they are, these pressures for alignment are nonetheless felt by Serbia and Macedonia's representatives. In interviews, these often bluntly recognise that one of the reasons of their alignment is that they "have to"–although sheer compliance is not what primarily drives their behaviour[732].

This perception is vivified when these do not to align with EU positions. EU diplomats may then enquire into the reasons that prevented alignment, though gently,

[727] Government of the Republic of Macedonia. June 2001. 'Action Plan for the Implementation of the Stabilization and Association Agreement.'
[728] Government of the Republic of Serbia. June 2005. '*National Strategy of Serbia for the Serbia and Montenegro's Accession to the European Union*.' p. 44ff.
[729] Government of the Republic of Macedonia. March 2006. '*National Programme for the Adoption of the Acquis Communautaire*.'; Government of the Republic of Macedonia. 29 May 2009. '*National Programme for the Adoption of the Acquis Communautaire*.'
[730] Republic of Serbia. 2011. 'Answers of the Republic of Serbia to the EU Questionnaire Delivered by the European Commission.'
[731] Interview with an Official from the Permanent Representation of Belgium to the Osce. Vienna, 26/04/2011; Interview with an Official from the Delegation of the European Union to the International Organisations in Vienna. Vienna, 01/08/2011; Interview with a Political Advisor to the Presidencies of the Council of the EU at the Osce & the EU Delegation to the Osce in Vienna. Vienna, 11/08/2011; Interview with an Official from the Austrian Embassy in Macedonia. Skopje, 08/03/2011; Interview with an Official from the Slovenian Embassy to Macedonia. Skopje, 02/11/2011
[732] Interview with an Official from the Permanent Mission of the Republic of Serbia to the Osce in Vienna. Vienna, 17/10/2011; Interview with an Official from Ministry of Foreign Affairs of the Republic of Macedonia, United Nations Unit Skopje, 07/03/2011; Interview with a Member of the Parliament at the National Assembly of Serbia. Belgrade, 14/09/2011; Interview with an Official from the Ministry of Foreign Affairs of the Republic of Serbia, Directorate General for Multilateral Cooperation. Belgrade, 13/09/2011

"out of political curiosity"[733]. As their country comes closer to the EU, these pressures for alignment purportedly heighten[734]. As a Serbian diplomat stated:

> *"the closer we are in the EU integration process, the more compelled we are to harmonise our position with the EU".*[735]

But Serbia and Macedonia responds differently to these pressures. Whereas Macedonia generally accepts compliance as a "rule of the European integration game", on the ground that it increases its chances to join the EU[736], Serbia, reacts to these pressures more critically[737]. As a diplomat argued,

> *"Look at Macedonia: it is a candidate country but has not received the possibility to open negotiations for accession in the EU. And it aligns systematically with EU positions. On the other side, look at Turkey: it has been a candidate for a long time, and it started to negotiate its accession in the EU. But it does not align itself with the EU as often as Macedonia. So, I do not think more alignment necessarily has an impact on whether you are go faster or not towards the EU."*[738]

If sheer compliance, according to the Serbian diplomat, does not speed up the EU integration process, then, the leverage of the EU in matters of alignment cannot work as effectively on Serbia as it does on Macedonia. Both might acknowledge the compellingness of EU obligations in this respect, but the gain expected by Macedonia (rightly or not) in terms of European integration exceeds by far Serbia's most optimistic anticipations. In short, Macedonia views alignments as a duty with prospective rewards. It is then encouraged to sustain a high level of alignment with the EU. Serbia, by contrast, first considered alignment as a right without duty (between 2003 and 2006), and later as a duty with uncertain reward. After aligning itself intensively, Serbia therefore started to question its dedication to alignment.

3.1.4.2. Dispositional analysis

3.1.4.2.1. Alignment as a signal, not as a goal

EU actors do not demand alignment for its own sake. They conceive of it as part of the EU's political dialogue with non-EU countries, and as a means to "bring agreement on different issues"[739]. In aligning themselves with EU positions, non-EU

[733] Interview with an Official from Ministry of Foreign Affairs of the Republic of Macedonia, United Nations Unit Skopje, 07/03/2011
[734] Interview with an Official from the Permanent Representation of Belgium to the Osce. Vienna, 26/04/2011; Interview with an Official from the Delegation of the European Union to the International Organisations in Vienna. Vienna, 01/08/2011
[735] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Serbia, Directorate General for Multilateral Cooperation. Belgrade, 13/09/2011
[736] Interview with an Official from Ministry of Foreign Affairs of the Republic of Macedonia, United Nations Unit Skopje, 07/03/2011
[737] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Serbia, Directorate General for Multilateral Cooperation. Belgrade, 13/09/2011
[738] Interview with an Official from the Permanent Mission of the Republic of Serbia to the Osce in Vienna. Vienna, 17/10/2011
[739] Interview with an Official from the Delegation of the European Union to the International Organisations in Vienna. Vienna, 01/08/2011

states are well aware of the ideational underpinnings of alignment. What is expected from them is not only behavioural compliance. It is their involvement and their active and unreserved participation in the EU's CFSP[740]. As an EU diplomat from the EU delegation to the OSCE in Vienna argued,

> *"Alignment is a signal. It is not so much a goal, unlike political dialogue which is pursued per se, or on which the EU focuses. Alignment means that states share EU statements, but there is so much more than an EU statement".* [741]

Instead of striving for political compliance only, EU actors look for Serbia and Macedonia's adherence with EU norms and values, i.e. they appeal to soul-deep agreement rather than (or in addition to) symbolic gestures.

Alignment, then, cannot be merely caused by EU conditionality (although obligations do matter). It is underpinned by shared understandings, guiding non-EU diplomacies into collective action in multilateral *fora*. These shared understandings cannot be imposed through legal obligations. They emerge from the internalisation of EU norms, i.e. the inclusion of EU approaches into non-EU normative and cognitive templates. It supposes, in a nutshell, that the will to align, having first been formulated by the EU, now emerges from non-EU state actors' endogenous dispositions towards the EU. Although Serbia and Macedonia's diplomatic actors all share such dispositions, the analysis shows that EU norms, in matter of alignment, have not been internalised in Serbia as deeply as they have in Macedonia.

3.1.4.2.2. Alignment as a response to foreign policy objectives

In the OSCE and UNGA, Serbia and Macedonia both pursue several objectives. Some are defined in collective terms, others in individualistic terms. Macedonia, for instance, characteristically defines its priorities in the OSCE and UNGA in collective terms, and these are consubstantially linked to EU and Euro-Atlantic integration processes[742]. These objectives are

> *"First, the EU and its integration. This objective has been stated as early as 1992 by the National Assembly. The second objective is Euro-atlantic integration, i.e. Nato. In more general terms, Macedonia pursues in international organisations the objective of becoming a provider of security after having been a security consumer".* [743]

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[740] This expectation resonates with article 11(2) of the TEU, which provides that EU member states "shall support the Union's external and security policy actively and unreservedly in a spirit of loyalty and mutual solidarity". Treaty of Maastricht. 7 February 1992.

[741] Interview with an Official from the Delegation of the European Union to the International Organisations in Vienna. Vienna, 01/08/2011

[742] Interview with an Official from the Permanent Mission of Macedonia to the Osce. Vienna, 08/07/2011; Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Multilateral Affairs. Skopje, 02/11/2011; Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Bilateral Relations with Non European Countries. Skopje, 03/11/2011

[743] Interview with an Official from the Permanent Mission of Macedonia to the Osce. Vienna, 08/07/2011

Macedonia's objectives are thus primarily defined by the prospect of joining a community (hence the notion of collective). This is not to say that individualistic interests have fully disappeared from Macedonia's foreign policy spectrum. In the OSCE, Macedonia, for instance, also aims at preparing the closing of the OSCE mission in Skopje. But it is not an objective that foreign policy actors can actively pursue, since the reforms needed (e.g. in democratising the country) exceed their scope of action. This objective is therefore secondary in comparison to the EU and Euro-atlantic integration objectives, which conversely, can be actively pursued through an active participation in the EU's CFSP and a solid dedication to provide security in Europe and beyond.

Serbia shares at the highest level Macedonia's strategic objective of joining the EU. But in the OSCE and UNGA, this goal coexists with another priority, defined in more individualistic terms, i.e. by the prospect of maximising one's individual position regardless of community-building. As stated by a Serbian official in charge of multilateral affairs in the MFA:

> *We have two major broad areas of priorities: First our European orientation towards EU accession and the fulfilment of all the necessary requirements. Second, Kosovo, which is not a surprise, I guess. And there is a third one, to engage in all issues that could fall into our foreign policy scope, meaning, not to isolate ourselves within the international community as a one-issue country, meaning only Kosovo or only Europe; but have a strong outreach in foreign policy".*[744]

Serbia's "Kosovo objective" has no equivalent in Macedonia's strategic agenda in the OSCE or UNGA. It is very specific to Serbia's national interests (in the sense that it does not echo the EU's foreign policy) and it focuses on one single issue (though with wide repercussions). The third objective is also specific to Serbia's national interests (as it supports the defence of Serbia's interests beyond EU accession), but it does not focus on one issue. These two objectives open avenues for diplomatic activities in the OSCE and UNGA, the pursuit of which might conflict with the first priority. For instance, Serbia eagerly lobbies in the OSCE and UNGA against Kosovo recognition. It develops relations with third countries (e.g. Russia), which do not always share the same values as the EU, and sometimes reciprocates their support against Kosovo by behaving in a manner that diverges from the EU's preferences. Likewise, Serbia's third objective (acting against diplomatic isolation) sometimes proves problematic for the EU, when it applies through Serbia's localised support for members of the non-alignment movement like Iran.

Unlike Macedonia, Serbia seeks to conciliate two types of national priorities: those defined in collective terms, pertaining to EU integration, and those defined in individualistic terms, pertaining to the defence of Kosovo and a certain autonomy in world politics. Macedonia, by contrast, only seems to swear by EU and Euro-Atlantic integration. The major difference then resides, for Serbia, in the coexistence of potentially conflicting national interests. This coexistence undermines the internalisation of EU norms, which cannot be given supremacy, given the other

[744] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Serbia, Directorate General for Multilateral Cooperation. Belgrade, 13/09/2011

objectives Serbia's diplomats shall pursue, and it therefore weakens their dispositions to align with EU positions.

3.1.4.2.3. Alignment as a means to participate in European foreign policy

Indeed, alignment is not viewed by Macedonia's representatives as an end in itself. It is more of a means, used in the fulfilment of the foreign policy priorities set up at the strategic level. Through alignment with EU positions, Macedonia then not only expresses its passive adherence to EU norms; it asserts that it shares the EU's foreign policy objectives as well.

The alignment mechanism, at first sight, does not seem to imply the active participation of the alignees. Macedonia's foreign policy actors cannot, indeed, participate in the elaboration of EU positions. They may merely attend to EU briefing sessions, and therefore remain passive contributors. But the meaning that is attached to alignment in Macedonia's diplomacy is not bound by these formal restrictions. As a matter of fact, alignment purportedly signals that Macedonia "participates in European foreign policy", "contributes to European security", and demonstrates its "European way of thinking in the outer world"[745]. It suggests that despite its non-involvement in European foreign policy-making, Macedonia supports EU positions in international affairs as if it were hers. The very action of alignment, then, is given a collective teleology, which thoroughly permeates, if not shapes, Macedonia's national interest.

This coalescence of European and national foreign policy objectives also affects Serbia, but to a lesser extent, given the fact that Serbia's foreign policy agenda upholds key priorities defined in individualistic rather than collective terms. The difference manifests itself most blatantly in Serbia's occasional attempts at uploading its individualistic, Kosovo-related objective in the UNGA and OSCE *fora*, e.g. when Serbia dissent from the EU on issues related to Russia or Belarus in the hope that its support for the latter will help barring Kosovo's membership in international organisations. Pursuing its Kosovo objective, Serbia, then, no longer act in "the sprit loyalty and mutual solidarity"[746] underpinning an active and unreserved participation to the EU's CFSP. Serbia's approach critically differs here from Macedonia, which in the UNGA and OSCE restrains itself from bringing its individualistic interests to the forefront. Macedonia, for instance, does not let its naming issue with Greece interfere in its cooperation with the EU on multilateral affairs. As explained by a Macedonia diplomat,

> *"in the OSCE, the naming issue poses a lesser problem, since there is with the EU an implicit agreement that we do no speak about that. The naming issue is dealt in UN institutions".*[747]

[745] Interview with an Official from the Permanent Mission of Macedonia to the Osce. Vienna, 08/07/2011; Interview with an Official from Ministry of Foreign Affairs of the Republic of Macedonia, United Nations Unit Skopje, 07/03/2011; Interview with an Official from the Delegation of the Parliament of Serbia in the Parliamentary Assembly of the Council of Europe. Belgrade, 12/09/2011
[746] Article 11(2), Treaty of Maastricht. 7 February 1992.
[747] Interview with an Official from the Permanent Mission of Macedonia to the Osce. Vienna, 08/07/2011

Macedonia thus repeatedly aligned with EU statements in the OSCE, which criticised Russia, despite Russia's threats to shift its support to Greece on the name issue[748]. At the climax of the tensions between the EU and Russia in 2008, during the Georgian war, Russia retaliated by addressing Macedonia in official meetings as FYROM. Despite this diplomatic blow, Macedonia kept aligning with the EU against Russia and accordingly demonstrated its unrestrained commitment to participate in European foreign policy.

3.1.4.2.4. Alignment as a norm

Because Serbia and Macedonia's diplomat pursue different objectives in the OSCE and UNGA, their cognitive response to the EU's invitation for alignment is due to differ, regardless of their actual decision to align. How their diplomats read EU statements, analyse EU positions, assess their normativity and weigh the appropriateness of alignment does not follow the same scheme.

For Macedonia's diplomats, alignment with EU positions has gradually become a norm of its own. Decisions to align are not the result of cost-benefit analyses weighing the pros and cons of supporting the EU in the UNGA or OSCE. They are not taken after blindly confronting on an equal-footing the prospect of alignment with the possibility of not aligning. In the vast majority of the cases, the appropriateness of alignment is taken for granted. This assumption –stating that alignment is good- considerably simplifies the cognitive process leading to Macedonia's decisions to align with EU statements. When they receive EU statements or EU positions, Macedonia's diplomats proceed to a "bureaucratic analysis"[749], which amounts to vetting that the EU does not specifically target Macedonia in its position. And as a matter of fact, the EU rarely does. Macedonia's diplomats may then readily apply their "policy of alignment by default, including on costly issues"[750]. After vetting that the draft position does not include the keyword "Macedonia", diplomats cast an eye on the substance of the position. But reading, at this stage, is more aimed at getting informed than making decisions; indeed, their decision to align is usually taken from the outset:

> *Interviewer: "When do you receive the statement of the EU, you open the mail and start reading. What comes to you mind?"*
> *Interviewee: "that we should align. The EU is now our strategic policy goal. So, whatever comes up, I always suggest alignment. I know I had a fight with our former Minister, when Macedonia joined the EU's position on death penalty and the US. It was a disaster, because the US said and pressed us not to do it. So it took all night negotiations to finally find a solution".*[751]

Reasons for questioning the appropriateness EU positions are difficult to imagine. Macedonia, as summarised by a diplomat, "has not the ambition to correct the EU in

[748] Russia recognises Macedonia with its constitutional name, i.e. Republic of Macedonia.
[749] Interview with an Official from the Permanent Mission of Macedonia to the Osce. Vienna, 08/07/2011
[750] Ibid.
[751] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Multilateral Affairs. Skopje, 02/11/2011

its statements"[752]. Even in issue-areas that are not of direct interest to Macedonia's diplomacy (e.g. human rights in Azerbaijan), or where Macedonia lacks expertise (e.g. East Timor), its purported adherence to EU overarching principles and its commitment to participate in European foreign policy inclines Macedonia towards alignment with the EU[753]. Even before the alignment mechanism was set up in 2003, Macedonia reportedly relied on such dispositions: we were already "closer by default to the positions of the EU"[754]. Being in Europe and striving for EU accession eventually supersedes on any other consideration. Alignment, in Macedonia's case, is a norm that barely admits any exception.

Serbia also views alignment as a norm. Its diplomats usually start reading EU statements with a positive forethought. The idea, however, is not to align by default, but to "align as much as possible"[755]. The nuance is important, as it implies that the list of keywords that may trigger non-alignment is longer, and more complex. As explained by top officials,

> *in the UN, "in most case, of course we choose to abide. But then there is Kosovo".*[756]

Alternatively,

> *in the OSCE, "there are statements about Kosovo, war crimes, Dayton Agreement, etc…. These are certain issues, where we do have to have our voice".*[757]

When the EU copes with an issue that lies "East of Vienna"[758] (e.g. Russia) and that is important in the pursuit of Serbia's Kosovo objective, or addresses topics of regional relevance (e.g. the Dayton Agreements), then, Serbia's diplomats, while reading EU statements, stop assuming that the EU is right. They conversely start confronting the EU's statement with national approaches, analyse the possible implications of alignment, and even consider critically the statement, to identify hidden bones of contention or possible improvements. This cognitive approach to EU statements differ from Macedonia essentially, for

> *"Serbia is different from other Western Balkan countries, because they do not give a damn about what they align for. They just align hoping that they will*

[752] Interview with an Official from the Permanent Mission of Macedonia to the Osce. Vienna, 08/07/2011
[753] Ibid; Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Bilateral Relations with Non European Countries. Skopje, 03/11/2011
[754] Interview with an Official from Ministry of Foreign Affairs of the Republic of Macedonia, United Nations Unit Skopje, 07/03/2011
[755] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Serbia, Directorate General for Multilateral Cooperation. Belgrade, 13/09/2011
[756] Interview with an Official from Ministry of Foreign Affairs of the Republic of Serbia, Directorate General for the European Union. Belgrade, 12/09/2011
[757] Interview with an Official from the Permanent Mission of the Republic of Serbia to the Osce in Vienna. Vienna, 17/10/2011
[758] Ibid.

get accession. I do not think they even consider what they vote for in the UNGA. Here, we do consider every call the EU addresses to us to join".[759]

Alternatively as stated by top official in Serbia's government:

"You know, the way [other Western Balkan states] read the declaration is superficial".[760]

This more critical appraisal of EU positions is also advanced by Serbia's diplomats as a means to legitimate the lower levels of alignment their country display in the OSCE and UNGA. Being more reflective on EU positions would accordingly contradict with aligning automatically. Although the argument certainly finds some theoretical grounds, it is undermined in practice by the fact that Serbia fails align with the EU because it is committed to support third actors, whose norms and values collide with the EU's (e.g. Russia, Belarus or Iran). This support cannot possibly reflect Serbia's reflective appraisal of EU norms. It rather shows that alignment, in the case of Serbia, is a norm that occasionally deserves transgression.

3.1.4.3. Intentional analysis

3.1.4.3.1. Alignment as a demonstration of one's Europeanness

One of the intentions underpinning alignment is to "demonstrate that we share the same values as the EU"[761]. This motive builds on the key objective Serbia and Macedonia pursue in the UNGA and OSCE with respect to EU integration, and it responds to the obligation imposed on them by the EU in the framework of its "speaking with one voice" principle. It is yet borne in different manners by Serbia and Macedonia's foreign policy actors, as to whom this demonstration is intended.

In Serbia, showing one's commitment to EU norms and values is primarily aimed at EU institutions, not least

"because there is usually a person in Brussels or in Belgrade that is putting a plus and minus, when we align, and when we do not".[762]

Alignment, then, is rather intended to confirm that there is an agreement with the EU on norm-laden issues. In Macedonia, this demonstration is addressed to Brussels too:

"we want to demonstrate our political commitment to the EU. It's our will more than the EU's".[763]

[759] Interview with an Official from Ministry of Foreign Affairs of the Republic of Serbia, Directorate General for the European Union. Belgrade, 12/09/2011

[760] Interview with a Top Official from Ministry of Foreign Affairs of the Republic of Serbia. Belgrade, 12/09/2011

[761] Interview with an Official from the Permanent Mission of the Republic of Serbia to the Osce in Vienna. Vienna, 17/10/2011; Interview with an Official from the Ministry of Foreign Affairs of the Republic of Serbia, Directorate General for Multilateral Cooperation. Belgrade, 13/09/2011; Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Multilateral Affairs. Skopje, 02/11/2011

[762] Interview with an Official from the Permanent Mission of the Republic of Serbia to the Osce in Vienna. Vienna, 17/10/2011

But alignment, in Macedonia, is also about concurring with the EU in showing to the outer world that "this issue matters for Europeans" [764], including on issues barely relevant for Macedonia alone.

> *Honestly, who cares in Macedonia about violations of journalists' rights in Azerbaijan? And still, we'll align ourselves with the EU on this issue because in the end we're also Europeans".* [765]

This idea of showing to the outer world that there is a "European way of doing things" echoes Macedonia's commitment to participate in European foreign policy. It is a motive that goes beyond the lower-scaled intent, shared by Serbia and Macedonia, of proving to the EU one's Europeanness.

3.1.4.3.2. Alignment as a response to scarce resources and poor visibility

Another motive for alignment is the economy of resources this mechanism allows. Macedonia's diplomats in New York and Vienna easily concede that they have "limited resources" at their disposal, that their mission is "small", and that they cannot successfully cover the whole spectrum of multilateral diplomacy in the organisations they are accredited to[766]. In Vienna, Macedonia's permanent mission to the OSCE is indeed also accredited the IAEA, UNIDO, CTBTO, etc… In New York, the permanent mission shall (in addition to UNGA diplomacy) cover the six UN Main Committees, the Economic and Social Council, etc… The number of meetings organised every day in Vienna and New York in those *fora* then exceeds by far the capacity of the Macedonia's permanent missions, which can neither attend to all of them, nor ensure a complete follow-up of all the issues at stake. In New York, for instance, Macedonia can only count on 3 diplomats to handle all these issues (see Table 17). The alignment mechanism proves in this respect extremely helpful, since alignment exempts them from drafting redundant statements; it allows them to react effectively under time pressure and to adopt well-informed positions on international issues, for which expertise is otherwise lacking, or would have been too difficult to gain. As an official in Macedonia's Ministry of Foreign Affairs put it,

> *"on East-Timor and this kind of issues, where we have no expertise at all, of course, we just follow the EU".* [767]

Since Macedonia's primary objective resides in joining the EU, and since it does not pursue any individualistic interests in the UNGA and OSCE, then decisions to align bear no risks.

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[763] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Multilateral Affairs. Skopje, 02/11/2011
[764] Ibid.
[765] Interview with an Official from the Permanent Mission of Macedonia to the Osce. Vienna, 08/07/2011
[766] Ibid; Interview with an Official from Ministry of Foreign Affairs of the Republic of Macedonia, United Nations Unit Skopje, 07/03/2011; Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Bilateral Relations with Non European Countries. Skopje, 03/11/2011
[767] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Bilateral Relations with Non European Countries. Skopje, 03/11/2011

> *"After all, the EU does not make revolutionary politics: its positions are usually balanced"*[768].

In addition, the alignment mechanism provides smaller countries like Macedonia with an opportunity to expand their foreign policy agenda at minimal costs. As expressed by a diplomat from Macedonia,

> *"because the EU has a position on everything and a huge agenda, for smaller countries like Macedonia, this the possibility to express a position on issues which we would otherwise not have discussed, or not have considered".*[769]

The benefit of joining the EU, then, is clear:

> *Because the EU is a big important group, it has more visibility and presence than Macedonia. By aligning, everybody hears more about your name and knows you're also following on this issue.*[770]

This is a considerable gain, which is yielded without incurring costs, since Macedonia's positions and orientations all concur with the EU's collective approaches. Macedonia can thus seek to boost its international visibility in the OSCE and UNGA, only by reaping the benefits of its closure to the EU.

Table 17: Staffing of Serbia/Macedonia's permanent missions in Vienna and New York

Number of diplomats (2011)

	Macedonia	**Serbia**
Vienna	4	6
New York	3	11

Source: interviews with Serbia and Macedonia's diplomats in Vienna and New York.

Resource scarcity, however, is not less salient as a motive for alignment for Serbia as it is for Macedonia. The reasons for that are numerous. First, Serbia's diplomats in New York and Vienna are more numerous than Macedonia's (see Table 17). Second, they are less autonomous from their well-staffed home ministry, since decisions to align are mostly taken, in the case of Serbia, in the capital. Third, as Serbia's dispositions to align are weaker than Macedonia's, then the prospective costs incurring from alignment are higher. On those issues, where alignment with the EU (e.g. against Russia) would undermine Serbia's positions against Kosovo, the economy of resources offered by alignment cannot possibly compensate Serbia's failure to pursue its Kosovo objective. Fourth, this economy of resources implies greater dependence on EU expertise and access to information. This cannot be pursued as a motive for alignment, considering Serbia's strategic commitment to diversifying its foreign policy relations. Serbia's diplomats are in fact all the more reluctant to blindly follow the EU as national expertise on the issue at stake is

[768] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Multilateral Affairs. Skopje, 02/11/2011
[769] Interview with an Official from Ministry of Foreign Affairs of the Republic of Macedonia, United Nations Unit Skopje, 07/03/2011
[770] Ibid.

missing [771] . Unlike Macedonia, finally, Serbia occasionally declines alignment precisely in order to gain in international visibility:

> *We sometimes do not align "out of sincerity. […] we want to show our strong stance and commitment towards certain issues. To show that we are concerned and involved".* [772]

The limitations faced by Serbia in terms of resources thus impact on Serbia's diplomacy in a manner opposite to Macedonia. Whereas resource scarcity arouses motives for alignment in Macedonia, it rather acts as a constraint put on Serbia's willingness to align itself with the EU.

3.1.4.4. Factors constraining Europeanisation

The descriptive analysis of Serbia and Macedonia's foreign policy behaviour in the UNGA and OSCE pointed at meaningful differences in their respective propensity to align themselves with EU positions. Whereas Macedonia only exceptionally failed to align itself with the EU, Serbia, in 2007, started to distance itself from the EU. In the UNGA and OSCE, Serbia took a divergent course, characterised by an ever higher propensity to dissent from the EU in its voting and declaratory positions.

This reversal in Serbia's foreign policy behaviour cannot be explained by a single factor. It emerges from the conjunction of a plurality of factors. Some of them act are factors that merely constrain convergence. They weigh on the Europeanisation of Serbia's multilateral diplomacy -as they do on Macedonia's- without possibly be held alone responsible for dissenting behaviours. Others are factors that critically impede convergence. Those are obstacles to alignment, which cannot be overcome without jeopardising an essential part of states' national interests.

3.1.4.4.1. Lack of consistency stemming from rotating personnel

The alignment mechanism is operated by a range of actors (see 3.1.3.3), who sometimes fail to make a consistent use of the alignment mechanism. The rotation system in Serbia and Macedonia's ministry of foreign affairs provides indeed that diplomats only occupy their position for a few years before integrating a new structure or returning to the capital (if they were posted abroad). This system may entail minor inconsistencies, as does any transition or any replacement. As expressed by a diplomat from Macedonia,

> *"during my absence from here, there were some inconsistencies, which I criticised. You know, you always have a human factor".* [773]

At the EU level, this rotating system is a source of greater instability. As the Presidency of the EU is rotating twice a year, the alignment mechanism does not fall

[771] Interview with an Official from the Permanent Mission of the Republic of Serbia to the Osce in Vienna. Vienna, 17/10/2011
[772] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Serbia, Directorate General for Multilateral Cooperation. Belgrade, 13/09/2011
[773] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Multilateral Affairs. Skopje, 02/11/2011

under the continuous responsibility of a sole member state. Every 6 months, it has to be operated by a different team of delegates, experts and bureaucrats. This impacts, to a limited extent, on the efficiency of the alignment mechanism, regardless of non-EU states' readiness to align[774]. Some Presidencies clearly have fewer diplomats at their disposal than others to operate the alignment mechanism. Some are also better organised than others. The amount of information that they share with Serbia and/or Macedonia may also fluctuate, as does their interest in operating the alignment mechanism in an inclusive manner.

> *"Interviewer: Do you see big differences across the Presidencies regarding the way alignment is offered to you?*
> *Interviewee: Not big, but still. There are differences on how they are organised. Because some do it on time, some are more in details, during briefings, some share very little information, some more... It changes over Presidencies".*[775]

Similarly,

> *"We do see variances in the approaches depending on EU Presidencies, in levels of consultations. We have seen some Presidencies much more involved than others, more briefings, more outreach towards us, more ability to interact, etc… Since we are not a decisive factor, some Presidencies have not cared that much about us. In general, small countries have tended to be more sensitive".*[776]

Austria, Finland, Slovenia and Sweden are for instance cited as models. Spain, by contrast, did not reportedly perform very well. According to a diplomat from Macedonia, "Spain was a joke, it was very bad!".[777] Germany, likewise, was reported to be inefficient and reluctant to share information with Serbia. Oversized and too bureaucratic, its missions experienced difficulties in the timely coordination of internal positions, and neglected smaller non-EU countries[778]. Interestingly enough, Spain held the Presidency of the Council of the EU in the first semester of 2010, as Macedonia recorded in the UNGA some positions that dissented from the EU median preference; Germany, likewise, held the Presidency of the Council of the EU in the first semester of 2007, as Serbia started to distance itself from EU preferences. Attributing Serbia and Macedonia's dissenting behaviour to Spain and Germany's

[774] Interview with an Official from the Permanent Mission of Bosnia and Herzegovina to the Osce. Vienna, 02/05/2011; Interview with an Official from the Delegation of the European Union to the International Organisations in Vienna. Vienna, 01/08/2011; Interview with an Official from Ministry of Foreign Affairs of the Republic of Macedonia, United Nations Unit Skopje, 07/03/2011; Interview with an Official from the Permanent Representation of the Principality of Liechtenstein to the Osce. Vienna, 07/07/2011; Interview with an Official from the Permanent Representation of San Marino to the Osce. Vienna, 06/07/2011; Interview with an Official from the Permanent Mission of Macedonia to the Osce. Vienna, 08/07/2011; Interview with an Official from the Ministry of Foreign Affairs of the Republic of Serbia, Directorate General for Multilateral Cooperation. Belgrade, 13/09/2011

[775] Interview with an Official from Ministry of Foreign Affairs of the Republic of Macedonia, United Nations Unit Skopje, 07/03/2011

[776] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Serbia, Directorate General for Multilateral Cooperation. Belgrade, 13/09/2011

[777] Interview with an Official from the Permanent Mission of Macedonia to the Osce. Vienna, 08/07/2011

[778] Interview with an Official from the Permanent Mission of the Republic of Serbia to the Osce in Vienna. Vienna, 17/10/2011

alleged mismanagement with respect to the alignment mechanism would certainly be exaggerated. First of all, "good" management by Slovenia and France in 2008 or Sweden in 2009 did not prevent Serbia's foreign policy behaviour from diverging from the EU. And secondly, it is very doubtful that Spain and Germany's alleged mismanagement affected Serbia and Macedonia's actual capacity to align. As argued by a diplomat from Macedonia:

> *If you lack information, that's why you're a diplomat, you'll find other ways to dig more. It's all about whom you know. Of course, when I come to the briefing, and the colleague [from the Presidency] gives me more information, or gives me the text of the statement, it's more practical for me, and I loose less time, than going back to the mission, trying to locate my colleagues or someone I know who can get me the text. When there is a tight deadline however, it's more complicated".*[779]

More than the nationality of the EU member states' delegates responsible for foreign policy coordination, the success of the alignment mechanism depends on the personality of diplomats working for the Presidency of the Council. Their diplomatic skills are essential in making sure that EU positions circulate without constraints and without misunderstandings[780]. Since the mid-2000s, in Vienna, these are assisted in their task by a single, non-rotating political advisor to the Presidencies of the Council, who is specifically in charge of the alignment mechanism. This political advisor sees to facilitate the transition from one Presidency to another, to maintain personal contacts with non-EU states' delegates and to watch over the smooth enforcement of the alignment mechanism.

3.1.4.4.2. Lack of cohesion among EU member states

The EU is usually perceived, from the outside, as a cohesive actor in the UNGA and OSCE. On a number of foreign policy issues (around 70% in the UNGA), the EU does speak with one voice, as a unitary actor. This perception is based on what the EU communicates in those international *fora*: an end product. From the inside, however, i.e. from the point of view of those states participating in the machinery of foreign policy coordination, the EU seems much less cohesive[781]. The interests of the member states reportedly compete with each other in order to bend the EU's consensus towards their own preferences[782]. France, the United Kingdom and Germany are often

[779] Interview with an Official from Ministry of Foreign Affairs of the Republic of Macedonia, United Nations Unit Skopje, 07/03/2011

[780] Interview with an Official from the Permanent Mission of Macedonia to the Osce. Vienna, 08/07/2011; Interview with an Official from the Permanent Mission of Bosnia and Herzegovina to the Osce. Vienna, 02/05/2011; Interview with an Official from the Permanent Mission of the Republic of Croatia to the Osce. Vienna, 28/04/2011

[781] Interview with an Official from the Permanent Mission of Macedonia to the International Organisations in Vienna. Vienna, 06/03/2012; Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Multilateral Affairs. Skopje, 02/11/2011

[782] Interview with an Official from the Permanent Mission of Macedonia to the Osce. Vienna, 08/07/2011; Interview with an Official from the Permanent Mission of the Republic of Serbia to the Osce in Vienna. Vienna, 17/10/2011; Interview with a Member of the Parliament at the National Assembly of Serbia. Belgrade, 14/09/2011; Interview with an Official from the Ministry of Foreign Affairs of the Republic of Serbia, Directorate General for Multilateral Cooperation. Belgrade, 13/09/2011; Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Multilateral Affairs. Skopje, 02/11/2011

cited as key players. Their diplomatic weight in the EU enables them to occasionally project their policy preferences at the EU level, lure (or "entrap"[783]) smaller member states into agreement, and then use the alignment mechanism to attract non-EU states' support. This perception gives rise to Serbia's wariness regarding the appropriateness of alignment.

> *"On certain issues, certainly not human rights, it is noticeable that sometimes there are frustrations on the part of smaller states not being consulted enough. […] See how the Cypriots are frustrated by the general trend in the EU with regards to the Cyprus question. […] Why can't we, Serbs, take these frustrations into account"?*[784]

When consensus does not emerge easily through internal coordination, or when it is imposed by the mightier states in the EU, then, Serbia's diplomats may then choose to lend an hear to discontented EU member states, especially if those states share critical views with Serbia regarding Kosovo. When EU consensus is weak, Serbia's diplomats are usually keen on hearing the non-recognisers' reservations on the EU's position (i.e. Cyprus, Slovakia, Greece, Romania and Spain), which may soften their commitment to alignment.

On some foreign policy issues, however, the EU, rattled by its member states' national interests, does not succeed in reaching a common position. This happened repeatedly in the OSCE as the Lisbon Treaty was to enter into force, because EU member states disagreed on the new procedures, because the newly established European External Action Service (EEAS) was disorganised and because a new division of labour had to be put in place[785]. This happened more recurrently in the UNGA, when the EU sought to take a position on internally divisive issues, such as the Middle East, decolonisation or UNSC enlargement. Those issues usually bring about split votes in the UNGA. Serbia and Macedonia's diplomats then feel free to consult with national diplomacies. On Palestine, for instance, Macedonia usually receives communications or delegations from the United States and Israel[786], and also consults with key EU embassies (France, Germany and the UK)[787]. On other issues, where is it known that France and the UK have peculiar positions (e.g. decolonisation), then

> *"the safest is that we follow whoever is presiding over the Council, because usually, it's like that, or we follow the smaller countries, they are closer to our foreign policy".*[788]

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[783] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Serbia, Directorate General for Multilateral Cooperation. Belgrade, 13/09/2011

[784] Ibid.

[785] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Multilateral Affairs. Skopje, 02/11/2011; Interview with an Official from the Delegation of the European Union to the International Organisations in Vienna. Vienna, 01/08/2011; Interview with a Political Advisor to the Presidencies of the Council of the EU at the Osce & the EU Delegation to the Osce in Vienna. Vienna, 11/08/2011

[786] Interview with an Official from Ministry of Foreign Affairs of the Republic of Macedonia, United Nations Unit Skopje, 07/03/2011

[787] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Bilateral Relations with European Countries. Skopje, 04/11/2011

[788] Interview with an Official from Ministry of Foreign Affairs of the Republic of Macedonia, United Nations Unit Skopje, 07/03/2011

This tendency to consult with EU member states and look for EU proxy positions even though the EU has no common stance on an issue comes close to the "community reflex" developed by EU member states over years of foreign policy coordination. This community reflex is less developed in the case of Serbia. First, Serbia's diplomats have fewer contacts with EU member states diplomats, as they cannot participate in EU candidate states' briefing meetings[789]. Second, Serbia's diplomacy has "a practice" of informing Russia, explaining its alignment positions and exchanging views with Russia[790]. When the EU cannot speak with one voice, this practice facilitates Serbia's realignment with Russia. As argued by an official from Serbia's MFA,

> *"it all depends on cohesiveness. So, when the EU is cohesive […], it is more difficult to go against the trend, especially when for Serbia, as small country. Unless it really completely the core of your national interest".*[791]

In other words, when the EU lacks of cohesion on certain issues, then Serbia may be tempted to lend an ear to states in the EU or outside the EU, whose position on other issues may be supportive of its national interests.

3.1.4.4.3. Lack of involvement of non-EU states

The alignment mechanism is not designed as an instrument fostering political dia-log *stricto sensu*. It is highly asymmetrical in its conception, and does not put Serbia or Macedonia on an equal-footing with EU member states in terms of involvement in European foreign policymaking and access to information. To paraphrase a scholar, who researched the EU's diplomacy in the UN Human Rights Council, "what dialogue for the EU seems to denote is the EU's intention to make its common position 'better known' and 'better understood'. […] But it is not a two-way exchange of arguments"[792]. This claim finds considerable support amongst many of the EU's associated states, including Serbia and Macedonia[793].

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[789] Serbia became candidate in 2012.

[790] Interview with an Official from the Permanent Mission of the Republic of Serbia to the Osce in Vienna. Vienna, 17/10/2011

[791] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Serbia, Directorate General for Multilateral Cooperation. Belgrade, 13/09/2011

[792] Macaj, G. 2011. 'The 'One Voice' Monologues: A Critique of the EU's Diplomatic Outreach at the UN Human Rights Council.' Conference paper. p. 7.

[793] Interview with an Official from the Permanent Mission of Turkey to the Osce. Vienna, 08/07/2011; Interview with an Official from the Permanent Mission of Macedonia to the Osce. Vienna, 08/07/2011; Interview with an Official from the Permanent Mission of the Republic of Serbia to the Osce in Vienna. Vienna, 17/10/2011; Interview with an Official from the Permanent Delegation of Armenia to the Osce in Vienna. Vienna, 26/04/2011; Interview with an Official from the Permanent Representation of Belgium to the Osce. Vienna, 26/04/2011; Interview with an Official from the Delegation of the European Union to the International Organisations in Vienna. Vienna, 01/08/2011; Interview with an Official from the Permanent Mission of Montenegro to the Osce. Vienna, 21/04/2011; Interview with an Official from the Permanent Mission of Iceland to the Osce. Vienna, 04/07/2011; Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, CFSP Unit. Skopje, 07/03/2011; Interview with an Official from the Ministry of Foreign Affairs of the Republic of Serbia, Directorate General for Multilateral Cooperation. Belgrade, 13/09/2011; Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Multilateral Affairs. Skopje, 02/11/2011.

Serbia and Macedonia do not participate in the meetings, in which the positions with which they eventually align, are discussed and elaborated. They are excluded from EU internal coordination meetings, including at the expert level, and cannot witness the negotiations underpinning EU foreign policymaking. Though limited, candidate states, like Macedonia, and members of the EFTA, have nonetheless a relative advantage compared to non-candidate countries, e.g. Serbia: they meet with the Presidency and the EU delegation every week at the ambassadorial level in Vienna and at the deputy-level in New York at so-called political dialogue meetings, where they are briefed on the EU's plans of the week. During these meetings, the EU Presidency informs them on its intent to make a statement in the OSCE on a given subject, but does not share what the substance of the statement will be. In New York, the EU Presidency may communicate the basic orientation of the EU vote, provided a consensus is at hand (or nearly so). Since it is not a candidate state, Serbia cannot participate in these weekly briefings, unlike Macedonia. It is only involved (and informed) after the EU formally sends its invitation to align. This casts serious doubts on the EU's capacity or willingness to conduct a genuine political *dia*-logue with non-EU states. As summarised by an EU diplomat,

> *"our negotiation is within the EU. We have 27 member states, plus the EEAS and other EU institutions. So […] we have an EU standard. We would like to see that non-EU states share this standard, but we do not want to negotiate the EU standard and open the text to a second round of negotiations with non-EU states: that is not the point of alignment. The end product must reflect: 'this is the EU speaking'. Non-EU states are welcome to share it, which means that they come onboard, but it shall remain an EU position reflecting the EU acquis. Plus, in practice, it would be impossible".*[794]

This very asymmetrical conception of political *dia*-logue is a stumbling block in Macedonia, and above all Serbia's alignment politics. It creates frustrations in Macedonia, for

> *"there is a general lack of EU interest towards Macedonia's positions".*[795]

This frustration is in some way overcome with resignation in the case of Macedonia.

> *Of course [our relationship with the EU] is asymmetrical. The very fact is that Macedonia is not part of the negotiation process. But there are also asymmetries within the EU. Compare the Germany and Estonia for instance. Within the EU, people say Germany said so and so; nobody says Estonia said so and so. Between the EU and Macedonia, […] it is not even equal. I mean, in other international organisations, at least there is this illusion of equality".*[796]

[794] Interview with an Official from the Delegation of the European Union to the International Organisations in Vienna. Vienna, 01/08/2011
[795] Interview with an Official from the Permanent Mission of Macedonia to the Osce. Vienna, 08/07/2011
[796] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Multilateral Affairs. Skopje, 02/11/2011

Serbia's diplomats make similar comments on the EU's alleged negligence. They regret the lack of involvement of Serbian experts and diplomats, and wish they were better informed. As a high diplomat from Serbia's claimed:

> *"What I think the EU should do is to inform us every month or every three weeks of the general orientations of the EU in the OSCE. We are really neglected in this respect".*[797]

In addition to that, as the EU's invitations to align are only addressed to Serbia and Macedonia after the EU member states have successfully coordinated their position internally, what the EU offers actually is "a take-it or leave-it choice"[798]. Serbia and Macedonia's representatives thus cannot comment on the statement they receive, make suggestions or contribute in any way in drafting sessions. This nourishes further frustrations:

> *"We are not on an equal-footing with the EU. Maybe Turkey has that feeling, or Russia, or those really big countries. But with respect to Serbia, no. […] We are not involved in any discussion about the statement. And when we receive it, we decide on the basis of take-it or leave-it".*[799]

Alignment, as a result, is referred to as "one-sided" rather than negotiated[800]; as "asymmetrical" rather reciprocal[801]. It places non-EU states in a position of "receivers of information" and "good listeners", rather than active contributors. This puts a strain on non-EU states', and especially Serbia's, endogenous will to align itself with EU positions.

3.1.4.4.4. Time constraints

The alignment mechanism rests on tight deadlines. Decisions to align with EU statements must be taken in the OSCE within 24 hours at best, and usually less than 12 hours. Sometimes, non-EU states' delegates only receive the proposition to align half an hour before the statement is read. They are therefore under time constraints. In the UNGA, although the EU's voting positions are usually known in advance, the six-hour time difference between New York and Belgrade/Skopje seriously hampers the communications between the permanent missions and the home ministry, and they may slow down the reactivity required when invitations to align are transmitted on short notice. This is especially relevant for Serbia's delegates, which, as a rule, shall request instructions from Belgrade[802].

[797] Interview with an Official from the Permanent Mission of the Republic of Serbia to the Osce in Vienna. Vienna, 17/10/2011
[798] Ibid.
[799] Ibid.
[800] Interview with an Official from Ministry of Foreign Affairs of the Republic of Macedonia, CFSP Unit. Skopje, 07/03/2011
[801] Interview with an Official from the Permanent Mission of the Republic of Serbia to the Osce in Vienna. Vienna, 17/10/2011
[802] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Serbia, Directorate General for Multilateral Cooperation. Belgrade, 13/09/2011

Interestingly, Macedonia's diplomacy tends to react to this time constraint by empowering its heads of mission in Vienna and New York. When the deadline is too short, they are entrusted with the decision (not) to alignment:

> *"we often have problems with the late coordination and deadlines. So we have now a kind of framework policy with our colleagues in Vienna, New York, Strasbourg and Geneva, so that they only consult us on politically sensitive issues".* [803]

This measure does not alleviate the time constraint, but it makes it less prone to induce unwished non-alignments. Serbia, by contrast, has not adapted its more centralised decision-making structure, so that tight deadlines occasionally remain a source of dissenting behaviour.

> *"interviewer: Is the deadline issue a real problem, which prevents you from aligning.*
> *interviewee: There were several cases, where we could not align. There were also technical misunderstandings, where the lady who was supposed to receive the email, did not".* [804]

The EU, under the Belgian Presidency, has accordingly softened its deadline rule, and now accepts belated communications. This measure, however, has not reportedly been used by Serbia as a means to solve its deadline issue, unlike Black Sea countries, which benefited from it more regularly.[805]

3.1.4.4.5. EU restraints on national sensibilities

In the OSCE, the EU applies a more stringent rule of alignment than in the UNGA. If they choose to align themselves with an EU statement, non-EU states shall give up their right to speak on their national capacity. This so-called "exclusive alignment rule" accentuates the asymmetrical design of the alignment mechanism, it stifles national sensibilities and it is therefore viewed by most non-EU states with a jaundiced eye[806].

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[803] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Multilateral Affairs. Skopje, 02/11/2011

[804] Interview with an Official from the Permanent Mission of the Republic of Serbia to the Osce in Vienna. Vienna, 17/10/2011

[805] Interview with an Official from the Permanent Representation of Belgium to the Osce. Vienna, 26/04/2011; Interview with an Official from the Permanent Delegation of the Republic of Moldova to the Osce. Vienna, 08/07/2011

[806] Interview with an Official from the Permanent Mission of Turkey to the Osce. Vienna, 08/07/2011; Interview with an Official from the Permanent Mission of Macedonia to the Osce. Vienna, 08/07/2011; Interview with an Official from the Permanent Mission of the Republic of Serbia to the Osce in Vienna. Vienna, 17/10/2011; Interview with an Official from the Delegation of the European Union to the International Organisations in Vienna. Vienna, 01/08/2011; Interview with a Political Advisor to the Presidencies of the Council of the EU at the Osce & the EU Delegation to the Osce in Vienna. Vienna, 11/08/2011; Interview with an Official from Delegation of the European Union to the Former Yugoslav Republic of Macedonia. Skopje, 01/11/2011; Interview with an Official from Ministry of Foreign Affairs of the Republic of Macedonia, United Nations Unit Skopje, 07/03/2011; Interview with a Member of the Parliament at the National Assembly of Serbia. Belgrade, 14/09/2011; Interview with an Official from the Ministry of Foreign Affairs of the Republic of Serbia, Directorate General for Multilateral Cooperation. Belgrade, 13/09/2011; Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Multilateral Affairs. Skopje, 02/11/2011

The gradual introduction of this practice of exclusive alignment in the OSCE has not been welcomed by Macedonia's officials. These regret that, on some issues that are of particular interests for Macedonia's diplomacy, the EU does not allow complementary statements, event though those would not contradict the EU's position. The frustration is particularly salient on regional issues, where

> *"in some cases, [one] may require deeper, more in-depth statements, which the EU cannot provide, as it is limited by its requirement for preliminary consensus. […] Sometimes, it's even a disaster. Last time […] for instance, the EU was saying "we provided money for this and that", and that's it. And of course I aligned, but the statement was so watered-down".* [807]

When consensus in the EU is weak on an issue, then the corresponding statement often lacks substance, and Macedonia's diplomats wish they could reinforce the EU's view. This might lead to moderate deviations.

In other cases, it is not the watered-down substance of EU statements that is criticised, but their Manichaeism.

> *"Here, I can criticize the EU for not being confident enough, because it demands exclusivity in its alignment mechanism. It urges us to see regional affairs in black and white terms, an approach that is not always very much adapted. The EU is not confident enough as it fears that letting states speak may lead to contradictions".* [808]

Macedonia's internal politics, with Slavs and Albanians ruling over the country, and its close links to both Serbia and Kosovo often compel Macedonia to find the right balance between constructive critique and shame politics. Being less entangled in the region's quagmire, the EU's diplomacy may occasionally react in ways making Macedonia's diplomats uncomfortable. Frustrations of this kind are also expressed by Serbia's diplomats, who unlike Macedonia's, may then opt for non-alignment. As expressed by a Serbian official from the MFA,

> *"There are certain issues, where we do have to have our voice. Whatever the EU says, whether it is compatible with our position or not, we will have to speak, and obviously, we will not align, although we sometimes would like to align".*[809]

The critique against this exclusive alignment rule goes beyond the EU stifling national sensibilities. It blames the EU for denaturing the essence of multilateral diplomacy in the OSCE. As a Swiss diplomat claimed, OSCE meetings have become "more boring" since this rule is in place, and even more so since the Lisbon Treaty[810]. This has been

[807] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Multilateral Affairs. Skopje, 02/11/2011
[808] Interview with an Official from the Permanent Mission of Macedonia to the Osce. Vienna, 08/07/2011
[809] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Serbia, Directorate General for Multilateral Cooperation. Belgrade, 13/09/2011
[810] Interview with an Official from the Permanent Mission of Switzerland to the Osce. Vienna, 06/07/2011

confirmed by Turkey's diplomats, both countries being very critical towards the EU's new device.

> *"Now, there's only the EU, Russia and the United States speaking in the OSCE!"*[811]

This argument is similarly expressed, with moderation though, by Macedonians, which regrets that

> *"we loose the kind of subtle diversity in use in the OSCE. That is good for the EU probably, but I do not think it is good for international organisations".*[812]

And it addressed more bluntly by Serbia's diplomats and officials, who view the practice as "not fair"[813] and "little democratic"[814]. For them, this rule, introduced without further explanations[815], is inconsistent with the "sovereign equality" principle that lies at the core of multilateral diplomacy in the OSCE[816].

Because this rule deprives Serbia and Macedonia from their right to speak, it puts them in front of severed choices, since alignment shall henceforth imply that their individual behaviour is fused into collective action. It also puts an end to the *ad hoc* solution non-EU states used to rely on, especially Serbia, as a response to their lack of involvement in EU negotiations. Serbia sometimes used these supplementary statements on its national capacity in order to clarify its approach, express nuances, or simply gain international visibility, in accordance with its foreign policy objectives. In these supplementary statements, it often expressly acknowledged the correctness of the EU statement it aligned with. But since the alignment rule now precludes parallel statements, non-alignment has become a real, though unfortunate, option.

3.1.4.4.6. Inconvenient necessity to reciprocate diplomatic support

States, like Armenia or Moldova, sometimes hold views that substantially differ from those of the EU. Despite their self-declared commitment to sharing EU norms and values, their disagreement on specific issues is a source of non-alignment. Armenia's diplomacy, for instance, opposed EU positions in the OSCE, arguing that

> *"when the EU points at human rights problems in Armenia, they are then wrong".*[817]

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[811] Interview with an Official from the Permanent Mission of Turkey to the Osce. Vienna, 08/07/2011
[812] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Multilateral Affairs. Skopje, 02/11/2011
[813] Interview with a Member of the Parliament at the National Assembly of Serbia. Belgrade, 14/09/2011
[814] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Serbia, Directorate General for Multilateral Cooperation. Belgrade, 13/09/2011
[815] Interview with an Official from the Permanent Mission of the Republic of Serbia to the Osce in Vienna. Vienna, 17/10/2011
[816] Rule I.1. OSCE. 2006. '*Rules of Procedure of the Organization for Security and Cooperation in Europe*.'
[817] Interview with an Official from the Permanent Delegation of Armenia to the Osce in Vienna. Vienna, 26/04/2011

In a similar vein, Moldova's diplomats refused to align themselves with EU statements on the protection of sexual minorities. They reportedly preferred

> *"to align ourselves with the Vatican. Because we wonder what kind of civilization and values we would promote, if we supported that. LGBT parades are full with drugs, they are a blasphemy for our societies. It is strange exhibitionism, a pornography, a public degradation".*[818]

In opposition to Armenia or Moldova, Serbia and Macedonia rarely fail to align themselves because they do not agree with the EU. Both countries readily concede that non-alignment shall not be interpreted as failures to share EU views or agree with the EU on the statement. As a matter of fact, their diplomats find it hard to imagine a statement or a position that would completely conflict with their innermost views. When it occurs, non-alignment, often, is more tactical than strategic; more instrumental than normative; and more driven by rational calculations than ideational adherence.

At the crux of non-alignment lies the commonsensical observation that Serbia and Macedonia have not the EU as sole partner in international relations. They interact with third actors. In so doing, they develop interest-interdependences with non-EU actors, which occasionally lead them to support third partners against the EU. Non-alignment then is the possible outcome. The more dependent one country is on the EU, the less political leverage third actors have on it, and, as a consequence, the less likely non-alignment is. Macedonia, for instance, rarely supports third countries by not aligning with the EU.

> *"It's very rare that we have dissented from the EU, taken our national interest and privileged bilateral relations with third countries, also in the past. I can count these occasions on my fingers".*[819]

At very rare occasions, Macedonia deviated moderately from EU positions in the UNGA in order to reciprocate the support conferred by the US with regards to the naming issue[820]. On other occasions, it deviated from EU positions on "bilateral issues" with third countries, after an agreement had been negotiated at the highest level, e.g. during an official visit (e.g. in the 1990s or early 2000s between Macedonia and Iran)[821]. In such cases, Macedonia's diplomats in Vienna or New York may not even know why their country should not align itself with the EU. Such instances of non-alignment, however, remained scarce, not least because the Macedonia has become more dependent on the EU diplomatically than it is from others, and because its most important policy interests is now EU integration[822]. Macedonia, as a result, has no strategic need to rely on the support of external partners in order to pursue its national priorities, and it is therefore less amenable to inconvenient reciprocations.

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[818] Interview with an Official from the Permanent Delegation of the Republic of Moldova to the Osce. Vienna, 08/07/2011

[819] Interview with an Official from Ministry of Foreign Affairs of the Republic of Macedonia, United Nations Unit Skopje, 07/03/2011

[820] For instance, Macedonia abstained when the EU voted in favour of UNGA resolutions on the Middle East, while the USA voted against. Ibid.

[821] Ibid..

[822] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Multilateral Affairs. Skopje, 02/11/2011.

Serbia, by contrast, is more amenable to support third countries whose approaches conflict with EU positions, when their diplomatic support is necessary to pursue its national priorities. Its occasional non-alignment follows, according to governmental sources, "its well-known position regarding the unilateral declaration of independence by the Provisional Institutions of Self-Government of Kosovo"[823]. Serbia, indeed, reportedly "relies on others' support on certain issues that are sill open".[824] In order to prevent the declaration of independence of Kosovo before 2008 and undermine its recognition after 2008, Serbia has deepened its strategic partnership with Russia and improved its relations with countries like Iran, Myanmar and Belarus, considered by the EU as most problematic. As expressed by a high official in Serbia's MFA,

> *"our relations with a lot of countries are directly linked towards Kosovo. If the EU speaks about countries that did not recognise Kosovo, then we are very careful. For instance Iran. You know, for us, Iran is not only Iran, it is more".* [825]

In addition to being opposed to Kosovo recognition, Iran is an important member of the non-aligned movement, in which Serbia is increasingly involved. The quality of Serbia-Iranian relations contrasts in this respect with the rising tensions that developed between the EU and Teheran. In 2008 and 2009 successively, Serbia opposed two EU unanimous voting positions in the UNGA blaming Iran for its violations of human rights[826]. In the meantime, in March 2009, Serbia's Prime Minister Cvetković received the official visit of Iran's Foreign Minister Mottaki, and in early December 2009, Serbia's Parliament Speaker Đukić-Dejanović met his Iranian counterpart Ali Larijani in Teheran. Serbian officials, at the occasion of these high-level visits, publicly thanked the Iranian government for its stand on Kosovo and celebrated its engagement within the non-aligned movement[827]. Serbia's disapproval of the EU's critique against the Iranian regime in the UNGA should be understood in this context, as a reciprocation of Iran's supports for Serbia's stance towards Kosovo and Serbia's engagement with the non-aligned movement. The same applies to explain Serbia's reluctance to join forces with the EU and the USA in the Iranian nuclear question. A discussion leaked on the Net with Miroslav Šestović, the head of the MFA's Directorate for Africa and the Middle East brought US diplomats to the following conclusion:

> *"Until the International Court of Justice issues its advisory opinion [on the legality of Kosovo's unilateral declaration of independence], Serbia will use its ties with Iran to seek continued support on Kosovo rather than pushing for engagement with the P5+1 on nuclear issues or condemning gross violations of human rights".* [828]

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[823] Answers to the Commission's Questionnaire, Republic of Serbia. 2011. 'Answers of the Republic of Serbia to the EU Questionnaire Delivered by the European Commission.'
[824] Interview with an Official from the European Integration Office, Government of the Republic of Serbia. Belgrade, 14/09/2011
[825] Interview with an Official from Ministry of Foreign Affairs of the Republic of Serbia, Directorate General for the European Union. Belgrade, 12/09/2011
[826] UNGA resolutions R/63/191 of 18 December 2008 and R/64/176 of 18 December 2009.
[827] See B92. 3.12.2009. 'Serbian Parliament Speaker in Tehran.'
[828] United States Embassy in Belgrade. 24.9.2009. 'Serbia Mfa Sees Iran through Kosovo Prism'. [accessed 21.01.2013]

Similar observations can be made in order to explain Serbia's failure to align itself with EU positions sanctioning human rights violations in Myanmar[829] or Belarus[830]. Serbia's restraint often stems from the fact that these regimes have not recognised the independence of Kosovo.

The key factor that most constrained Serbia's propensity to align itself with the EU certainly is its strategic relationship with Russia. From 2007, Serbia has invested a considerable amount of diplomatic capital in this relationship[831]. This investment came at the expense of its EU integration objective.

> *It is the same for Russia. […] We have to protect our own interests. In this case, it may be not to align with the majority of the EU member states, which recognised Kosovo. In this case, our interest may collide".*[832]

The failure of the Belgrade-Pristina negotiation talks on the Kosovo status, led by Martti Ahtisaari under the auspices of the United Nations, led Serbia to anticipate Kosovo's declaration of independence by revitalising its relationship with external supporters, amongst its influential partner: Russia. In 2007-2008, Serbia and Russia exchanged official visits at the highest level up to four times a year, and Serbia and Russia's Foreign Ministers met at least twice a year. Foreign policy coordination was, obviously, at the agenda of these meetings. In February 2008, Russia's President, Vladimir Putin, warned that recognition of Kosovo's independence would open up a Pandora's Box and fan the flames of irredentism[833]. Russia declared its unconditional support for Serbia regarding the Kosovo issue[834], and behind closed doors, helped the Serbs lobbying against Kosovo recognition, e.g. in the Arab world[835]. In the same time, Serbia increasingly objected to align itself with EU positions criticising Russia[836], with the expectation that this deviation would eventually pay off. The

[829] UNGA resolutions R/63/245 and R64/238.

[830] E.g. in the OSCE, from 2008 to 2011: PC.DEL/1059/08, PC.DEL/77/10, PC.DEL/104/10, PC.DEL/257/10, PC.DEL/458/10, PC.DEL/796/10, PC.DEL/179/11, PC.DEL/180/11, PC.DEL/616/11, PC.DEL/1179/10

[831] Interview with an Official from the Permanent Mission of the Republic of Croatia to the Osce. Vienna, 28/04/2011; Interview with an Official from the Permanent Mission of Albania to the International Organisations in Vienna. Vienna, 29/04/2011; Interview with an Official from the Permanent Mission of the Republic of Serbia to the Osce in Vienna. Vienna, 17/10/2011; Interview with an Official from the Delegation of the European Union to the Republic of Serbia, Political Section. Belgrade, 16/09/2011; Interview with an Official from Ministry of Foreign Affairs of the Republic of Serbia, Directorate General for the European Union. Belgrade, 12/09/2011; Interview with an Official from the Ministry of Foreign Affairs of the Republic of Serbia, Directorate General for Multilateral Cooperation. Belgrade, 13/09/2011; Interview with an Official from the Permanent Mission of Georgia to the Osce in Vienna. Vienna, 19/04/2011

[832] Interview with an Official from Ministry of Foreign Affairs of the Republic of Serbia, Directorate General for the European Union. Belgrade, 12/09/2011

[833] Russia's President Putin declared: "The Kosovo precedent is a terrifying precedent. […] And it, without a doubt, will bring on itself an entire chain of unforeseen consequences", Associated Press. 22.2.2008. 'Putin Warns West over Kosovo Dispute.'

[834] See for instance Medvedev's declaration of 29 May 2009: "we intend to continue to coordinate our foreign policy moves in the future [with Serbia], including the ones related to the solving of the issue with Kosovo". Novonite. 29.05.2009. 'Medvedev: Serbia Is Russia's Key Partner in Southeast Europe.'

[835] Balkan Insight. 30.11.2010. 'Wikileaks Show Medvedev Lobbied against Kosovo Recognition.'

[836] In the UNGA, Serbia joined Russia on an increasing number of resolutions, which the EU opposed (e.g. on the use and non-proliferation of nuclear weapons); in the OSCE, Serbia did not join EU statements on elections in Russia (PC.DEL/1065/07, PC.DEL/66/08, PC.DEL/181/08), or restrictions

occasions for Serbia to support Russia against the EU, and thereby reciprocate Russia's support against Kosovo, became inconveniently numerous in 2008-2009. The outbreak of the Russo-Georgian war in August 2008, which Moscow contestably linked to the "Kosovo precedent"[837], became a matter of concern in the OSCE. The EU accordingly issued a series of statements (about 30 in 2008-2009) targeting the role of Russia in South Ossetia and Abkhazia, but Serbia, relying on Russia's support over the Kosovo issue, did not align itself with any of these statements[838]. In a word, the congruence of two factors fostered Serbia's diplomatic distancing from the EU between 2007 and 2009: 1) Kosovo's declaration of independence in February 2008, against which Serbia gained diplomatic support from Russia (whereas the EU remained divided on the issue); and 2) Russia's foreign policy in the Caucasus, which aroused in the EU an acute ire, which Serbia could not openly share lest it loosed Russia's support on the Kosovo issue.

3.1.4.4.7. Existence of domaines réservés

Foreign policy convergence comes to a halt with states' *domaines réservés*. When the EU explicitly targets Macedonia, Serbia or Kosovo in its positions, then non-alignment becomes the rule. This is the case, for instance, when the EU issues a statement in the OSCE on the work of the OSCE mission in Skopje[839], on elections in Macedonia[840], or in response to a statement made by a leader from Macedonia in OSCE[841]. This is similarly the case, when the EU issues a statement on the work of the OSCE mission in Belgrade [842], on Serbian politics and elections in Serbia[843] or in response to a statement made by a leader from Serbia in OSCE[844]. When the EU addresses such issues, then it does not always invite Serbia or Macedonia to align themselves with its statement, as

> *"it obvious they will express a national position on the topic."* [845]

And indeed, Serbia and Macedonia's diplomats consider that responding to statements targeting their own country is an incontrovertible part of their job –it is a *domaine*

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on different kinds of freedom in Russia, including of the press (e.g. PC.DEL/73/07, PC.DEL/915/07, PC.DEL/722/08/Rev.1, PC.DEL/1081/08, PC.DEL/722/08/Rev.1, PC.DEL/44/09, PC.DEL/681/09, PC.DEL/231/09/Rev.1, PC.DEL/526/09, PC.DEL/848/09, PC.DEL/42/11, PC.DEL/77/11/Rev.1).

[837] The Economist. 28.8.2008. 'South Ossetia Is Not Kosovo.'

[838] In 2008 and 2009 alone, PC.DEL/209/08, PC.DEL/324/08, PC.DEL/348/08, FSC-PC.DEL/29/08, PC.DEL/605/08; PC.DEL/620/08, PC.DEL/712/08, PC.DEL/605/08, PC.DEL/918/08, PC.DEL/1057/08, PC.DEL/15/09, PC.DEL/16/09, PC.DEL/47/09, PC.DEL/80/09, PC.DEL/102/09, PC.DEL/91/09, FSC-PC.DEL/16/09, PC.DEL/107/09/Rev.1, PC.DEL/219/09, PC.DEL/260/09, FSC.DEL/93/09, PC.DEL/303/09, PC.DEL/345/09, PC.DEL/382/09, FSC-PC.DEL/19/09, PC.DEL/533/09, PC.DEL/649/09, PC.DEL/678/09, PC.DEL/1006/09.

[839] E.g. PC.DEL/1056/05, PC.DEL/337/06, PC.DEL/329/07, PC.DEL/298/08, PC.DEL/636/09

[840] E.g. PC.DEL/441/08/Rev.1, PC.DEL/492/08.

[841] E.g. PC.DEL/498/10.

[842] E.g. PC.DEL/166/06, PC.DEL/288/07, PC.DEL/146/08/Rev, PC.DEL/121/09, PC.DEL/130/10, PC.DEL/178/11.

[843] E.g. PC.DEL/51/07, PC.DEL/351/08 PC.DEL/148/08/Rev.1, PC.DEL/373/08.

[844] E.g. PC.DEL/839/05, PC.DEL/429/06, PC.DEL/742/07, PC.DEL/140/08, PC.DEL/744/08/Rev.1, FSC.DEL/76/11, PC.DEL/595/10.

[845] Interview with an Official from the Permanent Representation of Belgium to the Osce. Vienna, 26/04/2011

réservé, which cannot be substituted by alignment[846]. Often, non-alignment is not used to express dissenting views on the situation. It is rather a matter of national sovereignty.

Serbia's claim for this understandable "right of reply", however, goes beyond the three types of issues listed above (OSCE reports, elections, ministerial address). It also applies to ICTY cooperation[847], and, above all, to EU statements on Kosovo. Serbia's refusal to align itself with the EU on statements dealing with Kosovo is understandable, since Serbia considers Kosovo as part of its territory, and thus as belonging to its *domaines réservés*. Serbia is therefore keen on speaking on its national capacity (even though this implies non-alignment) on issues brought in front of the OSCE concerning the Kosovo status[848], Kosovo politics[849], and the work of the OSCE mission in Pristina[850].

3.1.5. Summary of the findings

What do we learn from this research on Serbia and Macedonia's multilateral diplomacy? In phenomenal terms, first, Europeanisation ensues through convergent changes in Serbia and Macedonia's foreign policy behaviour. In the UNGA and OSCE, its observable manifestation is alignment with EU positions, whether in voting or declaration. Alignment occurs as a result of foreign policy coordination. In practice, it follows rules that are not identical for Serbia and Macedonia. Serbia, for instance, is not invited to EU information meetings, and it does not take decisions on alignment locally, in New York or Vienna, unlike Macedonia.

The analysis of Serbia and Macedonia's foreign policy behaviour in the UNGA and OSCE shows that both countries align themselves with EU positions at a remarkable frequency. But the Europeanisation of their multilateral diplomacy is not an irreversible phenomenon. After coming very close to the EU in the early 2000s, Serbia changed the course of its diplomacy and started around 2007 to distance itself from the EU. It aligned itself less frequently with EU voting preferences in the UNGA, and failed to join an increasing number of EU statements in the OSCE. Serbia's dis-alignment, interestingly, parallelled its rapprochement with Russia's preferences.

The research does not provide for a single, straightforward explanation for Europeanisation and its subtleties. It contends, instead, that the phenomenon is multifaceted. To start with, alignment can be understood as an obligation, imposed by the EU in the framework of its CFSP conditionality regime, and calling for political compliance. Although this facet of Europeanisation concerns both Serbia and Macedonia, notable differences have been highlighted, which may explain why Serbia and Macedonia's diplomacy did not follow the same course *vis-à-vis* the EU. First, Macedonia started to coordinate its foreign policy with the EU at least five years

[846] Interview with an Official from the Permanent Mission of Macedonia to the International Organisations in Vienna. Vienna, 06/03/2012; Interview with an Official from the Permanent Mission of Serbia to the International Organisations in Vienna. Vienna, 06/03/2012
[847] E.g. PC.DEL/831/06, PC.DEL/477/11.
[848] PC.DEL/300/06, PC.DEL/1081/06, PC.DEL/136/07, MC.DEL/73/07.
[849] PC.DEL/1135/07, PC.DEL/752/10/Rev.1.
[850] PC.DEL/144/07, PC.DEL/796/07, PC.DEL/67/08, PC.DEL/269/08, PC.DEL/721/08, PC.DEL/79/09, PC.DEL/706/09, PC.DEL/66/10, PC.DEL/112/11, PC.DEL/866/10.

before Serbia. It was first given obligations (to communicate and converge) and then rights (to align in multilateral fora). The time and the timing in this process are different for Serbia, which first received the right and only then the obligation to align. In the early 2000s, Serbia, as a result, was granted a right without duty attached, which may have fostered its sudden convergence towards EU preferences. Second, the analysis shows that the Commission's follow-up of Serbia and Macedonia's compliance with their obligation has been more thorough for the latter than the former. The Commission only started to vet Serbia's alignments in the OSCE and UNGA in 2010, i.e. six years after Macedonia. Third, whereas Macedonia understands political compliance with the CFSP acquis as unconditional, Serbia cautiously qualifies its position with a safeguard clause. Given the uncertainty of the reward, which alignment with the EU offers, Serbia is committed to comply with the CFSP acquis, provided EU positions do not conflict with its national interest. These observations show that political compliance plays a different role in Serbia and Macedonia's foreign policy convergence towards the EU. Its foundations are deeper in the case of Macedonia, and the mechanism is accepted with less restraint.

Then, the analysis showed that alignment should be understood as an appropriate behaviour in the light of specific dispositions. First, it is a response to foreign policy objectives. Both Serbia and Macedonia share as strategic priority their integration in the EU. This predisposes them to alignment with EU positions. But this EU integration objective, in Serbia's case, coexists with potentially conflicting interests (e.g. the defence of Kosovo). This coexistence undermines the internalisation of EU norms, which cannot be given supremacy, and it therefore weakens Serbia's dispositions to align with EU positions. Alignment, then, is a means to participate in European foreign policy. The analysis showed indeed that Macedonia not only expresses its passive adherence to EU norms; it asserts that it shares the EU's foreign policy objectives as well. This coalescence of European and national foreign policy objectives also affects Serbia, but to a lesser extent, given the fact that Serbia's foreign policy agenda upholds key priorities defined in individualistic rather than collective terms. Finally, the analysis showed that alignment, in Macedonia's case, is a norm that barely admits any exception, in the case of Serbia, is also a norm, but one which occasionally deserves transgression. The analysis of these dispositions to align sheds light on the internalisation of EU norms in Serbia and Macedonia. In the past few years, this internalisation has been more thorough in Macedonia than in Serbia, which may help understanding why foreign policy convergence has been more resilient in the case of Macedonia.

The analysis showed that alignment can also be explained through specific motives. Alignment, first, is a means to demonstrate one's Europeanness. But here again, Macedonia goes further than Serbia. Not only do Macedonian foreign policy actors believe in the idea of proving to the EU one's Europeanness through alignment; they also strive for showing to the outer world that there is a "European way of doing things", of which they are fully part. Alignment may finally be a response to scarce resources and poor international visibility, as it allows Macedonia to expand its foreign policy scope at minimal costs. However, the same limitations seem to impact on Serbia's diplomacy in an opposite manner. Whereas resource scarcity arouses motives for alignment in Macedonia, it rather acts as a constraint for Serbia.

The research finally examined the factors negatively impacting on Europeanisation, starting from those merely constraining Europeanisation and ending with those radically impeding it. It found that the lack of consistency stemming from rotating personnel in Serbia and Macedonia's MFA and in the EU's Presidency increases the propensity of non-alignment. Second, the lack of cohesion among EU member states in the UNGA and OSCE weakens the effectiveness of the EU's alignment mechanism by softening Macedonia and above all Serbia's commitment to alignment. When the EU lacks of cohesion on certain issues, then Serbia is tempted to lend an ear to states in the EU or outside the EU, whose position on other issues may be supportive of its national interests (e.g. on Kosovo). Macedonia, by contrast, retains a "community reflex" urging it to consult with EU member states, even though there is no unanimity position. Third, the lack of Serbia and Macedonia's involvement in the EU's foreign policymaking process puts a strain on Serbia and Macedonia's endogenous will to align with EU statements. Indeed, the alignment mechanism is built on a very asymmetrical basis, which creates frustrations, especially on the Serbian side, since Serbia is even less involved than Macedonia. Fourth, Serbia and Macedonia face time constraints in the operation of the alignment mechanism, EU positions are sometimes communicated at the last moment. This is especially relevant for Serbia's delegates, which, as a rule, shall request instructions from Belgrade. Whereas Macedonia's diplomacy has adapted to this constraint by empowering its heads of mission and de-concentrating its foreign policy decision *loci*, Serbia's representatives continue to view most of European foreign policy as tackling sensitive issues requiring instructions from the capital. Tight deadlines therefore constrain Serbia's alignment in a more potent way. Fifth, the introduction of the practice of exclusive alignment in the OSCE has seriously constrained Serbia and Macedonia's willingness to align themselves with EU positions on certain issues, especially with those EU statements that have been watered-down by weak consensus or fail to capture the subtleties of Western Balkan politics. According to Serbian diplomats, this practice, which has been reinforced in the past few years, also harms the sovereign equality principle underpinning multilateral diplomacy. Serbia's rising non-alignment in the OSCE after 2007 can be understood in this context as a sign of protest. Sixth, Serbia and Macedonia's non-alignment is often rooted in the inconvenient necessity to reciprocate diplomatic support. The more dependent one country is on the EU, the less political leverage third actors have on it, and, as a consequence, the less likely non-alignment is. Macedonia, for instance, rarely supports third countries by not aligning with the EU, because Macedonia has no strategic need to rely on the support of external partners in order to pursue its national priorities. Serbia, by contrast, is more amenable to support third countries whose approaches conflict with EU positions, when their diplomatic support is necessary to pursue its national priorities. Serbia's disapproval of the EU's critique against Iran, Belarus, Myanmar and above all Russia should be understood in this context, as a reciprocation of the supports conferred by these states upon Serbia with regards to Kosovo and, to a lesser extent, cooperation with the Non-Aligned Movement. In particular, the congruence of two factors fostered Serbia's diplomatic distancing from the EU between 2007 and 2009: 1) Kosovo's declaration of independence in February 2008, against which Serbia gained diplomatic support from Russia (whereas the EU remained divided on the issue); and 2) Russia's foreign policy in the Caucasus, which aroused an acute ire in the EU, which Serbia could not openly share lest it loosed Russia's support on the Kosovo issue. Seventh, the existence of domaines réservés occasionally precludes alignment. Finally, when the EU explicitly targets Macedonia or Serbia in its

positions, then non-alignment becomes the rule. But since Serbia considers Kosovo as part of its territory, and thus as belonging to its domaines réservés, it also systematically declines alignment when the EU expresses a position on Kosovo.

3.2. Changes in Serbia and Macedonia's foreign policy organisation

This section examines some aspects of the actor and process dimensions of Serbia and Macedonia's foreign policy. It explores Serbia and Macedonia's 1) changing administrative capacities for inter-sectoral coordination; 2) changing administrative capacities for intra-sectoral coordination; 3) changing administrative capacities for outreach coordination; 4) extension of diplomatic networks and 5) changing technical capacities. It infers, whenever possible, Europeanisation from an enduring need for coordination; finds a deceptive case of *pseudo*-Europeanisation; and analyses the motives, causes and reasons that best account for the phenomena. It should be kept in mind, here, that Serbia and Macedonia did not engage in reforming their foreign policy organisations with the same heritage. Unlike Macedonia, which had to create its foreign policy apparatus from scratch in the 1990s, Serbia could rely on a long diplomatic tradition inherited from the SFRY, affording larger resources and expertise. The analysis will take into account this important difference.

3.2.1. Building administrative capacities for inter-sectoral coordination

As their cooperation with the EU intensified in a number of policy fields, Serbia and Macedonia started to strengthen their administrative capacities in the 2000s with the creation of horizontal bodies of inter-sectoral coordination. These were not designed to deal substantively with foreign policy (or any other policy-field specifically), but rather, to coordinate the work of domestic actors (in particular Ministries), and facilitate the adoption of the EU's acquis. The CFSP being part of this *acquis*, these bodies supported the tightening of cross-level interactions between Serbia/Macedonia's ministries (e.g. MFA) and foreign administrations (e.g. European Commission, EU member states' MFAs).

3.2.1.1. Descriptive analysis

3.2.1.1.1. In Macedonia: the Secretariat for European Affairs

Horizontal coordination, in Macedonia, is assumed by the Secretariat for European Affairs (SEA). Established in 2005 as an autonomous service of the Government of the Republic of Macedonia, it took over the activities that were previously performed by the Sector for European Integration of the General Secretariat of the Government. Directed by the Deputy Prime Minister in charge of European Affairs, the SEA is to

> *"provide professional support and coordination in the work of state administration authorities and of other bodies and institutions in the light of preparing the Republic of Macedonia for EU membership".*[851]

More specifically, the SEA monitors the implementation of the agreements concluded between Macedonia and the European Communities and their member states[852]. This

[851] Secretariat for European Affairs. 'Organisation'. [accessed 21.03.2012].

includes the parts of Macedonia's Stabilisation and Association Agreement which concern political dialogue (i.e. Title II)[853] and the provisions of Macedonia's European Partnership pertaining to "Regional and international cooperation"[854]. The SEA is furthermore in charge of the preparation of Macedonia's annual National Programme for the Adoption of the Acquis (NPAA), which specifically covers foreign policy issues (as part of the EU's political criteria and as a specific chapter of Macedonia's NPAAs, i.e. "chapter 31: foreign security and defence policy"). It is finally responsible for the implementation of the European training strategy for Macedonian civil servants, which includes MFA officials both as targeted trainees and potential trainers[855].

Before the creation of the SEA in 2005, these activities were assumed by the Sector for European Integration of the General Secretariat of the Government. Rather than being given new functions, the SEA thus emerged as a body entrusted with greater administrative (rather than functional) authority. Its creation, and acquisition of legal personality, strengthened Macedonia's capacity to coordinate the efforts of its national administrations in fulfilling a shared objective: EU integration[856].

3.2.1.1.2. In Serbia: the European Integration Office

In Serbia, the inter-sectoral coordination of European affairs is assumed the Serbian European Integration Office (SEIO). Established in March 2004 as an autonomous body under the direct authority of the Serbian Government and the responsibility of the Deputy Prime Minister, the SEIO took over the activities that were previously performed by the Sector for European Integrations in Serbia's Ministry for International Economic Relations[857]. At the federal level, another body existed yet: the European Integration Office of the Former Republic of Yugoslavia (EIO-FRY) from 2001 to 2003, and of Serbia-Montenegro (EIO-SCG) from 2003 to 2004. Established as a body of the federal Council of Ministers in November 2001, the EIO-FRY/SCG was in fact placed under the authority of the federal Ministry for International Economic Relations. It was tasked with the "coordination of SAp-related activities, in cooperation with the ministries for international economic relations of the two member states [Serbia and Montenegro], and in direct communication with the relevant ministries at the level of the state union"[858]. However, with the introduction of the EU's "twin-track" approach towards Serbia-Montenegro, most of the competences of the EIO-FRY/SCG pertaining to Serbia were later transferred at

[852] Secretariat for European Affairs. January 2008. '*Strategic Plan for the Period 2006-2008*.'
[853] Stabilisation and Association Agreement between the European Communities and their Member States of the one part and the former Yugoslav Republic of Macedonia of the other part. 26 March 2001.
[854] European Commission. 3 March 2004. 'Proposal for a Council Decision on the Principles, Priorities, and Conditions Contained in the European Partnership with the Former Yugoslav Republic of Macedonia.'
[855] Government of the Republic of Macedonia. 30 May 2000. 'EU Training Strategy for Macedonian Civil Servants.'
[856] Republic of Macedonia. 2005. 'Answers of the Republic of Macedonia to the EU Questionnaire Delivered by the European Commission.'
[857] Serbian European Integration Office. 2005. '*Presentation Booklet*.'
[858] European Integration Office of Serbia and Montenegro. 'Serbia and Montenegro European Integration Office'. [accessed 22.3.2011].

the republic's level, i.e. to Serbia's SEIO[859]. Emptied from its competences, the EIO-FRY/SCG soon became obsolete and was swept under the carpet.

As Serbia developed its relationship with the EU, the SEIO witnessed a considerable surge in the number of experts it employed: from 8 employees in 2004 to 80 in 2011, and expectedly even more in 2012-2014[860]. This is because it was given the task to monitor the inter-sectoral coordination of the negotiations that led to the conclusion of Serbia's SAA in 2008[861]; to monitor the implementation of Serbia's 2004 European Partnership, which included provisions on regional cooperation[862]; and from 2008, to coordinate the implementation of the SAA, including with regards to the obligations falling under political dialogue (title II)[863]. The SEIO is now also involved in the annual preparation of Serbia's National Programme for the Integration with the EU (NPI), formerly known as Action Plan for the Implementation of the European Partnership Priorities, or Action Plan for the fulfilment of priorities under the EC progress report (in 2010). These national documents provide a detailed overview of the reforms and activities implemented by Serbia's authorities in order to accelerate the integration of the country in the EU. They cover Serbia's efforts at adopting the EU's acquis, including in foreign policy matters. One chapter is dedicated to the adoption of the EU's political criteria (including regional cooperation and international obligations), and another chapter covers CFSP acquis (chapter 31). In preparing these chapters, the SEIO (just as the SEA in Macedonia) heavily relies on the expertise of its contact points within the relevant ministries, especially the MFA[864]. Finally, the SEIO is actively involved in the provision of in-service training courses on European integration[865]. Their target group includes civil servants from the MFA[866].

3.2.1.1.3. Similarities and differences

All in all, the SEIO's functions are quite similar with Macedonia's SEA. Both are located at the cross-sectoral interface between the domestic and the European levels. Their primary mission is to coordinate the negotiations of their country with respect European integration, to monitor the implementation of European agreements, to facilitate the adoption of the EU's acquis, and to organise training courses for civil servants. They do not deal substantively with foreign policy issues or foreign policy making; but foreign policy being part of the EU's *acquis*, they do assume a coordinative function in this field.

[859] European Integration Office of Serbia and Montenegro. 2006. 'Communication Actions.'
[860] Interview with an Official from the European Integration Office, Government of the Republic of Serbia. Belgrade, 14/09/2011
[861] Serbian European Integration Office. 'About Us'. [accessed 21.03.2012].
[862] Council of the European Union. 22 March 2004. 'Council's Regulation on the Establishment of European Partnerships in the Framework of the Stabilisation and Association Process.'
[863] Stabilisation and Association Agreement between the European Communities and their Member States of the one part and the Republic of Serbia of the other part. 22 January 2008.
[864] Interview with an Official from the European Integration Office, Government of the Republic of Serbia. Belgrade, 14/09/2011
[865] Secretariat for European Affairs. 'Training of Civil Servants in Serbia on the EU'. [accessed 12.04.2012].
[866] Government of the Republic of Serbia. n.d. 'The Training of Civil Servants on EU Matters.'

The main difference between the SEA and the SEIO is found in their organisational history. Both were created in the mid 2000s, but whereas the SEA emerged as an upgraded version of a European unit of the Government's Secretariat, the SEIO was created as an offspring of the MFA, which took over the responsibilities of its awry federal peer. Also, the context of their creation differs since the SEA emerged from Macedonia's gaining the status of EU candidate, whereas the SEIO was established as it became clear that the EU integration would no longer be treated at the state union's level.

3.2.1.2. Inferring Europeanisation

The establishment of Macedonia's SEA, and Serbia's SEIO, both entrusted with the mission of coordinating their country's integration into the EU, casts little doubt on the European teleology of such gesture. It also renders the inference of Europeanisation all but commonsensical. It was not indeed by chance that the SEA was created in 2005, and thereafter strengthened, but in "response to the increased needs arising from the intensified integration process of the Republic of Macedonia in the EU, for the purpose of the strategic objective for EU membership"[867]. And the emergence of the SEIO in Serbian organisational landscape is no coincidence either: it responded to the prioritisation of the EU "on the top the Serbia' political agenda" following the overthrow of Milošević[868].

As a matter of fact, the very *raison d'être* of these two bodies precisely lies in the intensification of cross-level interactions between EU and Serbia/Macedonia's actors, including in the field of foreign policy. The SEIO and SEA count among the main partners of EU institutions in Serbia/Macedonia, may it be the European Commission in Brussels, the delegation of the EU in Belgrade/Skopje or the embassies of EU member states in Belgrade/Skopje. And domestically, these have far-reaching connections in most of the line Ministries, which usually count an EU Sector or EU department in their organisation, including, of course, in the MFA. The inductive argument that their capacity-building is a manifestation of Europeanisation is therefore most compelling.

3.2.1.3. Argumentative analysis

3.2.1.3.1. Structural analysis

The strengthening of Serbia and Macedonia's SEIO/SEA administrative capacities cannot be convincingly explained by structural factors, located at the EU level, and conceived of as pre-conditions for Serbia/Macedonia's accession in the EU. Although these coordinative bodies play a (coordinative, rather than substantive) role *vis-à-vis* the adoption of the CFSP acquis, their functioning is barely monitored by the EU's conditionality regime. The result is a certain latitude left to Serbia and Macedonia's governments as for the way they shall coordinate the European integration process in their country. The weakness of structural lineage in this field is confirmed on the ground by leading servants in Serbia's SEIO and Macedonia's SEA. For their

[867] Secretariat for European Affairs. 'Organisation'. [accessed 21.03.2012].
[868] Interview with an Official from the European Integration Office, Government of the Republic of Serbia. Belgrade, 14/09/2011

institution, and *a fortiori* in foreign policy matters, capacity-building is not a matter of compliance with EU demands. As reported by an SEA official,

> *"the EU follows the coordination process, but it is not imposing a model to be followed".*[869]

Or, similarly, as expressed by his counterpart of the SEIO,

> *"the EU supported our quest, but did not provide the solution per se".*[870]

When the EU did provide guidelines in this respect (i.e. rarely), those remained general. For one, in its 2006 European Partnership, the EU addressed the need for Serbia to "strengthen the European integration structures at all levels […] and improve cooperation among them" [871]. In the second half of the 2000s, the administrative capacities of the SEIO were accordingly strengthened: from 8 employees in 2004 to 80 in 2011[872]. In 2008, the EU already acknowledged this development, as it did not again insist in its European Partnership on improving inter-ministerial cooperation[873]. However, speaking of causality here would be most daring, as this re-staffing also took place in a context of EU-Serbia rapprochement. With the negotiations on the SAA, which resumed in 2007 after their one-year interruption for lack of cooperation with the ICTY, Serbia's SEIO faced a situation in which

> *"the relations between Serbia and the EU were intensifying and diversifying, in accordance [with Serbia's strategic objective of joining the EU]".*[874]

Adapting the SEIO's capacities to this new reality, then, had little to do with complying with intrinsically vague conditions stipulated in the EU's European Partnership. It primarily responded to dispositions that favoured the prioritisation of capacity-building with regards to EU integration.

This is not to say that structural factors did not play any role at all in the creation and strengthening of horizontal coordinative capacities in CFSP matters. These have affected above all Serbia's SEIO, which was created at the republic level in 2004 and considerably strengthened in 2006, following the structural obsolescence of its federal counterpart, the EIO-FRY/SCG. With the transformation in 2003 of the Federal Republic of Yugoslavia into a state union, a change was introduced in the constitutional charter of the new state: the right, upon the expiry of a 3-year period, to

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[869] Interview with an Official from the Secretariat for European Integration, Government of the Republic of Macedonia. Skopje, 01/11/2011

[870] Interview with an Official from the European Integration Office, Government of the Republic of Serbia. Belgrade, 14/09/2011

[871] Council of the European Union. 30 January 2006. 'Council's Decision on the Principles, Priorities and Conditions Contained in the European Partnership with Serbia and Montenegro Including Kosovo as Defined by the United Nations Security Council Resolution 1244 of 10 June 1999.'

[872] Interview with an Official from the European Integration Office, Government of the Republic of Serbia. Belgrade, 14/09/2011

[873] Council of the European Union. 18 February 2008a. 'Council's Decision on the Principles, Priorities and Conditions Contained in the European Partnership with Serbia and Montenegro Including Kosovo as Defined by the United Nations Security Council Resolution 1244.'

[874] Interview with an Official from the European Integration Office, Government of the Republic of Serbia. Belgrade, 14/09/2011

break away from the state union[875]. As it became clear for EIO-FRY/SCG's leading officials that "there was no Serbia and Montenegro" to be negotiated for[876], and that Serbia-Montenegro was on the brink of dissolution, its director resigned in August 2004, stressing the need to re-organise, at the republic level, the administrative bodies responsible for horizontal coordination. Meanwhile, a group of young officials started to pose the building block of the SEIO at the republic level[877]. They soon received the implicit consent of the EU, which first, recognised the "structural weaknesses" of the federal EIO-SCG, especially with regards to "its formal status and competences"[878], and then introduced its twin-track approach in 2004 (dissociating Serbia and Macedonia's integration processes).

As it became clear for nearly all that the dissolution of the state union was a countdown, the SEIO started to act as coordinative body, first in parallel with the state union's EIO-SCG, and, from 2006, as sole interface. It is then because of the anticipated dissolution of the state union of Serbia and Montenegro that the SEIO took over the functions of its federal predecessor. This does constitute a cause of organisational change; but not a cause of Europeanisation. At best, the dissolution of Serbia-Montenegro acted as an intervening variable, accelerating the strengthening of the Serbia's EIO, by facilitating the effective reallocation of coordinative resources at the republic level, where the twin-track process was operative, rather than at the federal level, where tensions between Serbia and Montenegro were mounting.

3.2.1.3.2. Dispositional analysis

What primarily mattered in the decision to strengthen these administrative capacities were dispositions that guided Serbia and Macedonia's policy-makers in favour of speeding up the EU integration process. There is, indeed, a correspondence between the intensification of the relations between the EU and Serbia/Macedonia on the one side, and the strengthening of their SEA/SEIO on the other side.

Macedonia's SEA was created in 2005, upon the European Council's decision to grant the country EU candidate country status. Expectations were, at that time, that the country would start negotiating its accession treaty in 2006, and become EU member state by 2010[879]. Since it was deprived of legal capacity and lacked administrative resources, the Sector for European Integration of the General Secretariat of the Government, which was in charge of inter-sectoral coordination before the SEA, had to be reformed, in order to meet the challenges posed by the in-depth 35-chapter long process of negotiation. For comparison, SAA negotiations counted only a few chapters (including regional and international cooperation, but excluding CFSP). The creation of the SEA responded to this challenge. In its 2004 National Strategy for European Integration, the Government stressed that

[875] Article 60, Constitutional Charter of the State Union of Serbia and Montenegro. 2003.
[876] Interview with Milica Delevic, former head of the EIO-SCG, European Stability Initiative. 'Milica Delevic, Serbia'. [accessed 26.03.2012].
[877] Interview with an Official from the European Integration Office, Government of the Republic of Serbia. Belgrade, 14/09/2011
[878] European Commission. 9 November 2005c. 'Serbia and Montenegro 2005 Progress Report.'
[879] SETimes. 18.02.2005. 'Buckovski: Macedonia to Strive for EU Membership by 2010.'

> "*national coordination and cooperation between the line ministries and other relevant institutions needs to be ensured".*[880]

This task was readily assumed by Macedonia's deputy Prime Minister for European integration at that time, Radmila Šekerinska, who also became the SEA's first executive director. Building on resources that already existed in the General Secretariat of the Government, the new SEA was established in 2005 as the autonomous entity ready to coordinate EU accession talks. Despite the stalling of the process ever since, the SEA continued to strengthen its administrative capacities, in the (albeit self-grown) hope that the EU would therewith perceive Macedonia's determination to enter the EU. As stated by an SEA official,

> *"Macedonia's integration is blocked, but our plan to join the EU is not. We need to be ready, to have the infrastructures ready and the staff prepared".*[881]

Macedonian key actors' dispositions, interestingly, differ here from the structural conditions imposed by the EU. They suggest organisational changes in order to increase the preparedness of the country to join the EU, despite the integration stalemate. They call for anticipation, and not so much for adaptation.

There is, similarly, a correspondence between the intensification of the relations between the EU and Serbia on the one side, and the strengthening of Serbia's administrative capacities for inter-sectoral coordination on the other side. Serbia's SEIO was indeed established in 2004 upon the European Commission's decision in October 2004 to re-launch the SAA Feasibility Report, following the twin-track approach[882]. In 2005, SAA negotiations were launched between Serbia-Montenegro and the EU, but most of these were carried out at the republic level, in accordance with the twin-track approach. Strengthening the SEIO's administrative capacities soon emerged as a necessity for Serbian policy-makers, should the pace of these negotiations be maintained.

> *"We work and negotiate with the EU, but it is our objective, our strategy to join the EU. So, it s up to us to set the pace and be ready".*[883]

With Serbia's successful bid for EU candidacy in 2012, and the prospects of starting accession talks, this concern became relevant again –hence the current plans for increasing the SEIO staff[884]. Here again, one should rather speak of anticipation, and not so much of adaptation.

However, unlike Macedonia's SEA, which had an organisational predecessor, Serbia's SEIO had to be created from scratch. Before the 2004 twin-track approach, the EU did not directly negotiate with Serbia, since European affairs were dealt with

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[880] Government of the Republic of Macedonia. September 2004. '*National Strategy for European Integration of the Republic of Macedonia*.' p. 20.
[881] Interview with an Official from the Secretariat for European Integration, Government of the Republic of Macedonia. Skopje, 01/11/2011
[882] European Commission. 11 October 2004. 'Press Release: Commissioner Patten Announces Launch of Feasibility Report on Serbia and Montenegro.'
[883] Interview with an Official from the European Integration Office, Government of the Republic of Serbia. Belgrade, 14/09/2011
[884] Ibid.

at the federal level, and there was therefore no need for developing administrative capacities at the republic level in the form of a SEIO. With the establishment of the SEIO, resources had then to be created, and the most logical source of expertise in European affairs, which Serbia could use without infuriate the federal institutions, were thus located in its MFA-like Ministry of foreign economic relations. Part of the expertise on EU matters had anyway started to migrate from the federal to the republic level, in anticipation of the forthcoming dissolution[885]. Hence the differences in the SEIO and SEA's organisational history.

Of course, this correspondence between the intensification of EU relations and administrative capacity-building in the SEIO/SEA does not amount to causation. But establishing causation is not the purpose of dispositional analysis either. What this section shows is the constitutive effect the institutional rapprochement between the EU and Serbia/Macedonia has had on the two countries' administrative capacity for inter-sectoral coordination, and vice-versa. It is the dispositions of Serbia and Macedonia's policy-makers towards the EU, focusing on speeding up the integration process, that nurtured the belief that administrative capacities had to be strengthened. Here, the underlying mechanism of Europeanisation is not political compliance; it is an anticipatory approach, prioritising EU accession as strategic objective.

In Serbia, the realisation of this objective was facilitated by the result of domestic elections. In 2004, Boris Tadić was elected as President of the Republic of Serbia on the promise to take his country closer to the EU[886]. It was at that time, "with the newly incoming government" that the decision to establish the SEIO "close to the Prime Minister" was taken[887]. The re-election of Tadić in 2008, against nationalist forces, was widely saluted in European circles[888]. And the victory of his "For a European Serbia" coalition in the May 2008 legislative elections eventually released the tensions, which had poisoned his governing coalition since 2004. Even though the 2004 and 2008 electoral campaigns were little, if not at all, concerned by administrative capacity-building *per se*, the victory of political forces that supported the speeding up of the accession process certainly strengthened Serbia's dispositions to enhance its administrative capacities in EU affairs.

Another factor that impacted on capacity-building is the question of sheer resources. In 2010 and 2011, Macedonia's SEA, for instance, suspended the publication in English of its NPAA documents for budgetary restrictions. As explained by an official from the SEA,

> *"the world financial crisis [has] affected every aspect of financial and economic performance and we [SEA] as an institution have to be very careful and restrictive with the budget spending. Since the NPAA document absorbs significant human capacities and financial means for translation, proof reading, editing etc. we were not able this time to provide an English version".*[889]

[885] Ibid.
[886] SETimes.com. 14.7.2004. 'Boris Tadic: President.'
[887] Interview with an Official from the European Integration Office, Government of the Republic of Serbia. Belgrade, 14/09/2011
[888] B92. 4.2.2008. 'Evropska Unija Čestitala Tadiću.'
[889] Email Communication from an Official of the Secretariat for European Affairs, Government of the Republic of Macedonia. Skopje, 11/05/2011

The implications of this suspension were limited, though. NPAAs continued to be elaborated in the official language of the country, and could therefore still be circulated among Macedonia's line Ministries following the publication of the EC reports[890]. On the other side, in Serbia, the creation of the SEIO received the financial support of the EU, through the European Agency for Reconstruction *inter alia*. Serbia's could therewith easily materialise its favourable dispositions towards European integration:

> *"there was an instrument of financial support that enabled us to travel around and examine the different approaches, to see how things are organised in other countries".*[891]

Both factors (attitude of the governing forces towards European integration and availability of financial resources) have affected the process of administrative capacity-building. But they did not drive this process, in the extent that Serbia/Macedonia's dispositions towards the intensification of EU relations did. They are therefore better seen as intervening variables.

3.2.1.3.3. Intentional analysis

Serbia's SEIO and Macedonia's SEA have both been created as governmental agencies. But the choice of this institutional design (centrally but autonomously situated) was not evident. Foreign policy actors in Serbia and Macedonia solved this issue by studying the experiences of their peers. Thus, prior to the establishment of the SEIO, an official from Serbia's SEIO concedes that

> *"we explored in each of EU candidate countries from Central and Eastern Europe what they were doing".*[892]

The same approach was followed by Macedonia, according to an official of the SEA:

> *"we made some screening, analyses of the models that were used".*[893]

This screening primarily occurred at the bilateral level, although the EU, through its financial support, facilitated the process. The idea was not to "copy" a model, but rather to learn how others did, instead of "reinventing the wheel".

Serbia and Macedonia proceeded to the identification of different options. Serbian actors, for instance, considered entrusting the MFA with the horizontal coordination of the European integration process. This seemed logical on the face of it, since most of the resources (including expertise) on EU matters at the republic level were concentrated in the MFA. But given the cross-sectoral nature of the EU's acquis, this solution would have generated a "vacuum effect", depriving all the other ministries

[890] Interview with an Official from the Secretariat for European Integration, Government of the Republic of Macedonia. Skopje, 01/11/2011
[891] Interview with an Official from the European Integration Office, Government of the Republic of Serbia. Belgrade, 14/09/2011
[892] Ibid..
[893] Interview with an Official from the Secretariat for European Integration, Government of the Republic of Macedonia. Skopje, 01/11/2011

from their EU-literate personnel [894]. This vacuum effect run against Serbian policymakers' intentions, and the plan was therefore dropped. Macedonia considered likewise creating a distinct "Ministry for European integration", following the 2000-2005 short-lived Croatian model.[895] But the result was expected to be the same as internalising European affairs within the MFA, and the plan therefore did not take root.

Serbia and Macedonia, interestingly, shared the same intentions with respect to the institutional design of their horizontal coordination body, and they both emulated the Slovenian experience. According to a Serbian official,

> *"We came to the conclusion that the best prepared were Slovenia and the Baltic states, because they all had a centrally positioned coordination unit within the central government".*[896]

And according to a Macedonian official,

> *"We decided to use the Slovenian model, after we had some twinning with Slovenia in order to build the capacity of the SEA".*[897]

This Slovenian model was epitomised by the Government Office for European Affairs, a centrally positioned agency of Slovenia's Government created in 1997[898]. Of course, the fact that Macedonia and Slovenia had developed a range of bilateral agreements fostering technical cooperation already by the end of the 1990s, the regular exchange of experts, and the willingness of Slovenia to "help so that they do not the same mistakes as we did"[899], facilitated this experiential learning process. As did the common history shared by Slovenia, Serbia and Macedonia, which "naturally brings similarities"[900]. More recently (in 2011), Serbia's SEIO also received the assistance of Croatia in translation matters. It was offered a (raw) translated version of the EU's *acquis* (a million euro-worth document)[901].

To sum up, in creating their SEIO/SEA, Serbia and Macedonia's actors intended to draw from foreign models' experiences in that matter. The engagement at the bilateral level of EU candidates or EU member states side by side with Serbia/Macedonia certainly facilitated the process.

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[894] Interview with an Official from the European Integration Office, Government of the Republic of Serbia. Belgrade, 14/09/2011
[895] Interview with an Official from the Secretariat for European Integration, Government of the Republic of Macedonia. Skopje, 01/11/2011
[896] Interview with an Official from the European Integration Office, Government of the Republic of Serbia. Belgrade, 14/09/2011
[897] Interview with an Official from the Secretariat for European Integration, Government of the Republic of Macedonia. Skopje, 01/11/2011
[898] Government of Slovenia. 1997. 'Ordinance on Organization and Competence of the Slovenian Government Office for European Affairs.'
[899] Interview with an Official from the Slovenian Embassy to Macedonia. Skopje, 02/11/2011
[900] Interview with an Official from the European Integration Office, Government of the Republic of Serbia. Belgrade, 14/09/2011
[901] Ibid.

3.2.2. Building administrative capacities for intra-sectoral coordination

3.2.2.1. Descriptive analysis

In addition to the inter-sectoral SEA and SEIO, vertical coordination bodies have been created within Serbia and Macedonia's ministries in order to coordinate the process of European integration in substantive policy fields. These are the SEA/SEIO's contact points in line ministries, endowed with policy-specific expertise. In the MFA and Ministry of Defence (MoD), these bodies deal extensively with Serbia/Macedonia's participation in European foreign policy and adaptation to the CFSP acquis. Functionally specialised, they are directly involved in foreign policy processes, as technicians operating at the interface between European and domestic contexts.

Within Macedonia's Ministry of Foreign Affairs, a *Special Unit* in charge of EU affairs was first established in 1992. This unit was upgraded in 1995 into Department for European integration (directed by a Head for European Affairs), and in 2005 into Directorate for European Union, headed by a State Counsellor placed under the direct authority of the Foreign Minister. This Directorate serves as contact point for the SEA in the MFA. A "key element in the chain of coordination of activities related to European integration", it deals with substantive foreign policy issues [902]. Its responsibilities echo those of the SEA in foreign policy[903]: it coordinates, within the MFA, the implementation of the EU's acquis in CFSP matters, and is involved in the training of civil servants from the MFA.

Over the past 10 years, the internal organisation of this body has also been changed. As a Department (till 2005), its structure was composed of three units: the Contractual relations unit, which took over the monitoring of political dialogue with the EU; the European Union integration process unit, which was tasked with drafting national strategies to accelerate Macedonia's accession process; and the European and regional cooperation unit, which dealt with the CFSP, the CSDP, the ENP and coordinated Macedonia's participation in the Stability Pact [904]. The present structure of the Directorate for European Union differs from its forerunner in at least two respects. Instead of the Contractual relations unit, a Sector for political relations with the European Union was established in 2005, comprising a unit responsible for contacts with EU institutions, and another unit responsible for monitoring the implementation of substantive obligations. Likewise, instead of the European and regional cooperation unit, a Unit for CFSP was created in January 2006, in order to "enhance the coordination and monitoring of the implementation of the acquis in this area"[905]. In

[902] Republic of Macedonia. 2005. 'Answers of the Republic of Macedonia to the EU Questionnaire Delivered by the European Commission.' p. 87.
[903] Ministry of Foreign Affairs of the Republic of Macedonia. 'Организациона Поставеност И Структура На Мнр'. [accessed 27.03.2012].
[904] Republic of Macedonia. 2005. 'Answers of the Republic of Macedonia to the EU Questionnaire Delivered by the European Commission.'
[905] Republic of Macedonia. September 2005. 'Answers of to Additional Questions Referring to the Economic Criteria and the Chapters of the Acquis.'; Government of the Republic of Macedonia. March 2006. 'National Programme for the Adoption of the Acquis Communautaire.'

2006, the CFSP Unit was first staffed with 3 officers[906], but it grew to 5 in 2009[907], and expectedly to 6 in 2012[908]. The tasks that were previously assumed by the Department for European integration with respect to regional cooperation and Security and Defence were henceforth transferred to other sectors within the MFA (i.e. detached from the European integration Directorate).

In the same period, a Unit for armament control was created in the MFA's Directorate for political security cooperation and multilateral relations. Its purpose is to "monitor the implementation of the international regimes for arms control, non-proliferation and disarmament", and a Unit for EU legislation was similarly established in the Directorate for international law[909]. In the MoD, the administrative capacity to deal with European affairs was strengthened in 2008 by the creation of an ESDP unit within a full-fledged Directorate for international cooperation[910].

Finally, by 2007, a Political Director for the EU and a European Correspondent were designated in the MFA[911], although their formal appointment in this position is still expected[912]. The mission of the political director is to participate in the elaboration of foreign policy objectives, make proposals and analyses, and liaise with European counterparts in order to grasp and anticipate EU positions concerning sensitive foreign policy issues. The political director is assisted in her work by a European correspondent, who follows her country's relations with EU institutions and some member states. The European correspondent also follows the internal development in European politics in order to assess their impact on her country's accession prospects.

The result of this 2005 MFA reform was the creation of highly specialised coordinative bodies within the MFA responsible for EU affairs, an organisational emphasis on CFSP coordination, and an overall emphasis on building administrative capacities in the field of foreign policy, in order to back Macedonia's European integration. These changes also affected the MoD, at a relatively high level in the organisational hierarchy. These all anchored the EU's CFSP/ESDP in the organisational design of national foreign policy institutions.

Parallel, albeit more limited, developments can be found in the Serbia's organisational structure. These started with the dissolution of the state union of Serbia and Montenegro in 2006, and the consequent devolution of foreign policy competences from the federal to the republic level. This transfer of competence, however, only formalised an *état de fait*. At the republic level, eponymous institutions were already

[906] Government of the Republic of Macedonia. March 2006. 'National Programme for the Adoption of the Acquis Communautaire.'
[907] Government of the Republic of Macedonia. 29 May 2009. 'National Programme for the Adoption of the Acquis Communautaire.'
[908] Government of the Republic of Macedonia. 2012. '*National Programme for the Adoption of the Acquis Communautaire*.'
[909] Government of the Republic of Macedonia. March 2006. 'National Programme for the Adoption of the Acquis Communautaire.'
[910] Government of the Republic of Macedonia. March 2008. '*National Programme for the Adoption of the Acquis Communautaire*.'
[911] Government of the Republic of Macedonia. April 2007. '*National Programme for the Adoption of the Acquis Communautaire*.'
[912] Interview with an Official from Ministry of Foreign Affairs of the Republic of Macedonia, CFSP Unit. Skopje, 07/03/2011

in place[913]. With the adoption in 2007 of its Law on Foreign Affairs, Serbia clarified the scope of its newly renamed Ministry of Foreign Affairs (formerly Ministry for Foreign Economic Relations). This included a "special organizational unit", the Directorate General for the EU, of which the mission was to "intensively monitor the EU institution policies and activities, as well as its interconnections with certain organizations"[914].

This Directorate General for the EU resembles Macedonia's present-day Directorate for European integration[915]. Headed by an Assistant Minister for European Affairs placed under the authority of the Foreign Minister, it consists of three units: one is responsible for political dialogue with the EU (unit for EU sectoral policies); one is responsible for relations with EU institutions (EU institution department); and one deals with Serbia's involvement in regional initiatives (unit for regional initiatives). Serbia's Directorate General for the EU does not count a dedicated "CFSP unit" coordinating the country's participation in the CFSP. Participation in the CFSP is coordinated transversally, within (and across) the MFA's Directorate General(s), by the different units concerned by the CFSP.

As in Macedonia, a Unit for arms control was also created in a Directorate for Nato and defence affairs (renamed Directorate for Security policy in 2011). It is not only responsible for implementing arm-control obligations, but intervenes more generally in the field of defence cooperation. In the same Directorate, a Unit for CSDP was introduced in 2011, i.e. in the MFA. Macedonia, by contrast, installed its ESDP Unit in its MoD. In Serbia's MoD, a Unit for European integration and regional initiatives was finally established in 2009. But it is placed under the administrative authority of the Department for International Military Cooperation, and has not, therefore, the status of Directorate, unlike in Macedonia[916].

In March 2010, a Political Director for the EU (at the same time Chief of Staff) was appointed in the MFA, but without European Correspondent[917]. Serbia nonetheless expects to that the head of the Unit for EU institutions within the Directorate for the EU will soon be nominated European Correspondent[918].

These organisational changes do mirror Macedonia's 2005 reform. But they have been initiated later in time (from 2008), and are thus at a much lower state of progress.[919] The absence, in the MFA, of an organisational unit dedicated to the CFSP, and the lesser anchoring of the EU's CFSP/ESDP in Serbia's MFA/MoD contrast with Macedonia's capacities for CFSP coordination, which have been erected at the highest level of the organisational hierarchy.

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[913] Interview with an Official from the European Integration Office, Government of the Republic of Serbia. Belgrade, 14/09/2011

[914] Government of the Republic of Serbia. October 2008. '*National Programme for Integration with the European Union*.' p. 825.

[915] Ministry of Foreign Affairs of the Republic of Serbia. 2012e. '*Organigram*.'

[916] Government of the Republic of Serbia. December 2009. '*National Programme for Integration with the European Union*.'

[917] Republic of Serbia. 2011. 'Answers of the Republic of Serbia to the EU Questionnaire Delivered by the European Commission.'

[918] Ibid.

[919] Interview with a Senior Researcher from the Belgrade Centre for Security Policy. Belgrade, 01/03/2011

3.2.2.2. Inferring Europeanisation

The EU has delivered a set of well identifiable expectations regarding prospective member states' organisational capacity to participate in the CFSP. For instance, in 2001, in the framework of its enlargement strategy, the European Commission issued an informal document on administrative reforms, which stated:

> *"participation in the formulation and implementation of EU's CFSP requires the existence of a functioning MFA, with appropriately trained officials who have the necessary technical and language skills to participate in the various policy making bodies at different levels, including the posts of "Political Director" and "European correspondent".*[920].

What a "*functioning MFA*" means is not specified, though. It is therefore subject to the Commission's evaluation. But this EU requirement paves the way of administrative reforms in those states where capacities are deficient.

As a matter of fact, the EU did not pay much attention to Serbia and Macedonia's efforts at building-up their CFSP-related administrative capacity until the mid 2000s. No reference to any monitoring by the EU can be found in this respect in EU documents until 2004 for Macedonia and 2006 for Serbia. Thereafter, EU-driven interactions on this issue intensified at a remarkable pace: through the Commission's questionnaire first, which included questions on the subject; through the Commission's annual progress reports then, which reviewed Serbia/Macedonia's administrative CFSP capacities; and through Serbia and Macedonia's annual plans finally, which, responding to the Commission's progress report, identified which reforms were to be carried out in this field.

3.2.2.3. Argumentative analysis

3.2.2.3.1. Structural analysis

Macedonia's MFA 2005 administrative reform ensued just after the Commission handed over its Questionnaire, which specifically enquired into the country's capacity to carry out its CFSP obligations. The Commission therein asked:

> *"will your administration, and in particular the Ministry of Foreign Affairs, have the necessary structure and technical equipment to fully take part in the Foreign, security and defence policy (CFSP and CSDP) at the time of accession"?*[921]

The Questionnaire also requested a detailed reporting of the number of the employees in the MFA[922]. These questions barely concealed the idea that administrative reforms were required, should the country strive for becoming a member of the EU.

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[920] European Commission. 13 February 2001. 'Main Administrative Structures Required for Implementation of the Acquis.' p. 59.
[921] Question 31.A.5, European Commission. 2004. 'Questionnaire Delivered by the European Commission to the Republic of Macedonia.'
[922] Question 31.A.12, Ibid..

And indeed, in subsequent years, the Commission, in its progress reports, thoroughly continued to monitor Macedonia's efforts at administrative capacity-building. Following the 2005 reform, it noted "some progress", epitomised by the creation of the CFSP unit[923]; in 2007, it reiterated its positive evaluations, acknowledging the creation of the ESDP unit in the MoD, but explicitly pointed out that "the CFSP unit in the MFA which is responsible for coordination, needs to be strengthened"[924]. In its enlargement strategy, the Commission backed this critique, adding that "the institutional and administrative capacity [of Macedonia's MFA] is not yet sufficient to enable the country to participate fully in the EU policies in these areas"[925]. Anticipating this critical observation, the Government of Macedonia had previously announced that "it is foreseen to strengthen the required functions and mechanisms within the Ministry of Foreign Affairs with the aim of successful cooperation with the EU structures in the area of CFSP"[926]. And indeed, most of the CFSP-related units in the MFA were re-staffed between 2007 and 2009. The Commission's plea for strengthening the CFSP unit was reiterated in the 2008 progress[927], until supplementary posts were created in 2009, fulfilling the EU's expectations[928].

Interactions between EU and Serbian actors on the matter of capacity-building only developed in the late 2000s. By then, Serbia had applied for EU candidacy, and the Commission had started to monitor Serbia's progresses chapter by chapter. Before 2010, there is little sign of EU-Serbia communication in that area. The Commission's progress reports did not for instance evaluate the country's capacity to take part in the CFSP until 2010. In its 2010 Questionnaire, the Commission copy-pasted Macedonia's questions on the need to develop the "necessary structure" in the MFA in order to "fully take part in the Foreign, security and defence policy (CFSP and CSDP) at the time of accession", and similarly enquired into Serbia's MFA staffing[929]. But the Commission additionally underlined the need to set up specific bodies that are "responsible for, implement and ensure coordination of foreign policy" in Serbia, and to appoint the "necessary 'Political Director' and 'European Correspondent'"[930]. Serbia thus faced in 2010 demands by the EU that were more specific than Macedonia in 2004. But considering the limited scope of the reforms that have hitherto taken place, no wonder that the Analytical report accompanying the Commission's opinion in 2011 noted that

[923] European Commission. 8 November 2006a. 'The Former Yugoslav Republic of Macedonia 2006 Progress Report.'
[924] European Commission. 6 November 2007b. 'The Former Yugoslav Republic of Macedonia 2007 Progress Report.'
[925] European Commission. 6 November 2007a. 'Enlargement Strategy and Main Challenges 2007-2008.'
[926] Government of the Republic of Macedonia. April 2007. 'National Programme for the Adoption of the Acquis Communautaire.'
[927] European Commission. 5 November 2008c. 'The Former Yugoslav Republic of Macedonia 2008 Progress Report.'
[928] European Commission. 14 October 2009b. 'The Former Yugoslav Republic of Macedonia 2009 Progress Report.'
[929] Questions 31.A.5, 12, European Commission. 2010e. 'Questionnaire Delivered by the European Commission to the Republic of Serbia.'
[930] Questions 31.A.10-11Ibid.

> *"further strengthening will be needed [in the MFA] in order to be fully capable of implementing policies and adjusting to the EU legislation".*[931]

This is a sign, if need be, that the EU still regards Serbia's administrative reforms initiated in the MFA/MoD as incomplete –an assessment shared by independent analysts too:

> *"There has not been major, overall change in the MFA, and those who now enter the Ministry are those who were not qualified enough to find another job".* [932]

Alternatively,

> *"I have not heard from any substantial change in the MFA, especially with regards to the internal functioning of the Ministry".*[933]

Notwithstanding the EU's conditionality regime, which seems to weigh on Serbia/Macedonia's administrative reforms, MFA officials in both countries do not see themselves as complying with EU obligations. As a top official in Macedonia's MFA stated regarding the creation of his CFSP unit:

> *"we have never had any pressure or even suggestion on the EU side on what we should do. It was always our feeling here that we should adapt our institutions."*[934]

Serbian officials made similar statements, underlining the lack of specificity of EU requirements in organisational matters. This explains why Serbia did not feel committed to create a CFSP unit within its MFA; and why Serbia and Macedonia did not experienced the same administrative reforms. In the absence of specific demands, Serbia and Macedonia have interpreted the EU requirements of setting up "a functioning MFA"[935] in their own ways.

All in all, it is mildly convincing to speak of political compliance, except perhaps, when the Commission's reports emit recommendations that are very specific, e.g. on increasing the personnel of Macedonia's CFSP unit in 2007-2009, or when the EU demands the nomination in the MFA of a Political Director and a European Correspondent. With Serbia and Macedonia's application for EU membership, the Commission started to insist on the need to nominate these two posts in the MFA. In Macedonia, there was at the beginning little understanding for the functions these two diplomats were supposed to assume, and an analysis of the prospective competences and status of the two positions had to be launched, in accordance with the EU's

[931] European Commission. 12 October 2011a. 'Analytical Report for the Opinion on Serbia's Application for Membership of the European Union.'
[932] Interview with a Senior Researcher from the Belgrade Centre for Security Policy. Belgrade, 01/03/2011
[933] Interview with a Director from the Belgrade Centre for Security Policy. Belgrade, 01/03/2011
[934] Interview with an Official from Ministry of Foreign Affairs of the Republic of Macedonia, CFSP Unit. Skopje, 07/03/2011
[935] European Commission. 13 February 2001. 'Main Administrative Structures Required for Implementation of the Acquis.' p. 59.

request [936] . The EU's insistence on appointing these two officials without substantiating its expectations eventually led to shallow reforms. Macedonia's *de facto* European Correspondent's office readily acknowledges that

> *"so far, there is no big substance to his post. It is there on the paper, but in practice, it changes nothing much*".[937]

The seat is now occupied because the EU demands it to be, but the occupant has not been endowed with a proper mission to match his position. It is for similar reasons that the formal appointment of the Political Director has been postponed in Macedonia, and that Serbia did not nominate its European Correspondent straight away in 2010. In this case, change has been little reflexive. It only has the appearances of adaptation.

3.2.2.3.2. Dispositional analysis

It is, here again, the dispositions of Serbia and Macedonia's foreign policy actors, rather than the obligations deriving from the EU's conditionality regime, which primarily drove the administrative reforms in Serbia and Macedonia's MFA and MoD. These dispositions favoured the endogenous, rather than exogenous intensification of the relations between the EU and Serbia/Macedonia and vice-versa. There is indeed a correspondence between the stage in the accession process, at which Serbia/Macedonia is situated, and the state of advancement of their administrative reform in the MFA.

In Macedonia's MFA, the special unit in charge of EU affairs (established in 1992) was first upgraded in 1995, upon the establishment of diplomatic relations between Macedonia and the EU, and later in 2005, following Macedonia's being granted the status of EU candidate. This unit then climbed the MFA's organisational ladder as Macedonia came closer to the EU. In 1995, indeed, EU accession was not Macedonia's primary foreign policy objective. Following its political (and even physical) blockade by Greece, the country was still prioritising international recognition[938]. By 2005, Macedonia had largely revised its strategic objective, and focussed on EU integration. Macedonia's Foreign Minister at that time asserted accordingly that she would "spare no efforts" in bringing her country closer to the EU, should this entail soul-deep reforms[939]. And indeed, as an MFA official stated:

> *"when we received the status of candidate country in 2005, it was widely acknowledged in the MFA and also in the government that we should adapt our institutions for the future membership".*[940]

[936] Republic of Macedonia. September 2005. 'Answers of to Additional Questions Referring to the Economic Criteria and the Chapters of the Acquis.'
[937] Interview with an Official from Ministry of Foreign Affairs of the Republic of Macedonia, CFSP Unit. Skopje, 07/03/2011
[938] Crvenkovski, S. 2006. 'Interview with Stevo Crvenkovski.' In *The Macedonian Foreign Policy*, ed. Mircev, D.
[939] Mitreva, I. 2006. 'The Republic of Macedonia: The Road of Accession to the EU.' Conference paper.
[940] Interview with an Official from Ministry of Foreign Affairs of the Republic of Macedonia, CFSP Unit. Skopje, 07/03/2011

This awareness paved the ground for thicker administrative reforms in the field of CFSP coordination in the MFA. It was all about anticipating future needs (and not adapting to existing conditions).

In Serbia, by contrast, this disposition to emphasise the MFA's organic connection with European structures has not fostered administrative reforms until very recently. In fact, it can even be argued that the

> *"EU agenda has never taken root in MFA affairs".*[941]

–for two reasons: first, interactions between EU and Serbia actors on foreign policy matters remained limited until 2010, as the country applied for the status of candidate[942]. As an associate state, Serbia had less contact with the diplomacy of the EU than it has as candidate state. Second, despite the victory of pro-EU forces in the 2004 and 2008 elections, Serbia's MFA remained focussed on the Kosovo issue. In 2008, Tadić campaigned with the promise to get his country closer to the EU, but also to defend Kosovo as an inalienable part of Serbia and reject any "Kosovo for EU trade"[943]. Interestingly, Serbia had a Ministry for Kosovo and Metohija, which could deal with the issue of Kosovo. But in practice, it is the MFA that has remained in charge of the most sensitive aspects of Serbia's policy towards Kosovo. As a Serbian analyst explained:

> *"The only thing we know [the MFA has been] doing is defending Kosovo. For like two years, Kosovo was the only policy [of the MFA], and only statements [on Kosovo] were giving at the government sessions. They were only issuing this guideline".* [944]

Or, as extrapolated by another analyst:

> *"It's like the MFA has been transformed in my opinion into a Ministry of Kosovo and Metohija. But we already have a Ministry of Kosovo and Metohija, to make the matter more ridiculous!"*[945]

This prioritisation of Kosovo in the agenda of the MFA has monopolised much of the MFA's energy over the past few years, which could not be dedicated to reforming, or europeanising, the institution so as to intensify the link between the MFA and European affairs. As a result, Serbia did not anticipate its accession by reforming its MFA as Macedonia did.

3.2.2.3.3. Intentional analysis

The examination of actors' intentions brings further light on the causes and reasons that underpinned the Europeanisation of Serbia and Macedonia's foreign policy administration. Re-staffing Macedonia's CFSP unit, for instance, responded to practical, bureaucratic considerations:

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[941] Interview with a Senior Researcher from the Belgrade Centre for Security Policy. Belgrade, 01/03/2011

[942] Interview with an Official from the Delegation of the European Union to the Republic of Serbia, Political Section. Belgrade, 16/09/2011

[943] B92. 18.10.2007. 'Tadić Rejects Possibility Of "Kosovo for EU" Trade.'

[944] Interview with a Director from the Belgrade Centre for Security Policy. Belgrade, 01/03/2011

[945] Interview with a Senior Researcher from the Belgrade Centre for Security Policy. Belgrade, 01/03/2011

> *"it is more a learning by doing approach. We start with a smaller unit and then we see what we manage in terms of volume of work. If it's not enough, or if there is an organic growth in the workload, then we respond by hiring more".*[946]

Of course, this learning by doing approach is fostered by the favourable dispositions held by foreign policy actors in the MFA, and by the structural context in which capacity-building in CFSP coordination takes place.

The intentional analysis helps us also understanding the specific design of Serbia's CSDP unit. This unit is located in the MFA, and is part of the Security Policy Sector, whereas, in Macedonia, it is located in the MoD. The intention underpinning the creation of this unit in Serbia's MFA was, according to an official,

> *"to go further towards the EU, separately from Nato, which we do not intend to join in the coming years".*[947]

The MFA thus makes a clear distinction, at the political, rather than purely technical level, between Serbia's cooperation with Nato and Serbia's integration in the EU. Both are coordinated at the same level in the MFA, but by different units within the Security Policy Sector. This intention is supported by Serbia's specific disposition towards military neutrality. Proclaimed in 2007 by the National Assembly in a turbulent context (prior to Kosovo's declaration of independence), the doctrine is given little credit among political analysts[948], and even within the MFA[949]. But it has contributed to the creation of the ESDP unit in the MFA by revealing the need to assert that security policy shall not be the sole concern of the Nato unit in the MFA. In fact, Nato approaches should be complemented, if not counterbalanced, by capacity-building in ESDP coordination. It is interesting here to note how organisational reforms, sometimes, are designed with the purpose of sending a message (yes to the EU, no to Nato). Though supportive of Europeanisation, the message is not neutral as to the type of "Europe" it points to.

3.2.3. Building administrative capacities for outreach coordination

In addition to intra and inter-sectoral developments in Serbia and Macedonia's foreign policy apparatus, diplomatic missions have been established in Brussels and other capitals, and entrusted with outreach activities in the field of CFSP/ESDP coordination. Their relationship to their home Ministry changed over time, sometimes departing from the sheer dependence that hitherto prevailed.

In October 1992, Macedonia assigned its first representative to the European Communities in Brussels. With the establishment of diplomatic relations in December

[946] Interview with an Official from Ministry of Foreign Affairs of the Republic of Macedonia, CFSP Unit. Skopje, 07/03/2011.
[947] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Serbia, Department for Common Foreign and Security Policy and Security Challenges. Belgrade, 13/09/2011
[948] Interview with a Project Coordinator at the Isac Fund. Belgrade, 02/03/2011; Interview with a Director from the Belgrade Centre for Security Policy. Belgrade, 01/03/2011
[949] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Serbia, Partnership for Peace Unit. Belgrade, 12/09/2011

1995, Macedonia raised the status of its representation to the ambassadorial level, and in February 1996, the first permanent mission of Macedonia to the European Communities was created[950]. Until 2006, the mission operated with very limited resources, though. But after Macedonia became candidate in 2005, its staff rose at a remarkable pace: 9 persons were recruited in 2006 (1 diplomat, 5 sectoral experts and 3 administrative persons)[951]. 3 were recruited in 2008, including 2 experts from the SEA and one diplomat "solely engaged in following CFSP/ESDP activities" in Brussels[952]. Today, Macedonia's permanent mission in Brussels counts 14 persons (6 diplomats, 5 experts, 3 administrative staff)[953]. Macedonia also strengthened its mission in Vienna, and it relies since 1996 on a permanent missions to Nato in Brussels (dealing in particular with the military dimension of the ESDP), to the Council of Europe (in Strasbourg), to the UN (in Geneva and New York), to the Food and Agriculture Organisation (FAO, in Rome) and to the United Nations Educational, Scientific and Cultural Organisation (UNESCO, in Paris). These missions are an "important segment of the institutional framework" of Macedonia's approach to European foreign policy, since they are "involved in the process of joining the common positions, statements and declarations of the European Union"[954]. They directly participate in coordinating the country's participation in the EU's CFSP.

Serbia did not open a permanent representation to the European Communities, but inherited the mission opened in Brussels by the SFRY in 1968. Following the signature of Serbia's SAA in 2008, the administrative and technical capacities of the mission was strengthened. Four experts (in the fields of trade, customs, agriculture and energy) were engaged in 2008[955]. Although no post has been created to deal specifically with the CFSP, the mission actively participates in the different dimensions of foreign policy coordination. It operates, for instance, the mechanism of alignment with EU statements. Serbia also opened in 2010 a permanent mission to Nato in Brussels (preceded by a liaison office since 2004, headed by a special envoy with the rank of Ambassador). The liaison office had thenceforth been involved in coordinating Serbia's participation in Nato's PfP. Serbia has also a permanent mission to the Council of Europe (in Strasbourg), to the UN (in Geneva and New York), to the OSCE (together with other international organisations, in Vienna), to the FAO (in Rome) and to the UNESCO (in Paris).

An important task of Serbia and Macedonia's permanent missions is to handle the invitations for alignment handed over by the EU in Brussels, Strasbourg, Geneva, New York, Vienna, etc… In so doing, the permanent missions work hand in hand

[950] Ministry of Foreign Affairs of the Republic of Macedonia. 'About the Mission'. [accessed 27.03.2012].
[951] Government of the Republic of Macedonia. April 2007. 'National Programme for the Adoption of the Acquis Communautaire.'
[952] Government of the Republic of Macedonia. March 2008. 'National Programme for the Adoption of the Acquis Communautaire.'; Government of the Republic of Macedonia. 29 May 2009. 'National Programme for the Adoption of the Acquis Communautaire.'; Secretariat for European Affairs. January 2008. 'Strategic Plan for the Period 2006-2008.'
[953] Interview with an Official from the Permanent Mission of Macedonia to the European Union. Brussels, 30/03/2012
[954] Government of the Republic of Macedonia. 2012. 'National Programme for the Adoption of the Acquis Communautaire.'
[955] Government of the Republic of Serbia. October 2008. 'National Programme for Integration with the European Union.'

with their home ministry[956]. But this relation, in some *fora*, has undergone notable changes. Herein, the general rule is: "the capital decides, the mission abides". In UNGA affairs, for instance, Serbia and Macedonia's national representatives in New York always request instructions from their home Ministry before transmitting their decision (not) to align with EU statements. Decision-making, then, is centralised in Belgrade and Skopje, generally in a Unit for UN affairs within the MFA. Depending on the sensitivity of the issue at play, the head of this unit usually launches a series of consultations within the MFA. Once the decision (not) to align is taken, it is communicated back from Belgrade/Skopje to Serbia/Macedonia's permanent mission in New York. Little latitude is left to national representatives in the UNGA. Their role is limited to transmitting the EU invitation to Skopje/Belgrade in due time, acting in accordance with the capital's instructions in the UNGA, making reports on their actual (non) alignment, and on the MFA's request, gathering information on the position of particular member states, when the EU has no unanimous position.

This general rule admits exceptions, though. In some fora, it has become: "the capital decides on sensitive issues, the mission on others". In the OSCE, for instance, Serbia and Macedonia's representatives regularly decide on the spot whether they shall align with EU statements, without involving their home Ministry. These have often been granted by their home Ministry "a margin of appreciation"[957], according to which they can decide whether instructions from the MFA are required or not. On a number of issues, which 1) are not critical to Serbia/Macedonia's interests; 2) are widely accepted by the international community; 3) or have already been discussed within the Ministry, decisions to align are now primarily taken locally. This does not concern "sensitive" issues, though, for which Serbia and Macedonia's representatives still request instructions. But interestingly here, Serbia more often than Macedonia. As noted by an EU official,

> *"Macedonia always aligns and says it right away, whereas Serbia often seeks for instructions".*[958]

As regards Serbia and Macedonia's outreach coordination, here again, the imprint of the European interaction structure leaves little doubt on its European lineage. The creation and building up of Serbia and Macedonia's permanent missions to the European Communities went obviously hand in hand with the intensification of the relations between Serbia/Macedonia and European actors involved in foreign and security affairs. Thus, inferring Europeanisation from their extension is barely questionable.

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[956] Interview with an Official from the Permanent Mission of the Republic of Serbia to the Osce in Vienna. Vienna, 17/10/2011; Interview with a Political Advisor to the Presidencies of the Council of the EU at the Osce & the EU Delegation to the Osce in Vienna. Vienna, 11/08/2011; Interview with an Official from Ministry of Foreign Affairs of the Republic of Macedonia, United Nations Unit Skopje, 07/03/2011; Interview with an Official from the Ministry of Foreign Affairs of the Republic of Serbia, Directorate General for Multilateral Cooperation. Belgrade, 13/09/2011; Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Bilateral Relations with Non European Countries. Skopje, 03/11/2011; Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Multilateral Affairs. Skopje, 02/11/2011

[957] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Multilateral Affairs. Skopje, 02/11/2011

[958] Interview with a Political Advisor to the Presidencies of the Council of the EU at the Osce & the EU Delegation to the Osce in Vienna. Vienna, 11/08/2011

Following the establishment of diplomatic relations with the European Communities (EC) in 1995, Macedonia opened its permanent mission to the European Communities in 1996, and a permanent mission to Nato in 1996. Until 2006, the EU mission operated with very limited resources, though. But after Macedonia became an EU candidate in 2005, its staff rose at a considerable pace. Likewise, following the signature of its SAA in 2008, the administrative and technical capacities of Serbia's mission to the EU were strengthened. Serbia also opened a liaison office to Nato in 2004 after submitting its application for its PfP. These congruent developments do not imply that Serbia and Macedonia opened their mission because of specific obligations (which did not exist for that matter). They show that their opening was part of a larger process of institutional rapprochement, which fostered actors' disposition to intensify outreach coordination in CFSP/ESDP matters. They also correspond, as explained by an official from Macedonia, to

> *"a system that has been put in place in the EU by other candidate countries".*[959]

The fact that Romania and Bulgaria, and before them Slovenia, opened such missions before joining the EU certainly supports the idea that these outreach coordination bodies were necessary. Their experience in that matter was later taken into account and emulated in Serbia and Macedonia.

Finally, as the EU improved its status of participant in world politics, Serbia and Macedonia were urged to adapt. In order to keep with the pace of the EU's diplomacy, e.g. through alignment in international fora on an ever widening scope of foreign policy issues, Serbia and Macedonia were induced to either increase their staff in relevant outreach coordination bodies, or/and to decentralise their foreign policy, by allowing their permanent representatives to take speedier decisions without requesting instructions from the MFA. This decentralisation of foreign policy decisions on alignment has been developed gradually, as a response to the time constraints under which the alignment mechanism is enacted. Since the EU only communicates its statement to non-EU states a few hours before OSCE meetings, little time is left for consultations within the MFA.

3.2.4. Extension of diplomatic networks: a deceptive case of *pseudo*-Europeanisation

3.2.4.1. The deceiving power of deductive research

With the EU's intent to become an international actor in world politics, the need to develop an adequate diplomatic network has risen for EU candidate states. Until the Lisbon Treaty, the EU was represented through its network of EC delegations, but these were only capable of handling issues within the scope of the Communities – which excluded the CFSP. The diplomatic representations of EU member states were therefore very important, especially those of the member states holding the rotating Presidency of the Council. Now, despite its newly created diplomatic service, the EU

[959] Interview with an Official from Ministry of Foreign Affairs of the Republic of Macedonia, CFSP Unit. Skopje, 07/03/2011

still heavily relies on its member states' representations abroad. Hence the Commission's interest for the diplomatic network of would-be candidates.

In its Questionnaire to Serbia (2010) and Macedonia (2004), the Commission accordingly raised the following question:

> *"Will your administration, and in particular the Ministry of Foreign Affairs, have the necessary structure […]to fully take part in the Foreign, security and defence policy (CFSP and CSDP) at the time of accession"?*[960]

Although the scope of this question is not delineated, one may argue that the "necessary structure" mentioned above shall include adequate diplomatic capacities. As a matter of fact, in its Questionnaire to Serbia, the Commission specifically requested the following:

> *"Please provide us with basic information on the structure, disposition, and numbers of your diplomatic service (embassies, missions, consulates general and consulates)"?*[961]

These questions do not explicitly convey any obligation, at least with regards to the opening of new embassies. And there is, actually, no formal requirement in that sense. But since Serbia and Macedonia are expected to "fully take part" in an ever growing CFSP; since this implies covering issue-areas as broad as Kosovo, East Timor or Somalia; since their participation in the CFSP would be undermined, should they lack diplomatic capacities, one could rightly expect that the geographical coverage of Serbia and Macedonia's diplomatic network should undergo adaptational changes as they move closer to the EU. One could even argue that this would imply a possible extension of their diplomatic network.

Seducing though it is, this inference would build on a deceit. By reifying the EU as sole point of reference, bracketing other determinants, and implicitly positing EU integration as primary source of change, deductive approaches tend to overestimate the salience of the EU independent variable in the analysis of social changes. The following section will illustrate this major flaw, by showing that inferring Europeanisation from the extension of Serbia and Macedonia's diplomatic networks would fail to present the actual reasons for this phenomenon. The following section will thus show that Serbia and Macedonia's diplomatic networks have grown in a significant manner over time. But it will not take the plunge and conclude on Europeanisation. It will show that, despite the appearances, the opening of new embassies abroad has little, if anything, to do with interactions with the EU. What matters here, is first and foremost the political and economic relations countries intend to develop with one another, at the bilateral level.

3.2.4.2. Documenting the extension of diplomatic networks

[960] Question 31.A.5, European Commission. 2004. 'Questionnaire Delivered by the European Commission to the Republic of Macedonia.' Questions 31.A.5, 12, European Commission. 2010e. 'Questionnaire Delivered by the European Commission to the Republic of Serbia.'
[961] Question 31.A.12., European Commission. 2010e. 'Questionnaire Delivered by the European Commission to the Republic of Serbia.'

This research is based on a series of personal communications (by email and by phone) with Serbia and Macedonia's embassies worldwide; on personal communications (by email) with Serbia and Macedonia's MFA civil servants from the department for bilateral relations[962]; on personal communications (by phone) with the personnel of foreign embassies in Skopje and Belgrade; on internet researches on Serbia and Macedonia's MFA website and the website of the MFA of the host country in which an embassy of Serbia/Macedonia is installed. These communications, transmitted between February and May 2012, have enabled the collection of primary data on the date of opening, and possibly closing, of Serbia and Macedonia's embassies worldwide, as well as the motives underpinning their opening or closing.

Only embassies (not missions) led by an Ambassador (not a chargé de mission) are considered in this analysis, as these embody the establishment of bilateral relations at the highest level. Serbia, being considered as the legal successor of the Federal Republic of Yugoslavia (1992-2003) and later Serbia-Montenegro state union (2003-2006), no nominal distinction is made between the different entities in the graphic. The research also neglects the temporary closing of Serbia/FRY's embassies for military-related reasons[963].

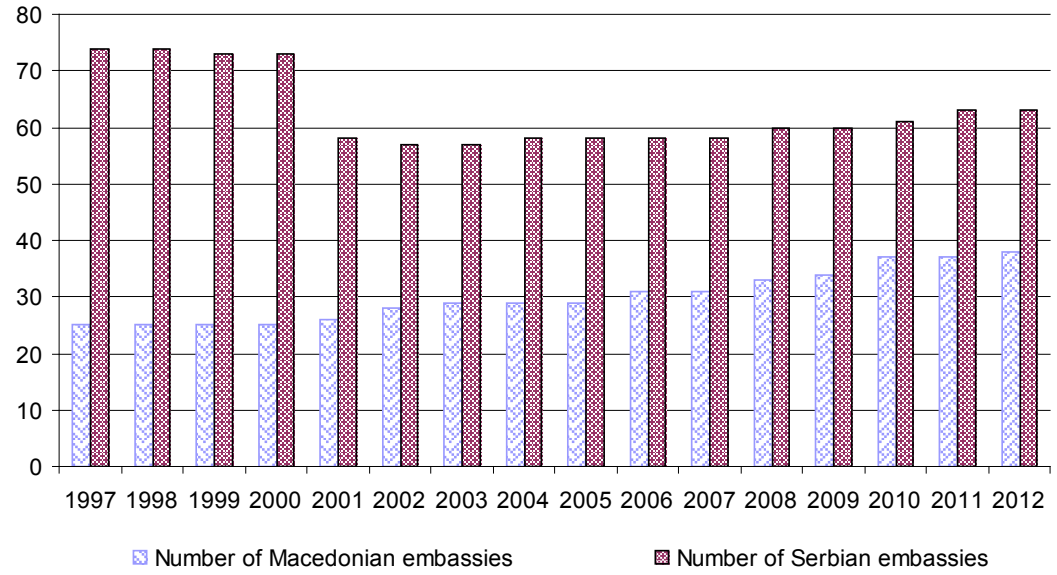
The results of the research indicate a clear tendency: Serbia and Macedonia's diplomatic networks have been extending gradually over time (see Figure 16). Of course the extension is most impressive for Macedonia, since the newly independent state started from scratch in the mid 1990s, in terms of bilateral representations. In 1997, it counted only 25 embassies worldwide, and most of them (22) were harboured in Europe (see Figure 16) In 2012, this number rose to 38. During this period, seven new embassies have opened in Europe, three in Asia, two in the Arab Peninsula, and one in Africa. Although Macedonia's bilateral representations are still predominantly located in Europe, one-fourth of them now extend Macedonia's bilateral outreach beyond the Old Continent.

Serbia's diplomatic network underwent similar changes, but under different circumstances. A successor of a diplomatically very active state (cofounder of the non-aligned movement), Serbia/FRY inherited in the 1990s a very broad diplomatic network. After the overthrow of Milosevic, Serbia/FRY reformed this network, closing 17 embassies (out of 74), mostly in Africa, where it was very present, and some in Asia. Since its neighbours had gained independence, it nonetheless opened new embassies in the region (in Bosnia-Herzegovina and Slovenia). After this initial restructuring in 2001, Serbia/FRY gradually re-extended the geographical coverage of its diplomatic network, especially from 2008 onwards (see Table 18). For instance, it re-opened four embassies in Africa and opened 3 embassies in Central Asia and the Arab Peninsula. Today, almost half of the embassies of Serbia (i.e. 28 out of 63) are located outside Europe –a much higher percentage than in Macedonia. Despite the financial crisis, Serbia will sustain its efforts at internationalising its diplomatic network: further openings are planned.

[962] Personal Communication from Official from Macedonia's Ministry of Foreign Affairs, Department for Africa and the Middle East. Skopje, 12/03/2012

[963] e.g. Serbia/FRY's embassy in New York and Paris closed in 1999 following Nato bombings in Belgrade; Serbia/FRY's embassy in Bagdad closed in 2003 following the Iraqi Freedom Operation; Serbia/FRY's embassy in Tirana closed between 1999 and 2001 following the war in Kosovo

Figure 16: Size of Serbia and Macedonia's diplomatic network



Source: compilation of data communicated personally from Serbia and Macedonia's officials[964]

Table 18: Geographical coverage of Serbia and Macedonia's diplomatic network

	% embassies in	1997	2002	2012	new embassies opened in					
Macedonia	Europe	88%	86%	76%	Egypt	2001	Qatar	2006	Estonia	2010
	America	8%	7%	5%	Holy See	2002	Czech Rep.	2008	Norway	2010
	Asia	4%	4%	11%	Spain	2002	Israel	2008	Japan	2012?
	Africa	0%	4%	3%	Australia	2003	India	2009		
	Arab peninsula, central Asia	0%	0%	5%	Montenegro	2006	Kosovo	2009		
	Number of embassies	*25*	*28*	*38*						

					opened		closed			
					Bosnia	2001	Mongolia	1999	Tanzania	2001
	% embassies in	1997	2002	2012	Slovenia	2001	Chile	2001	Uzbekistan	2001
	Europe	43%	60%	56%	Argentine	2008	DR Congo	2001	Thailand	2001
Serbia	Americas	11%	11%	10%	Montenegro	2008	Guinea	2001	Jordan	2002
	Asia	15%	11%	11%	Kenya	2009	DPR Korea	2001	Peru	2009
	Africa	22%	14%	14%	Qatar	2010	Vietnam	2001	Lebanon	2001
	Arab peninsula, central Asia	9%	5%	10%	Azerbaidjan	2011	Zambia	2001	Pakistan	2001
	Number of embassies	*74*	*57*	*63*	Congo, DR	2011	Kenya	2001	Venezuela	2001
					Kazakhstan	2011	Uganda	2001	Zimbabwe	2001
							Korea, RoK	2001-2004		
							Ghana	2001-2009, 2011		

Source: compilation of data communicated personally from Serbia and Macedonia's officials[965]

3.2.4.3. Argumentative analysis

3.2.4.3.1. Beyond the sheer appearances of Europeanisation

Macedonia and Serbia often refer to the relations with their EU on their embassies' websites, despite the fact that these are only involved in bilateral relations. Macedonia's embassies, for instance, all dedicate a significant (and standardised) part of their website to Euro-Atlantic integration. They present the country not only as Macedonia, but as prospective EU and Nato member state, and accordingly identify the European integration of Macedonia as an object of interest for their host country.

[964] Telephone Enquiries with the Staff of Two Dozens of Embassies Worlwide. Luxembourg, February-May 2012
[965] Ibid.

This could (falsely) lead to the conclusion that European integration matters in Macedonia's decision to open new embassies.

The opening of at least seven embassies (out of thirteen) is of particular interest here, because their website establishes a link between the opening of the embassy (mostly in Europe) and Macedonia's Euro-Atlantic aspirations. The idea suggested here is that the strengthening of bilateral relations with European member states shall accelerate Macedonia's integration into the EU and Nato. At the occasion of the opening of Macedonia's embassy to the Holy Sea, Prime Minister Georgievski, for instead, praised in 2002 the

> *"continued support from the Holy See, particularly in relation to the efforts of Macedonia for membership in the European Union, which on several occasions clearly expressed in the speeches of the current Roman pontiff".*[966]

Likewise, the opening of the Embassy of the Republic of Macedonia in Prague reportedly

> *"came as a result of the efforts of the Government of the Republic of Macedonia to intensify comprehensive relations with the countries of the European Union".*[967]

And it responded, more specifically to the

> *"constant and continuous support [the Czech Republic] has demonstrated for the integration of Macedonia in NATO and the EU".*[968]

Very similar arguments have been made by Macedonia's *chargé d'affaires* in Estonia, "one of the staunchest supporters of the EU and NATO open-door policies"[969]; in Montenegro, which shares with Macedonia the "common strategic objectives of EU and NATO integration"[970]; in Spain, where Macedonia's ambassador praised the "support by a country member of the European Union and NATO"[971]; and in Norway, for the country "strongly supports Macedonia's aspirations towards NATO"[972].

Beyond Europe, these dispositions take another form. They do not emerge from the expectation that bilateral cooperation with the host country shall contribute to Macedonia's Euro-Atlantic integration. They instead result from third countries' growing interest for Macedonia. As an official in Macedonia's MFA explained:

> *"Being a candidate is perceived as a good thing abroad, an asset in our relations. Many countries want to cooperate with us all the more since we are*

[966] AlfaTV. 14.1.2010. 'Ѓорѓевски: Стогодишнината Од Раѓањето На Мајка Тереза Добар Повод Папата Да Ја Посети Македонија.'
[967] Embassy of Macedonia in Prague. 'За Амбасадата'. [accessed 27.03.2012].
[968] Embassy of Macedonia in Prague. 'Билатерални Односи'. [accessed 27.03.2012].
[969] Kolev, N. 2012. 'Macedonia in Estonia -a Case of True Partnership.'; Embassy of Macedonia in Talin. 'Билатерални Односи'. [accessed 27.03.2012].
[970] Embassy of Macedonia in Podgorica. 'Билатерални Односи'. [accessed 27.03.2012].
[971] Embassy of Macedonia in Madrid. 'The Ambassador'. [accessed 27.03.2012].
[972] Macedonian Information Agency. 25.11.2008. 'Macedonia to Open Embassy in Norway.'

candidate. They open more embassies here [in Skopje], in a residential basis, and it pushes us to do the same, indirectly, as an act of reciprocity".[973]

Against all appearances, these dispositions, however, do not enter the scope of Europeanisation. They are at best factors that have facilitated the decision to extend Macedonia's diplomatic network. As the same official put it,

"interviewer: Has your diplomatic network extended through EU integration?
"interviewee: Not because of the EU. This extension is not imported from the EU, it is […] coherent with our history".[974]

Deprived of diplomatic services before its independence, Macedonia first engaged in building one as a means of promoting statehood[975]. In the 2000s, this objective was complemented with integrating the country into Euro-Atlantic structures. With growing dedication, Macedonia therefore sought to strengthen its bilateral relations with the countries that were members of these structures, in the hope that these would accelerate the integration of Macedonia in Euro-Atlantic structures. This cognition nurtured dispositions that drove in part the extension of Macedonia's diplomatic network. But these dispositions did not sustain decisive actions, since bilateral relations, in practice, are dealt separately from multilateral affairs.

"When it comes to the EU, as State counsellor for cooperation with non-European countries, I try not to take too much into consideration the position of the EU, because I know that others in the MFA will present the position of the EU. So, it is not up to me to accommodate EU views".[976]

What matters most, then, in the decision to open an embassy, is not Macedonia's quest for European integration; it is the bilateral relations with EU and non-EU countries alike, or, as stated by an official from the MFA responsible for bilateral affairs:

"I don't care if I'm speaking with an EU country or not. I have to deal with all of them in the same way, at the bilateral level. There is no difference in the approach of establishing relations".[977]

Serbia's embassies also identify the EU as object of interest on their website, but to a much lesser extent than Macedonia, and with few references to Nato integration (see Table 19). In London, for instance, Serbian Ambassador Dejan Popović underlined in 2012

"the support [Serbia] enjoys by friendly nations on the path of its Euro-integration. One of the biggest privileges I have […] is to cooperate with the people sincerely committed to the EU enlargement – the Government, Her

[973] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Bilateral Relations with Non European Countries. Skopje, 03/11/2011
[974] Ibid.
[975] Ibid.
[976] Ibid.
[977] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Bilateral Relations with European Countries. Skopje, 04/11/2011

Majesty's Opposition, civil servants, academics, business circles, local communities".[978]

This support, acknowledged by most of Serbia's ambassadors to EU countries, certainly fits Serbia's strategic interests, but it cannot convincingly explain the opening of Serbia's embassies. At best, Serbia's new embassy in Ljubljana (opened in 2001) was to

"devote special attention to its relations with the Republic of Slovenia as a former Yugoslav Republic and a Member State of the EU and NATO".[979]

Serbia expressed similar expectations for its Embassy to Macedonia and Croatia, but not at the moment of their opening (respectively in 1996 and 1997).

Table 19: Themes addressed by Serbia and Macedonia's embassies on their webpage as categories

Embassies of Macedonia	
EU and Nato	100%
Embassies of Serbia	
no webpage	39%
the EU only	3%
the EU and Kosovo	9%
Kosovo only	26%
neither the EU nor Kosovo	23%

Source: websites of Serbia and Macedonia's embassies worldwide, 2012

In fact, Serbia often overlooks its relations with the EU when it handles bilateral affairs with third countries. These relations are not, for instance, mentioned in the brief overview presenting Serbia's history from the medieval time to the dissolution of the state union[980]. And they are not used as publicity in Serbia's bilateral relations. Kosovo, by contrast, is often given a proper webpage, for instance under the banner "Kosovo's disastrous precedent"[981]. It is presented extensively as an object of interest (or a concern) for the host country. European affairs, to sum up, are barely a theme that impregnates Serbia's bilateral relations, unlike the Kosovo issue. The extension of Serbia's diplomatic network, then, rather seems related to the intensification of Serbia's diplomacy vis-à-vis the Kosovo independence issue.

3.2.4.3.2. Actual reasons for the extension of diplomatic networks

Inferring Europeanisation from the extension of Serbia and Macedonia's diplomatic networks would be misleading, at best. There is indeed no direct requirement in the EU's conditionality regime, which pertains to the opening of new embassies, and bilateral affairs, in practice, often remain separate from, if not insensitive to, EU multilateralism. Although some embassies do advertise European integration in their host country, their interest for European affairs is primarily rhetorical. It is not a determinant that decisively matters in the decision to open a new embassy –it is at best a facilitating factor.

[978] Embassy of Serbia in London. 'Speech on the Occasion of the National Day of Serbia and the Day of the Army of Serbia (2012)'. [accessed 27.11.2012].
[979] Ministry of Foreign Affairs of the Republic of Serbia. 'Bilaterala'. [accessed 27.03.2012].
[980] See for instance, Embassy of Serbia in London. 'History of Serbia'. [accessed 27.11.2012].
[981] Embassy of Serbia in London. 'Kosovo's Disastrous Precedent '. [accessed 27.11.2012].

Reasons for opening embassies are in fact much more diverse than those hypothesised by deductive approaches to Europeanisation. As a matter of fact, they often have nothing to do with the EU. The first and most important reason is certainly to support investments through economic diplomacy. In Canberra, the embassy of Macedonia primarily opened in order to back the Diaspora and foster Australian investments in Macedonia –unsurprisingly, official declarations do not evoke Macedonia's Euro-Atlantic bid for accession[982]. In Qatar, New Delhi and Tel Aviv, Macedonia mostly referred to economic prospects for cooperation as key justification for opening the embassies[983]. As explained by an official from the MFA,

> *"the main driving force for […] future openings will be economic, not political".* [984]

Only then comes politics. Macedonia did open embassies for political grounds, for instance in Cairo, in order to capitalise on the

> *"influential role that this country has the international political scene as a country with an exceptional role in the Middle East, Arab world and Africa".*[985]

Or in the Rome and New Deli, where it evoked the political support its received from the Holy See and India with regards to the name issue dispute with Greece[986]. Macedonia finally opened embassies in its neighbourhood, for obvious reasons. In Pristina, Macedonia's first ambassador substantiated Skopje's decision to open an embassy through the commitment to "strengthening peace and stability in the region"[987]. Of course, this general commitment echoes the EU's key objective in the region –establishing "good neighbourly relations"[988]. But it is above all Macedonia's "endogenous will".[989]

The reasons underpinning the opening (or closing) of Serbian embassies abroad are not different in substance, even though politics is sometimes given priority over economy. In the early 2000s, Serbia opened an embassy in Sarajevo and Ljubljana in order to promote good neighbourly relations[990]. But from 2008, the main rationale for opening embassies became the intensification of bilateral relations with non-European states opposed to Kosovo's declaration of independence. In Buenos Aires, Serbia opened an embassy after "the Government of Argentine brought the decision not to

[982] Macedonian Information Agency. 9.5.2005. 'Fm Mitreva Visits Australia.'
[983] SETimes. 21.10.2011. 'Macedonia, Qatar Ties Open up Investment Opportunities.'; Macedonian Information Agency. 20.1.2009. 'Macedonia Opens Embassy in India, Two Countries Boost Cooperation.'; Embassy of Macedonia in Tel Aviv. 'Билатерални Односи'. [accessed 27.03.2012].
[984] Tanjug. 13.3.2011. 'Serbia to Re-Open Embassy in Congo.'
[985] Embassy of Macedonia in Cairo. 'Билатерални Односи'. [accessed 27.03.2012].
[986] AlfaTV. 14.1.2010. 'Ѓорѓевски: Стогодишнината Од Раѓањето На Мајка Тереза Добар Повод Папата Да Ја Посети Македонија.'
[987] Embassy of Macedonia in Pristina. 'Амбасадор'. [accessed 27.03.2012]; Macedonian Information Agency. 20.1.2009. 'Macedonia Opens Embassy in India, Two Countries Boost Cooperation.'; Balkan Insight. 6.11.2009. 'Macedonia, Kosovo Open Embassies.'
[988] Balkan Insight. 15.3.2010. 'Macedonia Opens First Embassy in Kosovo.'
[989] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Bilateral Relations with Non European Countries. Skopje, 03/11/2011
[990] Ministry of Foreign Affairs of the Republic of Serbia. 'Bilaterala'. [accessed 27.03.2012].

recognize the unilateral declaration of independence (UDI) of Kosovo and Metohija", and expressed its concern that recognition would cause a "domino effect and the demise of the UN system"[991]; in Baku, Serbia's Foreign Minister Vuk Jeremić, similarly underlined

> *"the principled position of the two countries on the supremacy of international law standards of territorial integrity and sovereignty of states".*[992]

In Kinshasa, Vuk Jeremić welcomed

> *"Congo's principled support for Serbia in favour of the principle of territorial integrity, despite the pressures that aimed at changing the Congolese position".*[993]

And although the prospects for economic cooperation played a central role in the opening of Serbia's embassy to Ghana and Kazakhstan, so did the idea that enhancing bilateral relations with those states would help "lobbying against the recognition of independent Kosovo"[994]. Political concerns over Kosovo recognition did not only justify the opening of new embassies. They also pressed Serbia to close some of its representations, as retaliation for the host country's recognition of Kosovo independence. Serbia's embassy in Peru was accordingly closed in 2009 after the "Government of the Republic of Peru decided on 21 February 2008 to recognize the unilateral declaration of independence of Kosovo and Metohija"[995]. In Ghana, Serbia's embassy, which had just reopened in 2011, recently viewed its activities suspended owing to the country's recognition of Kosovo's independence[996]. And in 2008, Serbia declared for a short time the Montenegrin ambassador in Belgrade *persona non grata* on the same ground[997].

Decisions to open new embassies are constrained, if not blocked, by financial considerations. Macedonia, for instance, postponed *sine die* the opening of its embassy in Buenos Aires for financial reasons, and also rescheduled that in Tokyo, originally planned for 2010/2011. As an official argued,

> *"because of the economic crisis, the budget of my directorate was cut by one-third. Now, we see if we can still open Tokyo in 2012. But ultimately, I think that there is room for 5-6 more embassies, not more. More embassies may be opened, but then, others will have to be closed".*[998]

This constraint should not be underestimated. Financial considerations were also pivotal in many of the decisions that led to the closing of Serbia embassies in the early

[991] Ibid.
[992] Embassy of Serbia in Baku. 'Mutual Relations'. [accessed 27.03.2012].
[993] Tanjug. 13.3.2011. 'Serbia to Re-Open Embassy in Congo.'
[994] Novositi. 5.11.2010. 'Besplatna Ambasada U Kazahstanu.'
[995] Tanjug. 27.2.2008. 'Serbia Ambassadors Withdrawn from Belgium and Peru.'; Ministry of Foreign Affairs of the Republic of Peru. 'Relaciones Bilaterales'. [accessed 27.03.2012].
[996] B92. 1.3.2012. 'Ghana to Shut Down Belgrade Embassy.'
[997] Ministry of Foreign Affairs of the Republic of Montenegro. 'Bilateral Relations'. [accessed 20.3.2012].
[998] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Bilateral Relations with Non European Countries. Skopje, 03/11/2011

2000s. With the overthrow of Milosevic's regime, many African countries, participating in the non-aligned movement, lapsed out of Serbia's key interests[999]. Maintaining the embassies in those countries despite the lack of political and economic interest would have been too costly. Therefore, much of the 2001 restructuring of Serbia's diplomatic network ensued "for financial reasons"[1000]. Funds were reallocated within the MFA, and 17 embassies were accordingly closed.

3.2.5. Building up technical capacities

Over the past five to fifteen years, the technical capacities of Serbia and Macedonia's foreign policy institutions have been strengthened. Diplomats and civil servants have been enrolled in a large number of training programmes with the purpose of making them EU-literate in CFSP/ESDP matters. And communication networks have been modernised in the MFA and MoD, in order to increase the level of protection of confidential data and secure the exchange of sensitive information with foreign partners. These technical capacities have been strengthened through demand-driven interactions with European actors for the former (diplomatic training) and through supply-driven interactions for the latter (communication networks). Although the EU played an important role in supporting and framing the building up of these technical capacities, it has not been the sole actor, and sometimes not even the primary one. Europeanisation, in this field, was highly dependent on Serbia and Macedonia's engagement with EU member states and Nato.

3.2.5.1. Enhancing diplomatic training capacities on EU affairs

3.2.5.1.1. Descriptive analysis: domestic and foreign sources of expertise

With the acceleration in the 2000s of their EU integration process, Serbia and Macedonia have soon been confronted with a compelling need to rely on competent professionals, capable of negotiating with European actors on sometimes very technical issues [1001]. Efforts were therefore devoted at training new experts, rejuvenating the staff, improving its technical skills, and developing its proficiency in foreign languages. The phenomenon has concerned both Serbia and Macedonia –with significant differences though.

Owing to the lack of domestic capacities for the provision of training courses in CFSP/ESDP affairs, Macedonia swiftly demonstrated a strong interest in being included "in all forms of training" organised in this field by European actors[1002]. Many of these training courses were staged by EU member states directly[1003]. Austria, Slovenia, Germany and Hungary initiated for instance ESDP training programmes for SAA countries in 2006/2007 and 2008/2009, in which Macedonia participated[1004].

[999] Interview with a Senior Researcher from the Belgrade Centre for Security Policy. Belgrade, 01/03/2011
[1000] Ministry of Foreign Affairs of the Republic of Serbia. 'Bilaterala'. [accessed 27.03.2012].
[1001] Interview with an Official from the European Integration Office, Government of the Republic of Serbia. Belgrade, 14/09/2011
[1002] Government of the Republic of Macedonia. April 2007. 'National Programme for the Adoption of the Acquis Communautaire.'
[1003] Interview with an Official from the Austrian Embassy in Macedonia. Skopje, 08/03/2011
[1004] Government of the Republic of Macedonia. March 2008. 'National Programme for the Adoption of the Acquis Communautaire.'

And Norway financed in 2009 a 10.000€ training project on the "introduction the gender concept in the area of security and defence" in Macedonia[1005]. Other courses were organised by the European Security and Defence College (a network of EU member states educational institutions), or the Secretariat General of the EU Council[1006]. Some courses were finally organised by the Commission itself, under the scheme of Technical Assistance and Information Exchange (TAIEX)[1007]. These courses mainly featured European experts or civil servants, often in post, sharing their experience with Macedonian counterparts. They were often organised at the request of Macedonia (or other SAA countries) and addressed various aspects of Macedonia's participation in the EU's CFSP/ESDP, namely crisis management, civilian-military coordination, fight against terrorism, reforms in the security sector, classification of information, implementation of international restrictive measures and industrial security[1008]. The participation of Macedonia's civil servants to demand-driven training programmes was coordinated by the SEA.

For the past fifteen years, Macedonia has imported most of its expertise on CSFP/ESDP affairs by participating in such programmes organised by a multitude of European actors. Although these have responded effectively to the MFA's needs in this matter, the idea of strengthening Macedonia's domestic capacities for diplomatic training has recently arisen. In 2007, the MFA therefore launched a plan to create a full-fledged Diplomatic Academy. Its purpose was to go beyond the provision of tailor-made, issue-specific courses; to train a new generation of diplomats directly in Macedonia, in cooperation with foreign institutes, rather than having them sent in foreign diplomatic academies (e.g. in Vienna, Rome or Malta). Although the project remains stalled for financial reasons, it arguably "represents a step forward in the sphere of diplomatic education"[1009].

In Serbia, these domestic capacities for professional training have already been in place for more than a decade. They have been inherited from the longer diplomatic tradition of the country, and they make the MFA today less dependent on foreign expertise. The Diplomatic Academy "Koča Popović", created in 1998, is an active contributor in this field. Its programmes are "designed to enhance the specific

[1005] Government of the Republic of Macedonia. 29 May 2009. 'National Programme for the Adoption of the Acquis Communautaire.'
[1006] Government of the Republic of Macedonia. April 2010. 'Monthly Progress Brief on the European Integration of the Republic of Macedonia for April 2010.'; Government of the Republic of Macedonia. 2012. 'National Programme for the Adoption of the Acquis Communautaire.'
[1007] MPB, Government of the Republic of Macedonia. February 2010. 'Monthly Progress Brief on the European Integration of the Republic of Macedonia for January 2010.'; NPAA, Government of the Republic of Macedonia. 2012. 'National Programme for the Adoption of the Acquis Communautaire.'
[1008] Government of the Republic of Macedonia. April 2007. 'National Programme for the Adoption of the Acquis Communautaire.'; Government of the Republic of Macedonia. March 2008. 'National Programme for the Adoption of the Acquis Communautaire.'; Government of the Republic of Macedonia. 29 May 2009. 'National Programme for the Adoption of the Acquis Communautaire.'; Government of the Republic of Macedonia. 1 February 2010. 'Monthly Progress Brief on the European Integration of the Republic of Macedonia for January 2010.'; Government of the Republic of Macedonia. April 2010. 'Monthly Progress Brief on the European Integration of the Republic of Macedonia for April 2010.'; Government of the Republic of Macedonia. June 2010. 'Monthly Progress Brief on the European Integration of the Republic of Macedonia for June 2010.'; Government of the Republic of Macedonia. September 2010. 'Monthly Progress Brief on the European Integration of the Republic of Macedonia for September 2010.'
[1009] Mitevska-Avramova, L. January 2007. 'Diplomatic Academy – Step Forward in Diplomatic Education.' Macedonian Diplomatic Bulletin, vol.12. p. 8.

knowledge and skills of diplomats and civil servants and become the stronghold of their professional career development"[1010]. The Diplomatic Academy underwent a profound reform in 2001, following the overthrow of Milosevic. Its recruitment procedure was depoliticised[1011]. For the younger recruits willing to prepare the MFA entrance examination, it now requires a university degree and a good command of English, posits a 35-year old age limit and conditions entrance on an examination[1012]. Changes not only affected the selection process. The academic programme was also modernised with a new emphasis on European integration[1013]. Courses on EU law and EU institutions are today compulsory: they form one pillar in the academic programme. Additional courses on EU/Nato approach to human rights or EU/Nato multilateral diplomacy or military diplomacy are also compulsory. The Academy also offers non-compulsory electives on the EU's CFSP (e.g. "the EU as an actor in international relations"), as well as courses addressing topical questions (e.g. in 2005, the "CFSP in the draft treaty establishing a constitution for Europe"). Although most of the lectures are given by Serbian experts, foreign scholars are occasionally invited. The Academy entered in cooperation with a wide range of foreign partners, i.e. more than twenty diplomatic academies worldwide (e.g. Vienna, Croatia, Egypt, Spain, the US, Turkey) and around fifteen academic institutions, including the John F. Kennedy School of Government (Harvard University), the Centre for Political and Diplomatic Studies (Oxford University), the French National School of Administration (ENA) and the College of Europe in Bruges[1014]. These improvements increased the reputation of the Academy in the region, which now attracts an increasing number of diplomats from neighbouring countries and even beyond (e.g. Iraqi diplomats in 2011)[1015]. They contribute to strengthening the already positive image of Serbian diplomats in foreign circles –that of "excellent and very well educated" professionals, who usually demonstrate a very good command of several languages, including French, English and German[1016].

Beside the activities of the Diplomatic Academy, the civil servants of Serbia's MFA have participated in a number of external training courses, organised by a variety of European actors between 2001 and 2010[1017]. Between 2006 and 2008, the SEIO coordinated the organisation of more than 50 courses[1018]. Some of them directly focussed on CFSP/ESDP affairs. EU member states largely contributed to delivering such expertise. In the framework of the Szeged Process, the modalities of which were previously agreed upon through the signature of a Memorandum on cooperation in the

[1010] Ministry of Foreign Affairs of the Republic of Serbia. 'Diplomatic Academy and Education of Diplomats'. [accessed 3.4.2012].
[1011] Interview with a Senior Researcher from the Belgrade Centre for Security Policy. Belgrade, 01/03/2011
[1012] Ministry of Foreign Affairs of the Republic of Serbia. 'Diplomatic Academy and Education of Diplomats'. [accessed 3.4.2012].
[1013] Interview with a Senior Researcher from the Belgrade Centre for Security Policy. Belgrade, 01/03/2011
[1014] Ministry of Foreign Affairs of the Republic of Serbia. 'Diplomatic Academy - "Koca Popovic" - Partners'. [accessed 3.4.2012].
[1015] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Serbia, Diplomatic Academy "Koca Popovic". Belgrade, 02/03/2011
[1016] Interview with an Official from the Embassy of the Republic of Austria to Serbia. Belgrade, 13/09/2011
[1017] Government of the Republic of Serbia. n.d. 'The Training of Civil Servants on EU Matters.'
[1018] European Integration Office of Serbia and Montenegro. 'Serbia and Montenegro European Integration Office'. [accessed 22.3.2011].

field of EU integration, Hungary remains a key provider of technical assistance since 2005. Also active in this field, Norway organised a seminar on CFSP coordination in 2009. And France and Slovenia organised twining projects from 2006, which dealt with some aspects of the CFSP too (e.g. "Capacity Building regarding the European integration process). These training programmes, intended for lower- and medium-ranked diplomats, mostly focussed on "issues related to the CFSP, upgrading negotiation and lobbing skills"[1019].

3.2.5.1.2. Inference and argumentative analysis

Europeanisation may be inferred from Serbia and Macedonia's capacity-building efforts in the field of diplomatic training, inasmuch as these are pursued in the framework of European integration. And indeed, the involvement of the EU and its member states in the delivery of the expertise and the training courses casts little doubt on the inference. It is Serbia and Macedonia's prospect for EU integration which shaped this quest for foreign and domestic expertise on EU affairs generally and the CFSP more specifically.

The need to build up these capacities has even been addressed explicitly by the Commission, which in its proceedings states the following:

> *"Participation in the formulation and implementation of EU's CFSP and CSDP requires the existence of a functioning MFA and possibly other line ministries, with appropriately trained officials who have the necessary technical and language skills to participate in the various policy making bodies and Council working groups at different levels".*[1020]

Clear though it is, the Commission's guideline remains vague as for the means to achieve this goal and the extent of the reform that is expected. That may explain why Serbia and Macedonia, having inherited different capacities, chose different paths to improve the diplomatic training of their civil servants. The former, which already had an established diplomatic academy at its disposal, strengthened its domestic capacities in addition to appealing to foreign programmes. The latter, by contrast, since it lacked domestic structures, first looked for foreign expertise, and eventually considered opening a diplomatic academy.

In both, the EU and its member states have played a crucial role. The EU financed some training courses under its TAIEX and Twinning programmes (although the emphasis here was not put directly on the CFSP/ESDP). At the intergovernmental level, Serbia and Macedonia also resorted to cooperation schemes serving the same purpose. But the development of such programmes of technical assistance was operated on "voluntary basis"[1021]. Diplomatic training was then more driven by demand than imposed by conditionality. And it actually responded to changes in Serbia and Macedonia's foreign policy environment. With their gradual integration

[1019] Government of the Republic of Serbia. October 2008. 'National Programme for Integration with the European Union.'
[1020] European Commission. 7 June 2004. 'Main Administrative Structures Required for Implementation of the Acquis.' p. 87.
[1021] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Serbia, Department for Common Foreign and Security Policy and Security Challenges. Belgrade, 13/09/2011

into European structure, Serbia and Macedonia's diplomats were offered (at different time though) the possibility to participate (albeit restrictively) in the EU's CFSP and Nato's PfP. In order to keep up with the level of the member states' diplomacy, training naturally emerged as a *panacea*. These institutional frameworks, in which Serbia and Macedonia's professionals growingly interact with their European peers, provided the background stimulus, or disposition, to build domestic capacities in this field, and "avoid looking ridiculously unskilled"[1022]. In Serbia, it was also pursued with the intent to toughen the country's capacity to "stand firm" in multilateral negotiations, whether with or through the EU[1023].

3.2.5.2. Enhancing the protection of diplomatic communications

3.2.5.2.1. Descriptive analysis: adopting new standards for more security

In the past few years, Serbia and Macedonia have taken the necessary steps for coming closer to the EU and Nato in the field of diplomatic communications. Both have accordingly enhanced the level of security of their diplomatic communications, and they have built the legal and technical capacities to securely exchange classified information.

These changes have affected Macedonia already in the 1990s, as the country came closer to Nato. Driven by the Partnership for Peace (PfP), which Macedonia joined in 1995, the modernisation of Macedonia's diplomatic communications started with the signature of a Nato Security Agreement in 1996. An Office for reciprocal security was created in the MoD, which hosted a central registry of classified information. Sub-registries were likewise created in the MFA. Following Nato recommendations, the Office was reformed in 2002 and 2004 so as to become increasingly independent[1024]. In 2004, the Law on Classified Information enabled it to grow into a standalone administrative body, the Directorate for Security of Classified Information (DSCI)[1025]. Its task now is to guarantee the security of classified information in all its dimensions[1026]: personnel (e.g. through security vetting or the issuance of security clearance), administrative (e.g. through the installation of central and sub-registries), physical (e.g. through the technical definition of security areas) and information (e.g. through cryptographic protection). It is also to ensure "the continuous application of the international standards and norms" in the field of security policy, while taking on the measures and activities securing the exchange of classified information "with foreign states and international organizations"[1027]. In order to further enhance Macedonia's communication security policy, the 2004 law on classified information was amended in 2007, and the capacities of the Directorate centrally responsible for the protection of classified information in the MFA were accordingly strengthened,

[1022] Interview with a Research Fellow, Formerly at the Institute for International Politics and Economics. Belgrade, 13/09/2011
[1023] Interview with an Official from the European Integration Office, Government of the Republic of Serbia. Belgrade, 14/09/2011
[1024] DSCI, Directorate for Security of Classified Information. 'Presentation'. [accessed 03.04.2012].
[1025] DSCI, Ibid.
[1026] Interview with an Official from Macedonia's Directorate for Security of Classified Information. Skopje, 31/03/2012
[1027] Skopje, 31/03/2006

e.g. through the procurement of security equipment and training sessions[1028]. Between 2007 and 2012, around twenty seminars and training sessions were organised, including some TAIEX courses, in order to improve the level of expertise of DSCI and MFA employees in matters of diplomatic communications[1029].

Macedonia's communications in the framework of Nato's PfP were not the only concerned by these improvements. As of 2007, the security of Macedonia's diplomatic communications was enhanced internally, with the installation of a virtual private network (VPN), securely connecting the MFA with its diplomatic and consular missions abroad[1030]. Communications via VPN is commonly used to connect an organisation to its offices by creating a "fully encrypted 'virtual tunnel' over the public internet", which prevents eavesdropping and interceptions, and authenticates the communications[1031].

More importantly, with the modernisation of Macedonia's communication structures, new opportunities for cooperation were created. In 2005, Macedonia received the status of EU candidate, and took the necessary steps for its full participation in the CFSP. It concluded in 2005 a bilateral agreement on the exchange and protection of classified information with the European Union, which was a prerequisite for building further capacities in the CFSP area. The procurement (from the EU) of a Certified Computer Unit, installed both in the MFA and in Macedonia's mission to the EU in Brussels, soon allowed Macedonia to gain access to the EU's Network for Electronic Exchange of Classified CFSP information with the Candidate Countries (ACN). Intended for candidate countries, this ACN network connects the associated states directly to the Secretariat General of the EU Council. It notably facilities the process of alignment with EU *démarches*, positions, declarations and joint actions, but also allows the associated countries to transmit information to the other countries in the network on foreign policy activities. First foreseen by the end of 2006[1032], the installation of the equipment required for participating in the ACN was repeatedly delayed[1033], and eventually completed in 2009[1034]. It henceforth "continue[d] to operate without problems"[1035]. Although the ACN network is designed to allow the exchange of various forms of information, including consultations, Macedonia today uses it "only for the process of alignment"[1036].

[1028] Government of the Republic of Macedonia. April 2007. 'National Programme for the Adoption of the Acquis Communautaire.'
[1029] DSCI, Directorate for Security of Classified Information. 'Presentation'. [accessed 03.04.2012].
[1030] Republic of Macedonia. September 2005. 'Answers of to Additional Questions Referring to the Economic Criteria and the Chapters of the Acquis.'; Government of the Republic of Macedonia. April 2007. 'National Programme for the Adoption of the Acquis Communautaire.'
[1031] ConnectionVPN. 'Benefits of Connecting Via a Vpn'. [accessed 02.04.2012].
[1032] Government of the Republic of Macedonia. March 2006. 'National Programme for the Adoption of the Acquis Communautaire.'
[1033] Government of the Republic of Macedonia. April 2007. 'National Programme for the Adoption of the Acquis Communautaire.'; Government of the Republic of Macedonia. March 2008. 'National Programme for the Adoption of the Acquis Communautaire.'
[1034] Government of the Republic of Macedonia. 29 May 2009. 'National Programme for the Adoption of the Acquis Communautaire.'
[1035] Government of the Republic of Macedonia. 2012. 'National Programme for the Adoption of the Acquis Communautaire.'
[1036] Interview with an Official from Ministry of Foreign Affairs of the Republic of Macedonia, CFSP Unit. Skopje, 07/03/2011

Following (and in addition to) the agreements concluded with Nato in 1996 and the EU in 2005, Macedonia has concluded bilateral agreements on exchange and protection of classified information with an ever growing group of European countries[1037]: Bulgaria (2006) Albania (2006), the Czech Republic (2009), Slovakia (2009), Croatia (2009), Estonia (2009), Ukraine (2009), Poland (2010), Slovenia (2011), France (2011), and negotiations are going on with Germany [1038]. These agreements complement the EU/Nato framework and offer to Macedonia the possibility to intensify its exchange of classified information on issues that go beyond alignment[1039].

Unlike Macedonia, Serbia just entered the early phase of adaptation of its diplomatic communications network. Following its entrance in Nato's PfP in December 2006, it adopted in 2007 a Law on the Fundamentals for the Regulation of Safety Services[1040] establishing the Office of the National Safety Council. With the adoption in 2009 of the Data Secrecy Law[1041], the Office grew into the present Office of the Council for National Safety and Protection of Secret Data (hereafter: Council Office). Just as Macedonia's DSCI, Serbia' Council Office is an autonomous Government agency entrusted with legal capacity. It hosts the central registry of foreign classified information and documents, and it is responsible for "the implementation of assumed international obligations and international agreements concluded between the Republic of Serbia and other states or international agencies and organisations in the field of secret data protection"[1042]. The extent to which the capacities of the Council Office have been built since 2007 remains obscure for little information is available on this organisation[1043].

Having strengthened its organisational capacities in the field of data protection, Serbia engaged in exchanging classified information with Nato. It concluded in October 2008 the necessary Security Agreement, creating thereby the "conditions for a more active role in the PfP programme"[1044]. But Serbia has not signed such an agreement with the EU yet, although negotiations are ongoing[1045]. It passed, in December 2009, a Law on Confidentiality, which fulfils the EU's conditions for applying for such an agreement with EU [1046]. But the technical framework for exchanging classified information with the EU is not operational yet. Serbia has not signed similar agreements at the bilateral level with individual states either.

In short, Macedonia and Serbia are both involved in enhancing their technical capacities in the field of diplomatic communications. But Macedonia started this

[1037] DSCI, Directorate for Security of Classified Information. 'Presentation'. [accessed 03.04.2012].
[1038] Government of the Republic of Macedonia. 2012. 'National Programme for the Adoption of the Acquis Communautaire.'
[1039] Interview with an Official from Ministry of Foreign Affairs of the Republic of Macedonia, CFSP Unit. Skopje, 07/03/2011
[1040] Official Gazette, 116/07
[1041] Official Gazette 104/09
[1042] Article 87, Data Secrecy Law of the Republic of Serbia. 2009.
[1043] The Council Office has, for instance, no website, and no information could be found on the Government's webpage.
[1044] Ministry of Foreign Affairs of the Republic of Serbia. 'Multilateral Issues'. [accessed 03.04.2012].
[1045] Republic of Serbia. 2011. 'Answers of the Republic of Serbia to the EU Questionnaire Delivered by the European Commission.'
[1046] Government of the Republic of Serbia. December 2009. 'National Programme for Integration with the European Union.'

process already in the 1990s, through its participation in the PfP programme, modernised its internal communication network, and in the 2000s, set up the legal and technical foundations that allow the MFA to securely exchange classified information with the EU and its member states in the field of the CFSP/ESDP. Less connected to European structures, Serbia only started to adapt its communications system in 2007/2009, through the PfP programme. Its participation in the EU's diplomatic communication network remains very limited.

3.2.5.2.2. From adaptation to Nato to alignment with the EU

In security and defence Western Balkan states often speak of "Euro-Atlantic integration" rather than (or in addition to) European or EU integration. For them, both processes are part of a "return-to-Europe" narrative[1047]. Conditions to work with, or accede to, both organisations are to a large extent "very similar" [1048] and "interconnected" [1049], although the EU "does not formally encourage prospective member states to join NATO" [1050]. At the technical level, the EU conveys NATO standards in its conditionality dialogue with Serbia and Macedonia[1051]. In particular, it has adopted technical and security standards for the transmission of classified information, which are very close to Nato standards. These standards have become part of the CFSP acquis, and compliance with them is now controlled by the Commission prior to accession[1052]. In its proceedings, the Commission also already stated that:

> *"each member state must have a functioning cipher system fully compatible with established EU technical and security standards for the transmission of classified information, in order to participate in the exchange of encrypted electronic CFSP and ESDP information as of the moment of accession".* [1053]

The technical and security standards mentioned in the Commission's document are provided in a Council's decision on security regulations [1054] and a Commission's decision [1055]. These landmark documents expressly codify the management and exchange of classified information within the EU, and secure the use of the two communication networks the EU and its member states use in foreign policy matters: the CORTESY system for CFSP questions (the COREU Terminal Equipment System) and the ESDP-NET for ESDP questions (inherited from the Western European

[1047] Koops, J. A. 2010. 'Unstrategic Partners: Nato's Relations with the European Union.' In *Entangling Alliance: 60 Jahre Nato. Geschichte, Gegenwart, Zukunft*, eds. Kremp, W. and Meyer, B.
[1048] Interview with a Project Coordinator at the Isac Fund. Belgrade, 02/03/2011
[1049] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Political and Security Cooperation. Skopje, 01/11/2011
[1050] Interview with an Official from the Delegation of the European Union to the Republic of Serbia, Political Section. Belgrade, 16/09/2011
[1051] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Serbia, Partnership for Peace Unit. Belgrade, 12/09/2011
[1052] Chap. 31, point 42, European Commission. 2010e. 'Questionnaire Delivered by the European Commission to the Republic of Serbia.'
[1053] European Commission. 7 June 2004. 'Main Administrative Structures Required for Implementation of the Acquis.' p. 87.
[1054] Council of the European Union. 19 March 2001. 'Council's Decision Adopting the Council's Security Regulations.'
[1055] European Commission. 29 March 2001. 'Commission's Decision Amending Its Internal Rules of Procedure.'

Union's WEU-NET in 2001)[1056]. These systems secure the exchange of classified information between the Council's General Secretariat, the national capitals, the Commission and other organisations[1057].

Of course, as Serbia and Macedonia are not EU member states, they cannot fully take part in the CORTESY/ESDP-NET networks. Most notably, they cannot use the networks to participate in the preparation/elaboration of EU decisions and statements on CFSP/ESDP issues[1058]. But Serbia and Macedonia are nonetheless expected to take part in the ACN system, a system allowing them to receive a certain type of classified information from the EU (e.g. invitations to vote as the EU; invitations to align with a given statement, etc…). Participation in this ACN network is even part of their conditionality regime, but it implies that some adaptational changes in accordingly securing the installations, and meeting EU standards in terms of personnel, administrative, physical and information security. Serbia having been granted the status of candidate only in 2012, it could not interact on the same platform as Macedonia before, and it was therefore not held to adopt these standards beforehand.

3.2.5.2.3. Adaptational change as requirement for CFSP participation

The political dialogue on diplomatic communications started for both countries with the Commission's questionnaire addressed to EU applicants, and it has been closely monitored by the Commission's progress reports ever since. In 2005, the Commission enquired into Macedonia's "capacity to participate in secure communications networks" [1059]. Throughout its progress reports, its attention then focussed on Macedonia's law on Classified information[1060], on the installation of the ACN network[1061], on the signature of bilateral agreements on diplomatic communications security with EU member states[1062], and more generally on security measures in the field[1063]. Communications between Macedonia and the Commission thus revolved precisely around security-related issues in diplomatic communications. Throughout its conditionality dialogue with Macedonia, the Commission has evaluated the reform process, including through relevant inspections. In 2008, it thus noted that in the field of diplomatic communications,

> *"there is a lack of human and budgetary support".*[1064]

[1056] Duke, S. 2006. 'Intelligence, Security and Information Flows in CFSP.' *Intelligence and National Security* vol.21 (4).
[1057] Council of the European Union. '"CFSP Guide" - Compilation of Relevant Texts.'
[1058] Bicchi, F. and Carta, C. 2010. 'The Coreu/Cortesy Network and the Circulation of Information within EU Foreign Policy.' *RECON Online Working Paper* vol.2010/01.
[1059] Republic of Macedonia. September 2005. 'Answers of to Additional Questions Referring to the Economic Criteria and the Chapters of the Acquis.' p. 197.
[1060] European Commission. 6 November 2007b. 'The Former Yugoslav Republic of Macedonia 2007 Progress Report.'
[1061] European Commission. 5 November 2008c. 'The Former Yugoslav Republic of Macedonia 2008 Progress Report.'
[1062] European Commission. 9 November 2010b. 'The Former Yugoslav Republic of Macedonia 2010 Progress Report.'
[1063] European Commission. 12 October 2011d. 'The Former Yugoslav Republic of Macedonia 2011 Progress Report.'
[1064] European Commission. 5 November 2008c. 'The Former Yugoslav Republic of Macedonia 2008 Progress Report.'

Macedonia responded by strengthening its technical capacities in secured communication systems and invited experts to train DSCI civil servants [1065]. In 2009, the EU inspection team accordingly "presented a positive evaluation of the progress made since the previous inspection conducted in May 2006" [1066]. It validated the effective alignment of Macedonia's communication security policy with the EU.

Serbia's interactions with the EU on that matter also started upon the Commission's delivery of its questionnaire (though later, in 2010). They conveyed, however, obligations that were right off more specific than in Macedonia's questionnaire. Instead of merely enquiring into the "capacity to participate in secure communications networks"[1067], the Commission addressed to Serbia the following set of questions:

> *"Is the legal framework on security procedures for the exchange of classified information which enables secure communication between Member States' Foreign Ministries in place?*
>
> *Does your country comply with the EU security policy requirements? Does your country have an agreement with the EU on security procedures for the exchange of classified information and has it been ratified?*
>
> *Does your country comply with the Council Decision of 19 March 2001 adopting the Council's security measures (2001/264/EC) as amended by the Council".* [1068]

From its answers to this questionnaire, it is quite clear that political compliance is what drove the on-going reform of Serbia communication security policy. In drawing up the 2009 Data Secrecy Law, Serbia's Government reportedly "took into account the EU standards and requirements in the field of the system of classified information", in particular the Council Decision 2001/264/EC[1069]. It also acknowledged that the country "has yet to harmonise its legislation in this field with the EU regulations", especially by signing and ratifying the Agreement between the European Union and the Republic of Serbia on security procedures for exchanging and protecting classified information[1070]. A first agreement with the EU was signed in May 2011.[1071]

3.2.5.2.4. EU vs. Nato: Janus-faced Europeanisation

Asserting that Serbia and Macedonia have adapted their organisational settings through political compliance with EU standards may be misleading. Indeed, these "EU standards" are not genuinely "EU" standards; they have been taken over from

[1065] Government of the Republic of Macedonia. 29 May 2009. 'National Programme for the Adoption of the Acquis Communautaire.'
[1066] Ibid.
[1067] Republic of Macedonia. September 2005. 'Answers of to Additional Questions Referring to the Economic Criteria and the Chapters of the Acquis.' p. 197.
[1068] Questions 31.C.42-44 and 46, European Commission. 2010e. 'Questionnaire Delivered by the European Commission to the Republic of Serbia.'
[1069] Republic of Serbia. 2011. 'Answers of the Republic of Serbia to the EU Questionnaire Delivered by the European Commission.'
[1070] Ibid.
[1071] European Commission. 12 October 2011a. 'Analytical Report for the Opinion on Serbia's Application for Membership of the European Union.'

NATO's toolbox[1072]. One should not, therefore, put the EU on a pedestal, whilst inferring Europeanisation. It is not responsible for the alpha and omega of Serbia and Macedonia's adaptational changes in this specific field of diplomatic communication policy. And one should acknowledge the decisive role of Nato vis-à-vis the EU.

The adoption of European security standards in the field of diplomatic communications is rooted in Nato's Partnership for Peace programme (PfP), which Macedonia joined in 1995, and Serbia in 2006. It was brought a step further as Macedonia deepened its cooperation with Nato in the framework of the individual partnership programmes (IPP) and MAP (Membership Action Plan) processes. And it was monitored by Nato throughout the process, e.g. through regular PfP inspections. By joining the PfP programme, Serbia and Macedonia committed themselves to professionalise their crypto-communication systems according to Nato security standards. These standards were stipulated in Serbia and Macedonia's respective bilateral Security Agreement with Nato, which predate those concluded with the EU. They pertain to personnel security (e.g. issuance of security certificates according to the "need to know" principle)[1073]; administrative security (with the creation of a central registry and several sub-registries)[1074]; physical security (with construction and surveillance norms)[1075], and also address the issue of exchanging classified information through Nato's secure communication and information networks (CIS)[1076]. These Nato standards only entered the EU's CFSP *acquis* more recently, as the EU developed its activities in domains overlapping Nato's scope of action[1077]. In communication security matters, then, it can be observed that Nato preceded the EU in building the interaction structure on which Serbia and Macedonia now operate.

But in a context marked by the tightening of EU-Nato relations, disentangling Nato from EU standards is risky, at best. EU norms are indeed in all respects very close to Nato standards. They even "travelled" from one institution (Nato) to another (the EU), resulting in their inter-institutional harmonisation. In 2000, Javier Solana, who just ended his mandate as Nato's Secretary General, introduced, as EU High Representative, the proposal to reform the protection of classified information applicable to the EU. This proposal ensued through an exchange of letters between the Secretaries-General of Nato and the Council Secretariat on 26 July 2000[1078]. It tightened the EU's security standards, put them in line with Nato, and paved the ground of the more comprehensive security agreement the two organisations signed in 2003[1079]. Considering the inter-institutional context, in which Serbia and Macedonia professionalised their diplomatic communications networks, speaking of European

[1072] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Serbia, Partnership for Peace Unit. Belgrade, 12/09/2011
[1073] Nato Security Committee. 8 Septembre 2009. 'Directive on Personal Security.'
[1074] Nato Security Committee. 4 February 2005. 'Directive on the Security of Information.'
[1075] Nato Security Committee. n.d. 'Directive on the Physical Security.'
[1076] Secretary General of the North Atlantic Council. 17 June 2002. 'Security within the North Atlantic Treaty Organisation (Nato).'
[1077] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Serbia, Partnership for Peace Unit. Belgrade, 12/09/2011; Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Political and Security Cooperation. Skopje, 01/11/2011
[1078] Duke, S. 2006. 'Intelligence, Security and Information Flows in CFSP.' *Intelligence and National Security* vol.21 (4).
[1079] Council of the European Union. 3 June 2003. 'Security Standards for the Protection of Classified Information Exchanged between Nato and the EU.'

structures rather than EU or Nato structures is more appropriate than ever. This broader understanding of Europeanisation contrast with a conception of EU-isation that would overestimate the transformative power of the EU in foreign policy.

3.2.6. Summary of the findings

Over the past 15 years, Serbia and Macedonia's foreign policy actors have undergone critical changes in the organisational design of their foreign policy institution, in at least three respects: administrative capacity-building, extension of the geographical coverage of their diplomatic network and technical capacity-building. These changes have affected both administrations differentially, and have placed Serbia and Macedonia's foreign policy actors at a ringside seat of the blurring distinction between the domestic and the foreign in Europe. Most of them can hardly be understood in isolation of the European context in which they took place. Of course, one should not fail to emphasise that Serbia and Macedonia did not engage in reforming their foreign policy organisations with the same heritage. Unlike Macedonia, which had to create its foreign policy *apparatus* from scratch in the 1990s, Serbia could rely on a long diplomatic tradition affording larger resources and expertise.

Many of the observations described in the previous section barely conceal a European lineage. For instance, shortly after gaining its status of EU candidate in 2005, Macedonia established its SEA, initiated EU-related reforms in the MFA, created a Unit for CFSP, increased the staffing and training of its EU/Nato-related units, assigned a diplomat in Brussels to deal specifically with the CFSP, speeded up its training process in EU and CFSP matters, and brought its diplomatic communications structure in line with EU standards. The same is true of Serbia, although its organisational reforms started later in the 2000s, as did its institutional rapprochement with the EU. A deeper examination of the underpinnings of these organisational changes confirms that these are no coincidence. They were entailed by cross-level interactions on European structures, which gained impetus as the two countries came closer to the EU.

First, at the interface between the domestic and the European levels, inter-sectoral bodies have been established as autonomous agencies of the Government (SEA/SEIO), in order to monitor the horizontal coordination of the European integration process, the implementation of European agreements and to facilitate the adoption of the EU's acquis, including in CFSP matters. The main difference between Macedonia's SEA and Serbia's SEIO is found in their organisational history. Whereas the SEA emerged in 2005 as a response to Macedonia's being granted the status of EU candidate, the SEIO was established in 2004 as it became clear that the EU integration would no longer be treated in Belgrade at the state union's level. If the stimulus is different, the rationale for building up inter-sectoral capacities is similar. For both, the process was not driven by political compliance; it was all about the anticipation of future needs (and not so much about adaptation to existing conditions), in a context prioritising EU accession as primary objective. In creating their SEIO/SEA, Serbia and Macedonia's actors drew lessons from foreign models' experiences. And the engagement at the bilateral level (and with the support of the EU) of EU candidate or EU member states side by side with Serbia/Macedonia certainly facilitated the latter's experiential learning. Some of these models (especially Slovenia's) were emulated. Domestic

politics (in Serbia) and access to financial resources (both in Serbia and Macedonia) did play a role in this process, but not in a decisive manner; they were intervening variables.

Second, within the ministries, intra-sectoral bodies have been established for the vertical coordination of Serbia/Macedonia's participation in the CFSP. Macedonia underwent its MFA reform in 2005, just after obtaining its status of EU candidate, which resulted in the creation of highly specialised, intra-sectoral coordination bodies responsible for EU affairs, an organisational emphasis on CFSP coordination, and an overall emphasis on building administrative capacities in the field of foreign policy. Serbia's foreign policy administration underwent similar changes, but they started later in time (from 2008), and are thus at a much lower state of progress. The absence, in the MFA, of an organisational unit dedicated to the CFSP, and the lesser anchoring of the EU's CFSP/ESDP in Serbia's MFA/MoD contrast with Macedonia's capacities for CFSP coordination, which have been erected at the highest level of the organisational hierarchy. All in all, it is mildly convincing to speak of political compliance here, except perhaps, when the Commission's reports emit recommendations that are very specific or when its demands the nomination in the MFA of specific positions (Political Director and European Correspondent). In the absence of thorough understanding of what these posts stand for, the EU's insistence on appointing them eventually led to shallow reforms. At the crux of the 2005 MFA reform in Macedonia was a "learning by doing approach", fostered by the favourable dispositions held by foreign policy actors in the MFA with regards to establishing an organic link between Skopje's MFA and European affairs. In Serbia, the process of reform has not advanced at the same pace, because the Kosovo issue continues to monopolise much of the organisational energy of the MFA. More limited in scope, MFA reforms in Serbia nonetheless signalled Serbia's wish to treat distinctly EU and Nato integration processes. So, they were also designed to send a message.

Third, the capacities of Serbia and Macedonia's permanent missions for outreach coordination have increased over the past 15 years. After obtaining its candidate status, Macedonia's mission to the EU viewed its staff considerably growing, and now even counts a CFSP diplomat in Brussels. Serbia's mission to the EU had to wait till the signature of its SAA in 2008 to see comparable, albeit more modest, changes. Likewise, Macedonia's efforts to increase its capacities for outreach coordination with Nato have been intensified well before Serbia's. Although Serbia and Macedonia's permanent missions to the UNGA and international organisations in Vienna (including OSCE) have a comparable role vis-à-vis their respective home ministries, in the OSCE, Macedonia's permanent mission tends to demonstrate more autonomy than Serbia's. This de-concentration of foreign policy decisions on alignment has been developed gradually, as a response to the time constraints under which the alignment mechanism is enacted. Since the EU only communicates its statement to non-EU states a few hours before OSCE meetings, little time is left for consultations within the MFA. Serbia and Macedonia did not develop their capacities for outreach coordination because of specific obligations; they draw lessons from previous candidate states, and emulated their experience in that matter.

Fourth, changes have affected the geographical coverage of Serbia and Macedonia's diplomatic networks. These have been extending gradually over time. The extension is most impressive in the case of Macedonia, since the newly independent state, in the

mid 1990s, started from scratch in terms of bilateral representations. After an initial restructuration, Serbia gradually re-extended the geographical coverage of its diplomatic network, especially from 2008 onwards. But this dual extension of Serbia and Macedonia's diplomatic networks should not be seen as a manifestation of Europeanisation. By reifying the EU as sole point of reference, bracketing other determinants, and implicitly positing EU integration as primary source of change, deductive approaches tend to overestimate the salience of the EU independent variable in the analysis of social changes. The idea that opening new embassies shall accelerate Serbia or Macedonia's European integration is not convincing. There is no direct requirement in the EU's conditionality regime, which pertains to the opening of new embassies, and bilateral affairs, in practice, often remain separate from, if not insensitive to, EU multilateralism. Although some embassies do advertise European integration in their host country, their interest for European affairs is primarily rhetorical. It is not a determinant that decisively matters in the decision to open a new embassy –it is at best a facilitating factor. The reasons that actually matters here are primarily economic, i.e. in order to support investments. They are sometimes political too, especially in the case of Serbia, which fosters countries that have not recognised the independence of Kosovo. This deceptive case of *pseudo*-Europeanisation is very interesting because it demonstrates the flaws of deductive research: all the changes that affect Serbia and Macedonia's foreign policy cannot be traced back to interactions on European structures.

Fifth, Serbia and Macedonia have witnessed changes related to the professionalisation of their foreign policy actors. They both put a growing emphasis on diplomatic training. Owing to the lack of domestic capacities for the provision of diplomatic training, Macedonia swiftly demonstrated a strong interest in being included in all forms of CFSP/ESDP training organised by European actors. It only recently planed to open a Diplomatic Academy (project stalled since 2007). By contrast, domestic structures for diplomatic training have been established in Serbia well before Macedonia, and the country can moreover rely on a long diplomatic tradition. This makes Serbia's MFA less dependent on foreign expertise. Serbia's diplomacy can most notably rely on its Diplomatic Academy, reformed after the regime change in 2000. The Academy has even become attractive to foreign diplomats (above all from the region). In Serbia and Macedonia, diplomatic training ensued through a demand-driven process. The programmes were developed on a voluntary basis with the involvement of EU member states. Serbia and Macedonia's participation in EU and Nato integration programmes provided the background stimulus for enhancing diplomatic training. The aim was to respond to the EU's requirement regarding MFA competence and avoid looking unskilled before EU and Nato peers. For Serbia, it was also to improve the negotiating position of its diplomats in a CFSP context.

Sixth, Serbia and Macedonia have reformed and modernised their diplomatic communication networks. But Macedonia started this process already in the 1990s, through its participation in the PfP programme, modernised its internal communication network, and in the 2000s, set up the legal and technical foundations that allow the MFA to securely exchange classified information with the EU and its member states in the field of the CFSP/ESDP. Less connected to European structures, Serbia only started to adapt its communications system in 2007/2009, through the PfP programme. Its participation in the EU's diplomatic communication network remains very limited. This capacity building process was first initiated in a context of Euro-

Atlantic integration, with Nato in the forefront, and only then taken over by the EU. Although it is now closely monitored by the Commission, one should nonetheless acknowledge the decisive role Nato continues to play in the creation and diffusion of security norms. Europeanisation here, more than elsewhere, differs from EU-isation. Considering the inter-organisational context, in which Serbia and Macedonia professionalise their diplomatic communications networks, speaking of European structures rather than EU or Nato structures is more appropriate than ever.

3.3. Changes in Serbia and Macedonia's border regimes

This section examines some aspects of Serbia and Macedonia's foreign policy contexts. It explores Serbia and Macedonia's changing attitudes towards border dispute settlement; infers Europeanisation from a European approach to good neighbourliness; and analyses the uneven achievements in this area, as well as their underpinnings.

3.3.1. Descriptive analysis: Serbia and Macedonia's border disputes

3.3.1.1. The dissolution of Yugoslavia and the uti possidetis principle

The dissolution of the SFRY did not ensue peacefully, by means of a treaty concluded by the constituent republics. It resulted from a series of secessions that led to the constitutional collapse of the federation. In 1990, for the first time since 1945, multi-party elections took place in the different republics of the SFRY. In Slovenia, Croatia, Macedonia and Bosnia, the nationalist parties, campaigning against Milošević, heavily defeated the Communists[1080]. Their victory not only signalled the initiation of democratisation in the SFRY. Because their demands regarding the transformation of the SFRY into a confederation of sovereign independent states were antagonistic to the position held by the Communist party led by Milošević, the SFRY suffered internal tensions, which culminated with the unilateral secession of Slovenia and Croatia (on 25 June 1991) and Macedonia (on 8 September 1991).

In an attempt at appeasing the mounting tensions in the region, the European Community convened a Peace Conference on Yugoslavia and set up an arbitration commission under the chairmanship of Robert Badinter[1081]. The commission consisted of the presidents of five Constitutional Courts in Europe. It was to provide legal advice on sensitive issues related to the on-going dissolution of the SFRY, amongst which the question of international borders. In its Opinion No. 3 of 20 November 1991, the Badinter Commission suggested that "former boundaries", i.e. boundary arrangements previously existing between the constituent republics, should "become frontiers protected under international law"[1082]. This recommendation, amounting to upgrading the status of internal borders in the eyes of international law, was based on the *uti possidetis* principle, which had formerly been applied to settle

[1080] See Glaurdic, J. 2011. *The Hour of Europe: Western Powers and the Breakup of Yugoslavia*. p. 81-117.
[1081] Bühler, K. G. 2001. *State Succession and Membership in International Organizations*. p. 180-185.
[1082] Pellet, A. 1990. 'The Opinions of the Badinter Arbitration Committee: A Second Breath for the Self-Determination of Peoples.' *European Journal of International Law* vol.3 (1). p. 185.

decolonisation issues and had become customary law[1083]. Opposed to the use of force, the Badinter Commission added that "the Republics' territories and boundaries could not be altered without their consent" [1084]. Disputes should instead be resolved through peaceful negotiations.

The recommendations of the Badinter Commission paved the ground of the international recognition of the independence of Slovenia, Croatia, Bosnia-Herzegovina and Macedonia, and concluded on the legal extinction of the SFRY, *contra* Belgrade, which claimed that the FRY continued the international personality of the SFRY[1085]. Though contested, the Badinter Commission's decision to apply the *uti possidetis* principle to the SFRY dissolution was grounded on "historically well-established boundaries", for which no reasonable alternative could have been found in the absence of consensus among the Republics[1086].

The application of this principle was no *panacea*. It did not avert the violence that broke out throughout Yugoslavia, and it did not ward off disputes on border delineation, which erupted after the constituent republics became independent sovereign states. Indeed, boundaries between the constituent republics of Yugoslavia were not always demarcated, and not even precisely delineated. Governments, after all, "establish interstate boundaries to separate states and peoples, while they establish or recognize internal boundaries to unify and effectively govern a polity" [1087]. Upgrading these internal boundaries into international borders then created a new set of territorial issues, which had so far been overlooked. Many of the territorial areas, for which no precise borderline had been agreed on before the dissolution of the SFRY, suddenly, gained the status of dispute over international borders. They became a challenge to regional stability and a plague for good neighbourly relations.

3.3.1.2. Macedonia's border disputes

Before the dissolution of Yugoslavia, Macedonia had no territorial contention with its neighbours. Its borders had been delineated under international law by the SFRY in concert with Greece, Albania and Bulgaria. Serbia and Macedonia were both constituent republics of the SFRY, and Kosovo was an autonomous province within Serbia. So, little attention had been paid to precisely documenting the boundary, which runs on the Northern part of Macedonia for about 300km, mostly along Kosovo. With the dissolution of Yugoslavia, however, the existence of grey areas in about 5% of this 300km-long border became the subject of a bilateral dispute[1088].

[1083] The *uti possidetis* principle provides that international borders shall not be changed by force. After a war, the belligerents shall accordingly either recover their territory, or agree, by treaty, to change borders. In the aftermath of the war in Yugoslavia, the *uti possidetis* principle was applied to the constituent republics of the SFRY (an not to the autonomous provinces such as Kosovo).
[1084] Pellet, A. 1990. 'The Opinions of the Badinter Arbitration Committee: A Second Breath for the Self-Determination of Peoples.' *European Journal of International Law* vol.3 (1). p. 185.
[1085] The UNSCR 777, adopted on 19 September 1992, considered that the SFRY had ceased to exist, and that its membership in the UN had extinguished. Refuting the FRY's claim for SFRY succession, it recommended to the UNGA that the FRY should apply for membership as a distinct object.
[1086] Vidmar, J. 2010. 'Confining New International Borders in the Practice of Post-1990 State Creations.' *Zeitschrift für ausländisches öffentliches Recht und Völkerrecht* vol.70. p. 346-351.
[1087] S. Ratner cit. in Ibid. p. 327.
[1088] Milenkoski, M. and Talevski, J. 2001. 'Delineation of the State Border between the Republic of Macedonia and the Federal Republic of Yugoslavia.' *Boundary and Security Bulletin* vol.8 (2). p. 94.

The dispute first opposed Skopje to Belgrade. On 8 April 1996, Macedonia and the FRY established diplomatic relations and engaged in solving their bilateral issues. A joint diplomatic commission was established in order to "prepare a draft for an international agreement" delineating the joint state border[1089]. The two parties, however, disagreed on different aspects of border delineation. Whereas Skopje demanded the strict application of the *uti possidetis* principle, Belgrade's claim extended to parts of Macedonia's territory, which Milošević had deemed of strategic importance[1090]. Where the *uti possidetis* principle could not be invoked (for internal boundaries between the two SFRY constituent republics had not been precisely delineated), the two parties also disagreed on the guiding criterion to use. Ethnicity and geography could both be invoked, with different implications. Belgrade and Skopje finally diverged with respect to specific issues. Macedonia, for instance, was concerned about its access to the Prohor Pčinski monastery. Located on the Serbian side of the border, along the river Pčinja, it was important to the historiography of Macedonia's nation. Between 1996 and 2001, the joint commission held 14 working sessions in order to find a common ground[1091]. Its work paved the ground of the "Agreement for determining the extension and delineation of the state border", signed by the Presidents of the two states on 22 February 2001 and ratified by their assemblies shortly after.

This agreement could have sounded the death knell of Macedonia's only border dispute, had it not concerned Kosovo. The first attacks against the agreement were launched shortly after its signature by radical groups of Albanians, who disputed the *uti possidetis* principle, arguing instead, *contra* Skopje, that borders should be delineated along ethnic lines[1092]. The Kosovo war (1998-1999) had just ended, and encouraged by their victory over Belgrade, some paramilitary fractions of the Kosovo Liberation Army strived for uniting Macedonia's ethnic Albanians with those in Kosovo. The signature and ratification of the 2001 Agreement between the FRY and Macedonia then sounded as a provocation, which some analysts argued, "was one of the triggers for the [2001] conflict in Northern and Western Macedonia"[1093]. Incidents at the border with Kosovo soon erupted, with several casualties, and military and paramilitary operations broke out in neighbouring villages (e.g. Tanuševci) [1094]. Despite the 2001 agreement, the FRY-Macedonian border, therefore, could not be physically demarcated.

Albanian leaders in Kosovo soon also questioned the validity of the bilateral agreement between Macedonia and the FRY. They argued that the 2001 border had been delineated "without the presence of Kosovo's team"[1095], and announced their

[1089] Article 2 of the agreemenrt for determining the extension and delineation of the state border, cit in. Ibid. p. 93.
[1090] Nikolic, D. 2001. 'Macedonian Border Dispute Nearing End.' In Balkan Crisis Report vol.221.
[1091] Milenkoski, M. and Talevski, J. 2001. 'Delineation of the State Border between the Republic of Macedonia and the Federal Republic of Yugoslavia.' *Boundary and Security Bulletin* vol.8 (2). p. 93.
[1092] Nikolic, D. 2001. 'Macedonian Border Dispute Nearing End.' In Balkan Crisis Report vol.221.
[1093] Milenkoski, M. and Talevski, J. 2001. 'Delineation of the State Border between the Republic of Macedonia and the Federal Republic of Yugoslavia.' *Boundary and Security Bulletin* vol.8 (2). p. 96.
[1094] See Georgievski, L. 29 August 2001. '*President Georgievski's Letter to Kofi Annan*.'
[1095] Meha, M. and Selimi, B. 2010. 'The Challenges of Border Demarcation Kosovo-Macedonia.' Conference paper. p. 1.

will to revise the agreement[1096], stirring up Belgrade's ire. At stake was a border area in Macedonia populated by ethnic Albanians, which had witnessed violent protests in 2001 (e.g. Tanuševci, Kodra Fura), and overall, 2500 hectares of land claimed by both sides[1097]. The declaration of independence of Kosovo on 17 February 2008 brought Macedonia back to negotiations. A joint technical commission was set up in 18 April 2008, under the "mediation and chairmanship of the International Civilian Office" of Kosovo[1098], in order to find a solution to the dispute "within one year"[1099]. Its work led to the conclusion on 16 October 2009 of a bilateral agreement between Macedonia and Kosovo, amending the 2001 agreement between the FRY and Macedonia[1100]. Following the agreement, Macedonia and Kosovo officially established diplomatic relations, on 17 October 2009.

3.3.1.3. Serbia's border disputes

Serbia has border disputes with all its ex-SFRY neighbours, and none of them has been solved. With Montenegro, first, it has a territorial dispute over a 50km-long segment of land and forests, between Bijelo Polje (Montenegro) and Prijepolje (Serbia). The dispute erupted in 2006, following the independence of Montenegro, and has since then affected the local life in this area[1101]. Belgrade and Podgorica initially considered looking for a solution to the issue, but the recognition by Montenegro of the independence of Kosovo in 2008 had a negative impact on Serbo-Montenegrin relations, and the process of border demarcation was accordingly stalled. After three years of stalemate, the dialogue between Belgrade and Podgorica eventually made some progress, when an interstate diplomatic border commission convened for the first time on 7 March 2011. Its role is to "regulate the delimitation of the border, local border traffic and the opening of border crossings"[1102].

Serbia also has several border disputes with Bosnia-Herzegovina. One concerns the river Lim, a tributary of the Drina, and Sastavci, a small village on its Southern bank. Located in Bosnia-Herzegovina according to the cadastre, it is surrounded by Serbian territory and cut off the rest of Bosnia by the river Lim. It is a Bosnian enclave in Serbia, well connected to the Serbian municipality of Priboj, and well integrated in the local economy[1103]. Serbia and Bosnia have different positions regarding this territorial issue. The former would like to peg the border to the course of the Lim River, and thereby acquire the village in exchange of a piece of territory of the same size. The latter, by contrast, advocates the creation of a territorial corridor, under

[1096] Koha Ditore. 'Shkup Awaits Ceku with Two Scenarios on Border with Kosova'. [accessed 13.12.2012].
[1097] Attree, L. October 2011. 'Drawing Boundaries in the Western Balkans: A People's Perspective.'
[1098] European Commission. 5 November 2008d. 'Kosovo (under Unscr 1244/99) 2008 Progress Report.' p. 27.
[1099] Government of the Republic of Macedonia. April 2007. 'National Programme for the Adoption of the Acquis Communautaire.'
[1100] Macedonia was to gain 160m at Lukovo Pole, whereas Kosovo received 155m at Debalde. See SETimes. 10.10.2009. '*Kosovo, Macedonia Settle Border Issue, Establish Ties*.'
[1101] Brozovic, Z. December 2011. 'Territorial and Border Demarcation Disputes in the Western Balkans: Case Study: The Demarcation Process between Serbia and Montenegro.' In BCSP Policy Papers, vol.3.
[1102] Republic of Serbia. 2011. 'Answers of the Republic of Serbia to the EU Questionnaire Delivered by the European Commission.' p. 532.
[1103] Interview with an Official from the Ministry of Foreign Affairs of Serbia, Directorate for Neighbouring and South-East European Countries. Belgrade, 15/09/2011

Bosnian control, linking the enclave to Bosnia. The other disputes concern the few kilometres of Bosnian territory (around Štrpci) travelled across by the Belgrade-Bar railway. The line was constructed at the time of the SFRY, as there was no border regime. And there is also the Bajina Basta – Zvornik section of the Drina, which harbours a hydroelectric power station, which Serbia revitalises on the Bosnian side of the river[1104]. These border disputes are still open. Despite the establishment in 2005 of an interstate cooperation council, which has not convened, and its reactivation in 2010, no progress has been made in resolving these issues[1105].

With Croatia, the border dispute concerns a segment of the Danube River, from the Hungarian border in the North to the village of Ilok in Slavonia. This segment contains two disputed islets (Vukovarska ada and Šarengradska ada), and involves a substantial number of security forces. In the cadastres, the course of the Danube used to mark the border between Serbia and Croatia on this segment. But centuries of land erosion and sedimentation have changed the course of the once meandering Danube. It now flows relatively straight, and its gravity centre shifted to the West, in the direction of Zagreb. The result of this geological process is 11000 hectares of contested land in Vojvodina and Baranija, and divergent positions regarding navigation rights on the present-day Danube (with incurring economic benefits)[1106]. Referring itself to the Austro-Hungarian cadastres, Croatia defends the idea that its border still lies where the cadastral record put it 200 years ago, and claims the strict *de juris* respect of the *uti possidentis* principle formulated by the Badinter Commission.[1107] Serbia, by contrast, calls for pegging the borderline to the thalweg of the Danube, in accordance with international practices and puts forwards its *de facto* understanding of the *uti possidentis* principle[1108]. In order to look for a common ground, an interstate diplomatic border commission was set up in 2001[1109]. But it did not convene until April 2010, as Serbo-Croatian relations gained a fresh impetus[1110]. A second meeting of the Commission took place in November 2010, but the issue, to date, remains open.

Serbia now also considers that it has a territorial dispute with Macedonia over the portion of land renegotiated by Skopje with Pristina in 2009. Belgrade, indeed, does not recognise the independence of Kosovo, and therefore argues that

> *"by signing and ratifying the Agreement on physical demarcation of the border between Macedonia and Kosovo in October 2009, the Macedonian party [...] violated the 2001 Agreement on demarcation and definition of the State border with Serbia (FRY)".*[1111]

[1104] Ibid.
[1105] European Commission. 10 October 2012b. 'Serbia 2012 Progress Report.' p. 21.
[1106] Marciacq, F. 2012a. 'L'avenir Européen De La Serbie.' In Analyses du CFA, vol.3.
[1107] Limantzakis, G. 'A New Page on Serbian-Croatian Bilateral Relations and the Danube Border Dispute'. [accessed 04/12/2012].
[1108] Interview with an Official from the Ministry of Foreign Affairs of Serbia, Directorate for Neighbouring and South-East European Countries. Belgrade, 15/09/2011
[1109] B92. 30.4.2010. 'Croatia-Serbia Border Committee Meets.'
[1110] European Commission. 9 November 2010c. 'Serbia 2010 Progress Report.' p. 21.
[1111] Republic of Serbia. 2011. 'Answers of the Republic of Serbia to the EU Questionnaire Delivered by the European Commission.'

By resolving its dispute with Kosovo at the bilateral level, Macedonia inevitably reopened a contentious issue with Serbia. Another bilateral dispute, of course, concerns the delineation of the Southern border of Serbia, which is a very sensitive bone of contention between Belgrade and Pristina. The issue is very complex, since Belgrade fiercely opposes the independence of Kosovo. At stake is not only the international status of the separation line between Serbia and Kosovo or a quarrel over borderlands. It is a matter of contested sovereignty with far-reaching implications in terms of regional instability, and it will therefore be analysed in a dedicated section.

3.3.2. Inferring Europeanisation from European good neighbourliness

Despite the landmark recommendations of Badinter Commission regarding the application of the *uti possidetis* principle in the Western Balkans, Serbia and Macedonia have both experienced border disputes with their ex-Yugoslav neighbours. The magnitude of these disputes has been variable. Some concerned relatively unpopulated areas of little strategic interest (e.g. the Serbo-Montenegrin border), whereas others proved more sensitive, because of their economic spinoffs (e.g. navigation rights on the Danube) or their ethnic background (Macedonia-Kosovo border). Some disputes even claimed their lot of casualties (FRY/Kosovo-Macedonia border).

Although these border disputes are typically bilateral in nature, their resolution takes place in a wider environment, impregnated by international norms. These norms, of course, do not determine the course or the terms of the negotiations. They have no agency of their own. But they frame the negotiations, by designating what the collective understanding of good-neighbourly relations is, and what an appropriate behaviour means. That is why even utterly bilateral issues have an international (and in this case European) dimension. And that is why one may conceive of Europeanisation in the field of border regime. The EU is, as a matter of fact, a key diffuser of international norms in the Western Balkans. But it is not, as such, a norm-maker. Before (and in addition to) being an EU principle, good-neighbourliness is, first and foremost, a general principle of international law. What the EU, however, achieves in this international context is (with uneven results) to introduce its own practice of this general principle of international law.

3.3.2.1. Good neighbourliness as general principle of international law

The good neighbourliness principle is not an EU principle *per se*. It is a general principle of international law, derived from the purposes and principles of the Charter of the United Nations[1112]. Already in 1957, the United Nations General Assembly (UNGA) called upon neighbouring states to "develop friendly and cooperative relations and settle disputes by peaceful means"[1113]. It substantiated its understanding

[1112] The Article 1.2. provides that the purpose of the United Nations are to "develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace". United Nations. 1945. 'Charter of the United Nations.'

[1113] United Nations General Assembly. 14 December 1957. 'Resolution on Peaceful and Neighbourly Relations among States '.

of the good-neighbourliness principle in different resolutions, e.g. in 1979[1114] and 1981[1115], and called for its more specific application in Europe during the Cold War[1116], and in South-Eastern Europe after the dissolution of Yugoslavia. In 2002, 2004 and 2006, the UNGA, reviewing the key issues in Western Balkans, accordingly stressed

> *"the importance of good-neighbourliness and the development of friendly relations among States, and call[ed] upon all States to resolve their disputes with other States by peaceful means, in accordance with the Charter".*[1117]

The UNGA accordingly expressed, in the same set of resolutions[1118], its support for the 2001 border delineation agreement between Macedonia and FRY, which it deemed valid (at least until 2006), despite the opposition of Kosovo leaders on the ground. These resolutions, passed without a vote in the UNGA, received the support of Serbia and Macedonia[1119].

The good-neighbourliness principle did not remain the preserve of the United Nations' normative system. In the 1970s, the principle travelled into the normative setting of the Conference on Security and Cooperation in Europe[1120], and became one of the pillars of the OSCE's work in Eastern and South Eastern Europe. In 1990, its participating states celebrated good-neighbourliness by declaring:

> *"we reaffirm our commitment to settle disputes by peaceful means. [And we] pledge to co-operate in strengthening confidence and security among us".*[1121]

[1114] United Nations General Assembly. 14 December 1979. ' Resolution on the Development and Strengthening of Good Neighbourliness between States.'

[1115] United Nations General Assembly. 9 December 1981. 'Resolution on the Development and Strengthening of Good Neighbourliness between States.'

[1116] . In 1965, the UNGA requested the "governments of European states to intensify their efforts to improve reciprocal relations, with a view to creating an atmosphere of confidence". United Nations General Assembly. 21 December 1965. 'Actions on the Regional Level with a View to Improving Good Neighbourly Relations among European States Having Different Social and Political Systems.'

[1117] Point 8, United Nations General Assembly. 30 December 2002b. 'Resolution on the Maintenance of International Security – Goodneighbourliness, Stability and Development in South- Eastern Europe.'; Point 8, United Nations General Assembly. 16 December 2004. 'Resolution on the Maintenance of International Security – Goodneighbourliness, Stability and Development in South- Eastern Europe.'; Point 7, United Nations General Assembly. 19 December 2006. 'Resolution on the Maintenance of International Security – Goodneighbourliness, Stability and Development in South- Eastern Europe.'

[1118] Point 8, United Nations General Assembly. 30 December 2002b. 'Resolution on the Maintenance of International Security – Goodneighbourliness, Stability and Development in South- Eastern Europe.'; Point 8, United Nations General Assembly. 16 December 2004. 'Resolution on the Maintenance of International Security – Goodneighbourliness, Stability and Development in South- Eastern Europe.'; Point 7, United Nations General Assembly. 19 December 2006. 'Resolution on the Maintenance of International Security – Goodneighbourliness, Stability and Development in South- Eastern Europe.'

[1119] Without membership, Kosovo was not given the possibility to express its position regarding the UNGA resolutions.

[1120] The Article IX of the Helsinki Final Act provides that the participating states "will endeavour, in developing their co-operation as equals, to promote mutual understanding and confidence, friendly and good-neighbourly relations among themselves. The Helsinki Final Act also prescribes the peaceful settlement of disputes. Conference on Security and Cooperation in Europe. 1 August 1975. 'Helsinki Final Act.'

[1121] Conference on Security and Co-operation in Europe. 1990. 'Charter of Paris for a New Europe.'. See also the Point 18 of the Warsaw Declaration of the OSCE Parliamentary Assembly. 8 July 1997.

At that time, the SFRY was signatory to the Charter of Paris, but the admission of Macedonia in 1995 and the readmission of Serbia (as FRY) in 2000[1122] signalled their adherence to this principle.

The OSCE's engagement in promoting good neighbourly relations in the Western Balkans has been acknowledged by the United Nations ever since. The 2002, 2004 and 2006 UNGA resolutions on good-neighbourliness in South-Eastern Europe all welcomed the supportive role the OSCE played in this respect. But they put a higher emphasis on the role of the EU in the region, which it praised for its contribution to good-neighbourliness. The UNGA thus insisted that

> *"the rapprochement of the South-Eastern European States with the European Union will favourably influence the security, political and economic situation in the region, as well as good-neighbourly relations among the States".*[1123]

And it therefore encouraged Western Balkan states to "pursue […] integration into European structures"[1124], ensure their active participation in the Stability Pact for South-Eastern Europe and engage in the stabilisation and association process launched by the EU.

3.3.2.2. Good-neighbourliness according to the EU

The good-neighbourliness principle entered the EU's normative system relatively late, in the beginning of the 1990s and at the policy level first, e.g. regarding the EU's emergent migration policy[1125], or its relations with the Middle East[1126]. It was for the first time placed at the core of an EU policy in 1994, when the Council, acting on the basis of a joint action, set up a Pact on Stability in Europe, also called "Balladur Plan" for Central and Eastern Europe. The Plan aimed at "promoting good neighbourly relations, including questions related to frontiers and minorities"[1127]. It was designed to avert tensions by consolidating the borders of Central and Eastern European states and to

> *"encourage countries which have not yet concluded cooperation and good neighbourliness agreements and arrangements, including minority and border issues, to do so, through a process of bilateral negotiations and regional tables".*[1128]

While defining the role of the Conference for Security and Cooperation in Europe (CSCE) as being responsible for monitoring the implementation of such agreements, the EU, which initiated the Pact, expressed its "readiness to play the role of moderator

[1122] The OSCE membership of the FRY had been suspended between July 1992 and November 2000.
[1123] Point 12, United Nations General Assembly. 30 December 2002b. 'Resolution on the Maintenance of International Security – Goodneighbourliness, Stability and Development in South- Eastern Europe.'
[1124] Point 4, United Nations General Assembly. 16 December 2004. 'Resolution on the Maintenance of International Security – Goodneighbourliness, Stability and Development in South- Eastern Europe.'
[1125] Annex 5A, point 6., European Council. 11/12 December 1992. 'Conclusions of the Presidency '.
[1126] Point 29, European Council. 26/27 December 1992. 'Conclusions of the Presidency '.
[1127] Point 1.5, Council of the European Union. 14 June 1994. 'Council's Decision on the Continuation of the Joint Action Adopted by the Council on the Basis of Article J.3 of the Treaty on European Union on the Inaugural Conference on the Stability Pact.'
[1128] Point 1.7, Ibid.

in the bilateral talks"[1129]. In 1997, at the occasion of the European Conference, the good neighbourliness principle was introduced as a component of the accession process towards CEE countries. CEE states aspiring to join the EU had to engage in resolving their bilateral disputes at first, or, as European Council put it, they

> *"must share a common commitment to peace, security and good neighbourliness […] and a commitment to the settlement of territorial disputes by peaceful means, in particular through the jurisdiction of the International Court of Justice".*[1130]

The introduction by the EU of its own practice of international law in that field soon also became a corner stone of the EU's policy towards the war-torn Western Balkans. On 13 December 1995, at the suggestion of the EU, the five successor states of the SFRY, together with the EU and other partners (e.g. the OSCE), adopted a Declaration on the Process of Stability and Good Neighbourliness[1131]. Inspired by the Pact on Stability in Europe, the EU, under French Presidency, launched the Royaumont Process one year later, in order to build in the Balkans a "new Europe, a Europe of democracy, peace, unity, stability and good neighbourliness"[1132]. The Council backed this initiative by appointing a Process Coordinator, calling the FRY to fully participate in the process, and

> *"encourag[ing] the normalisation of relations and the restoration and development of dialogue and confidence between the countries concerned".*[1133]

Because it did not offer accession perspectives, lacked substance on key issues (e.g. border dispute resolution) and did not succeed in relieving the tensions at the brink of the Kosovo war, the process of Royaumont "never took off the ground"[1134]. It was, however, succeeded by a more institutionalised forum: the Stability Pact for South Eastern Europe (SPSEE). The SPSEE was launched as an initiative of the EU under German Presidency in June 1999. Its purpose was to foster cooperation among Western Balkan states, "preventing and putting an end to tensions and crises as a prerequisite for lasting stability" and "creating peaceful and good-neighbourly relations in the region"[1135]. In addition to initiating the project, the EU played a leading role in the Pact, in particular by offering European perspectives to its participants. Although the FRY was excluded from the SPSEE at the time of its foundation, it joined the structure in October 2000, and was henceforth bound to its good neighbourliness principle.

[1129] Point 2.4, Ibid.
[1130] Point 5, European Council. 12/13 December 1997. 'Conclusions of the Presidency '.
[1131] Ehrhart, H.-G. 1998. ' Prevention and Regional Security: The Royaumont Process and the Stabilization of South-Eastern Europe.' In OSCE Yearbook. p. 331.
[1132] Declaration on the Process of Stability and Good Neighbourliness, Royaumont, 13 December 1995, cit. in Ibid.
[1133] Article 1, Council of the European Union. 9 November 1998. 'Common Position Concerning the Process on Stability and Good-Neighbourliness in Southeast Europe.'
[1134] Missiroli, A. 2004. 'The EU and Its Changing Neighbourhood: Stabilization, Integration and Partnership.' In *European Union Foreign and Security Policy: Towards a Neighbourhood Strategy*, ed. Dannreuther, R. p. 14.
[1135] Point 5, European Council. 10 June 1999. 'Cologne Declaration on the Stability Pact for South Eastern Europe.'

Just as it did through the "Balladur Plan", the EU gradually linked the accession perspectives of Western Balkan states to their compliance with the good-neighbourliness principle. Following the Zagreb and Thessaloniki Summits in 2000 and 2003, the Council stated that

> *"cooperation and good-neighbourly relations form an essential part of the process of moving towards the EU".*[1136]

Then, in 2005, the European Council made the link between good-neighbourliness and EU accession more explicit. It explained, in two sentences placed side by side, that

> *"each country's progress towards European integration [...] depends on its efforts to comply with the Copenhagen criteria and the conditionality of the stabilisation and association process. In this process, regional cooperation and good neighbourly relations will remain essential elements of EU policy".*[1137]

In 2009, the link between good-neighbourliness and accession perspectives became perfectly clear. Because they may jeopardise the enlargement process, bilateral disputes should be resolved. As explained by the Council:

> *"While stressing the importance of good neighbourly relations and the peaceful settlement of disputes, the Council underlines that bilateral issues should not hold up the enlargement process. Bilateral disputes need to be resolved by the parties concerned, who have the responsibility to find solutions in a spirit of good neighbourliness, bearing in mind the overall EU interests".*[1138]

Over the past 10 years, the EU's engagement in promoting good-neighbourliness in the Western Balkans has gradually gained in stringency. First formulated as a vague recommendation, the principle was later associated with increasingly specific applications, regardless of the substantive competences of the EU in that matter. In 2011, it was even given a temporal determinant. The Council declared indeed:

> *"[we] encourages all parties concerned to address bilateral issues, falling outside areas of EU competence and/or contractual obligations towards the EU, in a constructive spirit, as early as possible, taking into account overall EU interests and values".*[1139]

Slowly but surely, the good-neighbourliness principle has entered the grey area of the EU's political criteria. It is now projected in the Western Balkans through conditionality-based measures, and the Commission's progress reports now include a section on compliance with this principle. The Commission, for instance, requested in its Questionnaire that Serbia and Macedonia provide an overview of their relations

[1136] Council of the European Union. 13 October 2003. 'Council Conclusions on the Western Balkans ' p. 3.
[1137] Point 41, European Council. 16/17 June 2005. 'Conclusions of the Presidency '.
[1138] Point 4, Council of the European Union. 7 December 2009. 'Draft Council Conclusions on the Enlargement, Stabilisation and Association Process.'
[1139] Point 7, Council of the European Union. 5 December 2011. 'Council Conclusions on Enlargement and Stabilisation and Association Process.'

with neighbouring countries, including "outstanding bilateral issues"[1140], "border issues and prospects for solutions"[1141] In 2007, the good neighbourliness principle even entered the European Treaties (through in the framework of the ENP)[1142].

Over the past 15 years, the EU has played a leading role in the promotion of good neighbourly relations in the Western Balkans. Through the initiatives it initiated, the European perspectives it offered and the conditionality approach it adopted, the EU has transformed the good-neighbourliness general principle of international law into a guiding principle of European law, and has set up a new frame for the conduct of neighbourly relations in the Western Balkans. In so doing the EU has increased the normative compellingness and the stringency underlying the general principle of good-neighbourliness. It is by the yardstick of this EU-impregnated general principle of good neighbourliness that the Europeanisation of Serbia and Macedonia's neighbourly relations can be assessed.

3.3.2.3. Good-neighbourliness according to the EU and through regional initiatives

In addition to initiating and guiding this development directly from Brussels, the EU also backed regionally-owned initiatives aiming at improving good neighbourly relations. In 1996, the Foreign Ministers of South-Eastern European states convened at Bulgaria's instigation in order to launch the Southeast European Cooperation Process (SEECP). The SEECP, also called "Sofia Process", was to provide a forum fostering political dialogue in the region. One of its priorities lay in the enhancement of stability, security and good-neighbourliness. Though locally-owned, the SEECP expressed from the beginning on its willingness to receive the EU's support. In their founding statement, the members of the SEECP thus declared themselves

> *"convinced that they are in consonance with […] the Royaumont process and accordingly expect that they will be fully supported by the European Union".*[1143]

The role the SEECP expected the EU would play in the organisation was not to get directly involved in the Sofia Process. It was more inspirational than operative, more participative than leading. Being "consonant" with the EU in its support for good-neighbourliness, the SEECP was to use the impetus of European integration to promote political dialogue in its own regional format. It would, occasionally, involve the EU in "concrete fields and projects of common interests", while remaining distinct

[1140] Question I.148, European Commission. 2004. 'Questionnaire Delivered by the European Commission to the Republic of Macedonia.'; Question I.151, European Commission. 12 October 2011b. 'Commission Opinion on Serbia's Application for Membership of the European Union.'
[1141] Question I.151, European Commission. 12 October 2011b. 'Commission Opinion on Serbia's Application for Membership of the European Union.'
[1142] The new article 8 of the Treaty of Lisbon. 13 December 2007. provides that "the Union shall develop a special relationship with neighbouring countries, aiming to establish an area of prosperity and good neighbourliness, founded on the values of the Union and characterised by close and peaceful relations based on cooperation".
[1143] Sofia Declaration on Good-Neighbourly Relations Stability Security and Cooperation in the Balkans. 7 July 1996.

from EU frameworks[1144]. In 2000, the SEECP, "welcoming the adoption of the Stability Pact for South-Eastern Europe", expressly called for

> *"creating peaceful and good-neighbourly relations in the region through reconciliation, recognition of the inviolability of the existing borders and the peaceful resolution of disputes, on the basis of international law".*[1145]

It furthermore clarified its relationship with the EU, "emphasizing the European orientation" of SEECP countries, and "expressing [its] strong belief that European and Euro-Atlantic integration is essential in promoting countries' common objectives"[1146].

The EU, unsurprisingly, reciprocated its support to the SEECP. Its action was deemed "mutually reinforcing"[1147]. No efforts were spared in linking the SPSEE to the SEECP in order to reinforce the former's local ownership. For instance, the EU proposed to involve the SEECP in the nomination of a representative from South-east Europe (SEE) in order to take part in the coordination of EU-led SPSEE and SAp activities[1148]. It also drew lessons from the SEECP's experience, when it decided in 2008, to transform the internationally-led Stability Pact into a locally-owned organisation, the Regional Cooperation Council (RCC)[1149].

The road followed by the good-neighbourliness general principle of international law has been long and curvy. Through its enlargement policy towards Western Balkan states, the EU has played the role of key stakeholder in the promotion good-neighbourliness. But it also acted indirectly, supporting rather than initiating, regionally-owned approaches. It is in this context –a context in which the importance of good-neighbourliness is magnified as European integration proceeds- that Serbia and Macedonia pursue their national approach to border dispute settlement.

3.3.3. Argumentative analysis

The following section examines the structural causes, dispositional reasons and intentional motivations underpinning the practice of the EU's good neighbourliness principle in the field of border dispute resolution. For each of the border disputes described in the first section, it emphasises the role of the EU and its member states, unveils the mechanisms of Europeanisation that might have been at work, whilst recognising that other factors (domestic and international) have often been more decisive.

3.3.3.1. The role of the EU in the 2001 FRY-Macedonia border dispute settlement

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[1144] Thessaloniki Declaration on Good-Neighbourly Relations Stability Security and Cooperation in the Balkans. 10 June 1997.
[1145] South-East European Cooperation Council. 12 February 2000. 'Charter on Good-Neighbourly Relations Stability Security and Cooperation in Southeastern Europe.'
[1146] Ibid.
[1147] Point 35 and 38, Council of the European Union. 11 May 1999. 'Western Balkans Working Group's Draft Text Serving as Position to Be Taken by the EU in Preparatory Meetings with Other Participating States and Organisations.'
[1148] Council of the European Union. 1 July 2002. 'Draft Minutes of the 2416th Meeting of the Council (General Affairs).' p. 13.
[1149] European Council. 19/20 June 2008. 'Conclusions of the Presidency '.

From their initiation in April 1996 to their successful conclusion in 2001, the EU has followed with great attention the negotiations surrounding the FRY-Macedonian border dispute. But overrun by the deterioration of the situation, first in Kosovo (1998-1999) and then in Macedonia (2000-2001), the EU did not really manage to make its voice heard. The pre-eminence of the United States in the region as guarantor of material security, the credible involvement of international organisations in securing legal and political orders, and the prioritisation of other sensitive issues more important to the EU and its member states, all contributed to lighten the EU's perceived engagement in matters of border dispute resolution. Despite its many efforts, namely deployed trough its conditionality dialogue with the FRY and Macedonia, the EU therefore failed to play a decisive role in bringing about the 2001 border agreement.

Aware of its potentially disruptive effect on regional stability, the Commission already noted in 1997 that the

> *"unresolved question of borders [between FRY and Macedonia] remained the major obstacle to the development of co-operation".*[1150]

But the Commission had few instruments at its disposal to promote border dispute resolution. The 1996 Royaumont Process lacked substance in this issue-area, and the Regional Approach, which allowed the exercise of hard conditionality, did not really cover good-neighbourliness. The EU rather pinned its hopes on regional, locally-owned initiatives. In November 1997, in the framework of the Sofia Process, the heads of state and government of SEE convened in Crete the first Inter-Balkan summit. The border dispute between FRY and Macedonia was on the agenda. But despite bilateral consultations between Milošević and Gligorov (and a previous meeting between the foreign ministers in August), the Commission noted in 1998 that "no statement of an agreement" could be made[1151]. Although the tone of the Commission in these reports seems informative at first, it in fact conceals sheer disappointment. In the absence of a more stringent framework tying the FRY and Macedonia to the EU, the EU's margin of manoeuvre remained very limited.

With the war raging in Kosovo, the EU's conditionality dialogue with the FRY understandably came under increasing strain. The relations between the FRY and the EU decayed, as did those between the FRY and Macedonia. In its 1999 report, the Commission took note of the "severe deterioration in relations" between the two, "due to the conflict in Kosovo and the destabilising effect of the influx of large numbers of refugees"[1152]. The stationing of Nato troops in Macedonia infuriated Belgrade, and trade relations between the two countries broke off[1153]. These developments made the perspective of settling the border dispute even more unrealistic.

[1150] European Commission. 19 October 1998. 'Regional Approach Conditionality Report: Compliance with the Conditions Set out in the Council Conclusions of 29 April 1997.'; European Commission. 30 March 1998. 'Regional Approach Conditionality Report: Compliance with the Conditions Set out in the Council Conclusions of 29 April 1997.'

[1151] European Commission. 19 October 1998. 'Regional Approach Conditionality Report: Compliance with the Conditions Set out in the Council Conclusions of 29 April 1997.'

[1152] European Commission. 17 May 1999. 'Regional Approach Conditionality Report: Compliance with the Conditions Set out in the Council Conclusions of 29 April 1997.'

[1153] Ibid. p. 22.

But the EU did not blame the FRY and Macedonia indiscriminately for the decay of their good neighbourly relations. It took a differentiated approach, exercising blame and shame conditionality against the FRY, whilst intensifying its support for Macedonia and rewarding it with new incentives. This differentiated approach was essential in the EU's exercise of conditionality at the turn of the century. Milošević's regime, for good reasons, received the blame for the failed attempts at settling the FRY-Macedonian border dispute, and, more generally, for the deterioration of regional security. The border dispute with Macedonia was last in a series of problems of higher intensity, which Milošević's grip on power, once tolerated, had set fire to. Cutting the Gordian knot, the Commission noted in 2000 that

> *"Serbia's position hit an all-time low with its exclusion, alone among the region, from the Stability Pact for South Eastern Europe"*[1154].

But the EU did not content itself with rejecting the FRY. It posed implicit conditions for the FRY to proceed towards the EU in the future. One of them specifically pertained to good-neighbourliness. As stated by the Council, only

> *"a democratic FRY, fulfilling its international obligations and ready for good neighbourly relations, will be able to develop its relations with the EU in the same conditions as are countries in the region".*[1155]

This declaration was aimed at increasing the pressure on Belgrade, without actually closing the European doors to the Serbs. In November 2000, as Milošević was still in power, the European Council reiterated these watermarked conditions:

> *"a democratic, cooperative FRY living in peace with its neighbours will be a welcome member of the European family of democratic nations".*[1156]

Of course, the scope of these declarations went beyond the specific issue of FRY-Macedonian border dispute. But the EU's general expectations were also to be of benefit to issues of lesser intensity, such as border disputes. Conditionality, in this case, was not issue-specific, but it was firm enough to frame the general orientation towards which the FRY was expected to head.

Despite the absence of actual progress in the dispute resolution process, the EU considered that Macedonia fulfilled its expectations with regards to good-neighbourliness. In 1999, the Commission welcomed Macedonia's efforts at "strengthening good neighbourly relations by solving all pending issues"[1157], including border issues with the FRY. It also welcomed Macedonia's initiative within the UNGA to pass a resolution on the promotion of good-neighbourliness in the Western Balkans[1158]. This congratulatory attitude strongly contrasted with the severe

[1154] European Commission. 9 February 2000. 'Regional Approach Conditionality Report: Compliance with the Council Conclusions of 29 April 1997 & 21/22 June 1999.'
[1155] Council of the European Union. 10 November 1999. 'Council Conclusions on the Western Balkans.'
[1156] European Council. 19/20 June 2008. 'Conclusions of the Presidency '.
[1157] European Commission. 17 May 1999. 'Regional Approach Conditionality Report: Compliance with the Conditions Set out in the Council Conclusions of 29 April 1997.'
[1158] See United Nations General Assembly. 8 January 1998. 'Resolution on the Development of Good-Neighbourly Relations among Balkan States.'

critique against Belgrade's regime[1159]. It was backed in deeds by important progress in the EU-Macedonia relationship. At the midst of the Kosovo crisis, three weeks before the beginning of Nato activities in Kosovo, the Government of Macedonia submitted its first formal request for EU membership. The Foreign Minister of Macedonia at that time, Aleksandar Dimitrov estimated then that

> *"it is of vital importance to raise the relations between Macedonia and the EU to the next level".*[1160]

One year later, SAA negotiations started. They were completed by the end of 2000. One of the provisions of the SAA was to enshrine the good-neighbourliness principle in contractual terms, namely

> *"the former Yugoslav Republic of Macedonia commits itself to enter into cooperation and good neighbourly relations with the other countries of the region".*[1161]

Since the negotiations were blocked by Milošević, no progress could be recorded. But the EU's differentiated approach towards the FRY and Macedonia, despite its weak leverage on the FRY, aroused key dispositions that were unleashed both in Serbia and Macedonia with the overthrow of Milošević's regime.

The regime change of October 2000 in the FRY opened a new page in FRY-Macedonian relations. The democratic forces that overthrew Milošević lifted the FRY's reservations against Macedonia's claim for border demarcation, and were eager to initiate the normalisation FRY-Macedonian relations. As stated by Vojislav Koštunica, FRY's new President in 2001, settling the border dispute with Macedonia was

> *"an expression of something deeper than any policy and democracy, such as the traditionally good relations between our two nations".*[1162]

This new disposition severely contrasted with Milošević's accusation against Macedonia's "stabbing him in the back" in 1992[1163], as the country declared its independence. It cleared off the political obstacles that punctuated the work of the joint diplomatic commission, and enabled the emergence of constructive dialogue between Belgrade and Skopje on the issue. Besides, the change in the FRY's dispositions occurred as the EU-Macedonia relationship was gaining momentum. Skopje, which had started its SAA negotiations in April 2000, was eager to demonstrate its commitment to good neighbourliness. In October 2000, it was about

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[1159] The EU also praised Macedonia for accepting the deployment of Nato forces on its territory

[1160] Dimitrov, A. 2006. '1998-2000: Further Strengthening of the Position and Role of Macedonia.' In *The Macedonian Foreign Policy -Interviews of the Foreign Ministers of Macedonia*, ed. Mircev, D. p. 48.

[1161] Art. 4, Stabilisation and Association Agreement between the European Communities and their Member States of the one part and the former Yugoslav Republic of Macedonia of the other part. 26 March 2001.

[1162] Cit. in Milenkoski, M. and Talevski, J. 2001. 'Delineation of the State Border between the Republic of Macedonia and the Federal Republic of Yugoslavia.' *Boundary and Security Bulletin* vol.8 (2). p. 95.

[1163] Nikolic, D. 2001. 'Macedonian Border Dispute Nearing End.' In Balkan Crisis Report vol.221.

to conclude its SAA negotiations, and the regime change in the FRY then was an opportunity to materialise this dedication. According to Foreign Minister Dimitrov,

> *"on our own initiative, we managed to tackle the problem of the disputed border, especially after the democratic changes in Yugoslavia and the election of the new Government. It finally gave us a chance to resolve this issue and to remove it from the agenda"*[1164]

The haste with which Macedonia engaged in settling the border dispute can also be explained by domestic conditions. The Kosovo war had armed Albanian militias fighting for independence mainly in the FRY, but some had become active in Macedonia's borderlands as well. In the Preševo Valley, across the FRY border, and in North-Western Macedonia, guerrillas started to launch attacks against the state military and state police. They campaigned for greater autonomy and/or the annexation of parts of these territories to Kosovo. The rising instability in Macedonia's borderlands stirred up fears in Skopje that the turmoil could spill over the country, should the border with the FRY/Kosovo remain subject to contention. This concern certainly brought forwards the border dispute settlement process.

In February 2001, at the margins of a SEECP summit, a border delineation agreement was finally concluded between Macedonia and the FRY. It was hailed by Macedonia's new Foreign Minister Srgjan Kerim as a "moment of the new history of the Balkans and the South Eastern Europe"[1165]. The role of the EU was therein mentioned as providing an ideal framework facilitating foreign policy convergence on such issues, for

> *"the FRY is our neighbour, we wish to have friendship and cooperation and to strive towards European integration together*" .[1166]

Similar declarations were made by Serbian officials regarding the 2001 agreement. But since the FRY had not intensified its relationship with the EU yet, they remained more elusive. President Koštunica nonetheless remarked that the agreement

> *"sends a clear message that the Balkans, which has lately been a barrel of [gun]powder, will become a part of developed Europe and oasis of peace".*[1167]

In a nutshell, in fostering this process, the EU's exercise of conditionality has not been as effective as regime change in the FRY and rising instability in Macedonia's borderlands. The former lifted the stalemate; the latter speeded up its outcome. But the EU nonetheless fostered the emergence of dispositions in Belgrade and in Skopje, which framed the development of good neighbourly relations after the overthrow of Milošević and brought forwards the 2001 border agreement.

3.3.3.2. The role of the EU in the 2009 Kosovo-Macedonia border dispute settlement

[1164] Dimitrov, A. 2006. '1998-2000: Further Strengthening of the Position and Role of Macedonia.' In *The Macedonian Foreign Policy -Interviews of the Foreign Ministers of Macedonia*, ed. Mircev, D.
[1165] Cit. in Milenkoski, M. and Talevski, J. 2001. 'Delineation of the State Border between the Republic of Macedonia and the Federal Republic of Yugoslavia.' *Boundary and Security Bulletin* vol.8 (2). p. 94.
[1166] Cit. in Ibid.
[1167] Cit. in Ibid. p. 95.

Unfortunately, the 2001 border agreement did not stabilise Macedonia's borderlands. On the contrary, it increased the tensions between the Macedonian-Slavs and the Albanians and fuelled further incidents at the borders. As the situation clearly became unstable in North-Western Macedonia, the physical demarcation of the border, provided by the 2001 agreement, could not be carried out. The 2001 insurgency in Macedonia re-launched the border dispute, and despite the conclusion of the Ohrid Framework Agreement in August 2001, the situation in the field remained critical.

Following the signature of its SAA with the EU in 2001, Macedonia nevertheless enshrined the EU's good-neighbourliness principle in its European integration priorities[1168]. The Commission continued to monitor the problems surrounding the border demarcation issue, but only through its dialogue with Macedonia and later, Kosovo. In the Commission's eyes, the border demarcation issue no longer opposed Macedonia to the FRY[1169]. It was now a matter of contention between Macedonia and Kosovo, where the key obstacles to border demarcation subsisted. Local authorities in Kosovo were the most opposed to 2001 demarcation line, so that the Commission in 2003 noted:

> *"for the moment, the security situation along the Kosovo part of the border remains too fragile for the border demarcation to proceed with the necessary co-operation of the authorities in Kosovo"*[1170]

As a result, the Commission conditioned its assistance with the preliminary stabilisation of the border, and refused to unblock the 1 million euro it promised for the demarcation of the Macedonian border section with Kosovo[1171]. It called in the first place both stakeholders to adopt a "pragmatic approach", e.g. opening cross-border points to facilitate local traffic[1172]. But this pragmatic approach was not satisfactory, since it did not dissipate the sources of instability which had already set Macedonia on fire in 2001. Many of the villages which were close to the disputed border harboured prominent insurgents, e.g. Xhezair Shaqiri aka "Hoxha Commandant" in Tanuševci. Although these had become too weak to launch new large-scale attacks, they controlled the area and shrugged off the rule of law[1173]. As explained by an OSCE monitor in Skopje,

> *"Macedonia was a multiethnic state, with lots of internal weaknesses. Following the violent crisis in 2001, the international community had guaranteed its stability. But the undefined borders with Kosovo remained*

[1168] Government of the Republic of Macedonia. June 2001. 'Action Plan for the Implementation of the Stabilization and Association Agreement.'
[1169] In its assessments of Serbia's compliance with the EU's political criteria, the Commission consistently overlooked the fact that the 2001 border agreement had not been fully implemented.
[1170] European Commission. 26 March 2003. 'Former Yugoslav Republic of Macedonia Stabilisation and Association Report 2003.'
[1171] Dnevnik. 3.7.2003. 'EU Not to Finance Macedonian Border Demarcation until Kosovo Section Stable.'
[1172] European Commission. 26 March 2003. 'Former Yugoslav Republic of Macedonia Stabilisation and Association Report 2003.'
[1173] Joe Herzbrun. 'Stabiliser La Frontière Entre La Macédoine, Le Kosovo Et La Serbie'. [accessed 12.3.2013].

problematic. People there were isolated from the rule of law and nationalists from all sides were using the issue to spark off new tensions".[1174]

Since Kosovo did not recognise the 2001 border agreement sealed by the FRY, it was urgent to reopen the negotiations in order to get rid of this source of instability once and for all. But since Kosovo, under international administration, was no sovereign state, it could not negotiate and conclude international treaties modifying its borders on its behalf. As for the United Nations Interim Administration Mission in Kosovo (UNMIK), its margin of manoeuvre was also limited by its very mandate, and it could therefore not go against Serbia on this issue. The solution, then, had to be found in the framework of the international negotiations over the status of Kosovo, which started in 2005. The EU and the US therefore supported the linkage of this border issue with the negotiations taking place under the aegis of the UN. For Kosovo, settling the border dispute in this framework was also highly desirable.

In 2005, the Council [1175] and the Commission [1176] warmly supported the recommendations of the UN Special Envoy Kai Eide. Reporting on the conditions to enter the political process designed to determine the future status of Kosovo, Kai Eide prescribed that:

"the demarcation of the border with the former Yugoslav Republic of Macedonia […] should be resolved before this process ends".[1177]

Although these recommendations were firstly addressed to Kosovo, the government of Macedonia acknowledged their appropriateness before the EU, in its 2006 European integration plan[1178]. The country had just become EU candidate, and it was keen on maintaining its European integration momentum.

In order to ease the process, the EU, in its 2006 European Partnership with Macedonia, further recommended that the issue be considered as "technical in nature" [1179], and not quintessentially as political. This approach, first suggested by the EU-Macedonia joint parliamentary committee in December 2005 [1180], aimed at lifting the political impediments that weighed on the negotiations. It was agreed upon by the Prime

[1174] Interview with a Senior Officer from the Osce Mission in Skopje. Skopje, 12/3/2013
[1175] Council of the European Union. 7 November 2005. 'Conclusions on the Western Balkans.'
[1176] European Commission. 15 November 2005. 'Speech by EU Commissioner Rehn on the 2005 Enlargement Package.'
[1177] United Nations. 7 October 2005. 'Kai Eide Report on a Comprehensive Review of the Situation in Kosovo.' p. 19.
[1178] Government of the Republic of Macedonia. March 2006. 'National Programme for the Adoption of the Acquis Communautaire.'
[1179] Council of the European Union. 30 January 2006. 'Council's Decision on the Principles, Priorities and Conditions Contained in the European Partnership with Serbia and Montenegro Including Kosovo as Defined by the United Nations Security Council Resolution 1244 of 10 June 1999.'
[1180] In its final statements, the EU-Macedonia joint parliamentary committee repeatedly emphasised the" importance of finalising the technical process for the demarcation of the state border between the Republic of Macedonia with Serbia and Montenegro" European Union - Republic of Macedonia Joint Parliamentary Committee. 6 December 2005. 'Final Statement.'; European Union - Republic of Macedonia Joint Parliamentary Committee. 30 January 2007. 'Final Statement.'; European Union - Republic of Macedonia Joint Parliamentary Committee. 27 November 2007. 'Final Declaration.'

Ministers of Macedonia and Kosovo in May 2006[1181], and its modalities were shortly after enshrined in the 2007 "Ahtisaari Plan":

> *"Kosovo shall engage with the former Yugoslav Republic of Macedonia to establish a joint technical commission within 120 days of the entry into force of this Settlement to physically demarcate the border and address other issues arising from the implementation of the 2001 agreement between the Federal Republic of Yugoslavia and the former Yugoslav Republic of Macedonia"*[1182]

Representatives of the international community were to act as facilitators in the discussion process between the two parties. Since the "Ahtisaari Plan" received the intelligible endorsement of the Council[1183] and the European Parliament[1184], and since it gave a fresh impetus to the relations between Kosovo and Macedonia and provided a clear framework for settling the border dispute, the government of Macedonia understandingly welcomed the deal. It declared that it would look for a solution "in line with" the Ahtisaari Plan[1185], while remaining "committed to aligning with the EU position on the Kosovo status process"[1186.] Both approaches would be bound together in a mutually supportive way.

The unilateral declaration of independence of Kosovo in February 2008 speeded up the border negotiations process in an indirect, albeit decisive way. In July 2008, Macedonia's largest party, the VMRO-DPMNE, formed a ruling coalition with the largest Albanian party in Macedonia, the BDI. Founded by Ali Ahmeti, the political leader of the Macedonian branch of the Kosovo Liberation Army (UÇK), the BDI advocated the recognition of the independence of Kosovo. This was achieved in October 2008, as Macedonia established informal relations with Pristina. Its decision was received with utter delight. According to Kosovo's Prime Minister Hashim Taçi:

> *"this strengthens peace and stability in the region. It further clarifies the political reality in the region and it helps the integration of our countries into the EU and Nato".*[1187]

But Skopje informally suggested that it would only establish official relations with Kosovo upon completion of the border demarcation negotiations[1188]. This prerequisite may have been the result of a compromise in the ruling coalition between the Macedonian Albanian BDI, in favour of recognition and the Macedonian-Slav VMRO-DPMNE, which expected the border agreement to be favourable to

[1181] Makfax. 'Macedonia-Kosovo Border Demarcation "Technical, Not Political" Issue'. [accessed 13.12.2012].
[1182] Annex VIII., article 3, United Nations. 26 March 2007. 'Martti Ahtisaari's Comprehensive Proposal for the Kosovo Status Settlement.'
[1183] Council of the European Union. 18 June 2007. 'Conclusions on the Western Balkans.'
[1184] European Parliament. 15 March 2007. 'Report on the Future of Kosovo and the Role of the EU.'
[1185] Government of the Republic of Macedonia. March 2008. 'National Programme for the Adoption of the Acquis Communautaire.'
[1186] European Commission. 6 November 2007b. 'The Former Yugoslav Republic of Macedonia 2007 Progress Report.' p. 17.
[1187] Osservatorio balcani e caucaso. 13.10.2008. 'Macedonia Recognises Kosovo.'
[1188] United States Embassy in Skopje. 7.12.2007. 'Macedonia-Kosovo Border Demarcation - Good Fences Make Good Neighbors'. [accessed 17.12.2012]

Macedonia[1189]. And indeed, the border agreement turned in Macedonia's advantage. As Macedonia's Prime Minister Nikola Gruevski insisted,

> *"Macedonia will not lose a millimetre of its territory. I would never sign anything resulting in losing a millimetre or more of Macedonia's territory".* [1190]

Shortly after, in February 2009, an agreement was concluded between Skopje and Pristina, and official relations were established between the two countries.

Throughout the negotiation process, the EU remained very active in Macedonia. Its representatives in Skopje discussed the issue informally with the Cabinet of the Prime Minister, while the US did the same in Pristina. All in all,

> *"the role of the EU for Macedonia and the US for Kosovo was essential. Both used their political leverage to press for an agreement. Without them, there would not have been any. Political elites in Macedonia and Kosovo were more concerned by the short term. They lacked the competence and the resources to bring by their own the negotiations to an end".* [1191]

In Brussels, the EU also became more vocal in its encouragements, as both countries neared an agreement. The European Commission, which monitored the work of the joint technical commission on borders, gladly welcomed Macedonia's "good progress" [1192] in 2008 and the end of the demarcation process in 2009[1193]. Following the conclusion of the 2009 agreement, the EU also issued a series of laudatory statements. The European Parliament, for instance, recommending opening accession negotiations, celebrated the 2009 agreement "as a vital contribution to regional stability"[1194]. Both the Presidency of the Council[1195] and the High Representative for the CFSP[1196] welcomed an outstanding "sign of maturity, responsibility and mutual respect". The EU-Macedonia SAA Council, responsible of the supervision of the implementation of the SAA, also paid tribute to Macedonia as the "first country of the former Yugoslavia to have achieved this with all its neighbours" [1197], while the EU-

[1189] Macedonian leaders in the Government supported the idea that the 2001 agreement with the FRY is valid.
[1190] Macedonian Information Agency. 17.10.2009b. 'Pm Gruevski: Macedonia Not Losing a Millimeter with Kosovo Border Demarcation'. [accessed 13.12.2012].
[1191] Interview with a Senior Officer from the Osce Mission in Skopje. Skopje, 12/3/2013
[1192] European Commission. 5 November 2008c. 'The Former Yugoslav Republic of Macedonia 2008 Progress Report.'
[1193] European Commission. 9 November 2010b. 'The Former Yugoslav Republic of Macedonia 2010 Progress Report.' p. 25.
[1194] European Parliament. 7 February 2010. 'European Parliament Resolution on the 2009 Progress Report on the Former Yugoslav Republic of Macedonia.' See also European Parliament. 12 March 2009. 'European Parliament Resolution on the 2008 Progress Report on the Former Yugoslav Republic of Macedonia.'
[1195] Presidency of the Council of the European Union. 17 October 2009. 'Presidency Statement on Good Neighbourly Relations.'
[1196] Council of the European Union. 16 October 2009. 'Javier Solana's Statement Congratulating the Fyrom and Kosovo on Their Border Demarcation Agreement.'
[1197] Stabilisation and Association Council between the former Yugoslav Republic of Macedonia and the EU. 27 July 2010. 'Joint Press Release of the Seventh Meeting.'

Macedonia Joint Parliamentary Committee agreed that Macedonia had become "the only country of the region having demarcated borders with its neighbours"[1198].

In a similar vein, Prime Minister Gruevski, in a self-congratulatory mood, stated that he was

> *"deeply convinced that the agreement is a great success for Macedonia, because we close the border issue, which no one managed to solve for years. We are to become the first country in the region, at least from the former Yugoslav states, to close all border issues".*[1199]

And although the agreement was bilateral in nature, it had, according to Macedonian Foreign Minister Milošoski,

> *"a regional and European context, since the endorsement of this agreement means that the Republic of Macedonia will be one of the rare countries in Southeast Europe having clearly defined borders with neighbours".*[1200]

In addition to supporting the completion of the border demarcation process through its declarations, the EU tried to increase the weight of its conditionality leverage by connecting the issue to the adoption of a part of its acquis communautaire relating to integrated border management (IBM). Unlike the settlement of border dispute, the IBM falls into the scope of the EU's acquis. It provides a set of general rules and guidelines aiming at enhancing "the coordination and the cooperation of all the relevant authorities involved in border security and trade facilitation"[1201], including through the promotion of international cooperation in border management activities[1202]. Although settling border disputes is not included in the EU's IBM catalogue, the EU nonetheless considers it as a prerequisite to the intensification of IBM cooperation. In its IBM Guidelines, it accordingly recognised that adopting the EU's acquis in border-management related activities can hardly set aside the need to actually complete border demarcation[1203]. As stated by a expert on this issue,

> *"You cannot have an effective IBM without clearly demarcated borders. The two go hand in hand".*[1204]

That is why, from 2008, the Commission also monitored the progress of the joint technical commission in the light of the EU's acquis contained in chapter 24: Justice, freedom and security. In so doing, the EU reinforced the contractual framework in

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[1198] European Union - Republic of Macedonia Joint Parliamentary Committee. 30 November 2010. 'Final Recommendations.'
[1199] Macedonian Information Agency. 17.10.2009b. 'Pm Gruevski: Macedonia Not Losing a Millimeter with Kosovo Border Demarcation'. [accessed 13.12.2012].
[1200] Macedonian Information Agency. 17.10.2009a. 'Fm Milososki: Demarcation Agreement Makes Macedonia a Country with Clearly Defined Borders '. [accessed 13.12.2012].
[1201] European Commission. 2007. 'Guidelines for Integrated Border Management in the Western Balkans.' p. 13.
[1202] E.g. harmonisation of security practices at the borders, the establishment of one-stop controls and joint contingency plans, the organisation of joint training exercises and joint patrols and the facilitation of the exchange of information.
[1203] European Commission. 2007. 'Guidelines for Integrated Border Management in the Western Balkans.' p. 79.
[1204] Interview with a Senior Officer from the Osce Mission in Skopje. Skopje, 12/3/2013

which border dispute resolution fell. This cross-cutting approach to border dispute settlement had a financial component, since the EU under the CARDS scheme, was to contribute (as of 2005) to the implementation of the IBM in the Western Balkans.

In a nutshell, although the EU did not take the leading role in setting up the framework in which Kosovo and Macedonia authorities were to settle their border dispute, it actively supported the efforts deployed in the framework of the UN-backed talks. The EU thus contributed to the 2009 settlement by helping framing the border issue as technical in nature rather than political, expressing its commitment to the Ahtisaari Plan, encouraging the progress realised by the joint technical commission, using its political leverage in order to speed up the negotiations, and increasing its conditionality leverage by placing the border dispute resolution process close to the acquis-laden framework of integrated border management. Of course, other factors have also facilitated this achievement (e.g. the 2008 Kosovo declaration of independence). But these have mattered in a much lesser extent than in the 2001 resolution of the FRY-Macedonian border dispute. All in all, it appears that the EU did play an essential role in the conclusion of the 2009 border agreement between Macedonia and Kosovo.

3.3.3.3. The EU in the settlement of Serbia's unresolved border disputes

Until 2010, Serbia made little progress in settling its border disputes with its neighbours. And yet, it was bound, since 2003, to the "the development of good-neighbourly relations" by its EU-Serbia joint declaration on political dialogue[1205]. Even its 2005 national strategy paper certifies that Serbia would progress in this area using "the existing forums […] especially in the context of European Union accession"[1206]. The formation of joint border commissions with Croatia in 2001 and with Bosnia in 2005 responded to this shared commitment, but since these commissions failed to convene and remained largely inactive, no progress could be observed though.

Throughout its conditionality dialogue, the EU nonetheless endeavoured to bring forwards some change. In 2005, the Commission started to monitor Serbia's neighbourly relations, and already pointed out "important issues are still outstanding, notably border demarcation with Croatia and Bosnia Herzegovina", but it later qualified these "problems that recur" as "sporadic" [1207]. In 2006, the Council highlighted these border issues in its European Partnership as a challenge for which a solution should be found in the "short term"[1208]. This call was backed in 2007 by the European Parliament, which taking a more assertive tone, urged the Government of Serbia to

[1205] Council of the European Union. 17 September 2003. 'Joint Declaration on Political Dialogue between the EU and Serbia and Montenegro.'
[1206] Government of the Republic of Serbia. June 2005. 'National Strategy of Serbia for the Serbia and Montenegro's Accession to the European Union.' p. 44ff.:
[1207] European Commission. 9 November 2005c. 'Serbia and Montenegro 2005 Progress Report.'
[1208] Council of the European Union. 30 January 2006. 'Council's Decision on the Principles, Priorities and Conditions Contained in the European Partnership with Serbia and Montenegro Including Kosovo as Defined by the United Nations Security Council Resolution 1244 of 10 June 1999.'

> *"continue the dialogue with its South-East European neighbours on border issues, given that territorial demarcations between Serbia and Croatia and between Serbia and Bosnia-Herzegovina have yet to be established".*[1209]

In 2008, the good-neighbourliness principle was enshrined in Serbia's SAA with the EU[1210], and the need for "resolving outstanding border issues with Croatia and Bosnia-Herzegovina" was again underlined by the Council[1211]. The Commission, in the meantime, maintained its pressure by reiterating that "no progress" had been made since 2007[1212]. In its 2009 enlargement strategy, the Commission clearly stated its expectations in this regard:

> *"further progress is required towards finding definitive solutions to the various bilateral issues which remain open, particularly as regards borders".*[1213]

But despite its invocations, the Commission was again forced in 2011 to bemoan that border demarcation "remains an outstanding issue" that "has still to be resolved"[1214].

The reasons why negotiations between Serbia and its neighbours never took off throughout the 2000s are multiple, and they often went beyond the sheer technicalities of the border dispute. They were linked to highly sensitive political issues between Serbia on the one hand and Montenegro, Bosnia and Croatia on the other hand, which, spilling over border disputes, hindered their settlement. With Montenegro, this political issue was related to the country's recognition of Kosovo on 9 October 2008, hours after Serbia had referred to the International Court of Justice (ICJ) the question of the legality of the Kosovo declaration of independence. Outraged by the news, Serbia received Podgorica's decision as, according to Serbia's foreign minister Vuk Jeremić, "a stab in the back"[1215]. Belgrade retaliated by freezing its diplomatic relations with Montenegro and declaring the Montenegrin Ambassador *persona non grata*. The negotiations on border demarcation logically came to a halt. Although the relations between Serbia and Montenegro were rapidly normalised[1216], Podgorica's efforts to deepen its good-neighbourly relations with Kosovo continued to affect Serbo-Montenegrin relations. At stake, for Serbia, was Montenegro's border dispute with Kosovo[1217], which Podgorica attempted to solve at the bilateral level, directly

[1209] European Parliament. 25 October 2007. 'European Parliament Recommendation to the Council on Relations between the European Union and Serbia.'
[1210] Articles 6 and 10.2c, Stabilisation and Association Agreement between the European Communities and their Member States of the one part and the Republic of Serbia of the other part. 22 January 2008.
[1211] Council of the European Union. 18 February 2008a. 'Council's Decision on the Principles, Priorities and Conditions Contained in the European Partnership with Serbia and Montenegro Including Kosovo as Defined by the United Nations Security Council Resolution 1244.'
[1212] European Commission. 14 November 2007. 'Serbia 2007 Progress Report.'; European Commission. 5 November 2008e. 'Serbia 2008 Progress Report.'; European Commission. 14 October 2009d. 'Serbia 2009 Progress Report.'
[1213] European Commission. 14 October 2009a. 'Enlargement Strategy and Main Challenges 2009-2010.'
[1214] European Commission. 12 October 2011a. 'Analytical Report for the Opinion on Serbia's Application for Membership of the European Union.'
[1215] The expression had been previously used by Milošević in 1992 against Macedonia. See B92. 6.10.2008. 'Jeremić Voices Optimism, Warns Montenegro.'
[1216] Serbia accredited a new Montenegrin Ambassador in September 2009.
[1217] Montenegro and Kosovo have not finished the demarcation of their state border, and the existence of a 11km-long buffer zone remains problematic.

with Pristina. Serbia opposed Podgorica's initiative, arguing that "there is no border between Montenegro and Kosovo, but only borders between Montenegro and Serbia"[1218]. Because it excluded Belgrade from the talks with Pristina, the initiative of Podgorica reportedly represented a direct threat to Serbia's territorial integrity. In an attempt to block this move, Serbia consequently conditioned the settlement of its border dispute with its inclusion in the negotiations on the Kosovo-Montenegrin border. It thereby linked the two border issues, which resulted in a dual stalemate.

With Bosnia Herzegovina, the standstill is rooted in the institutional complexities of the state of Bosnia, inherited from the 1995 Dayton Agreement, and the tumultuous relations between Belgrade and Sarajevo following the Bosnian war. Practical impediments concerned the border commission, set up in 2005. Unlike Serbia-Montenegro, Bosnian authorities did not authorise its representatives to negotiate territorial swaps –a possible solution for the exclave of Sastavci[1219]. They were not authorised either to negotiate the correction of the border line in the areas claimed by Serbia[1220], and their overall capacity to push the negotiations further was then dependent on the tripartite Presidency and Council of Ministers. These central organs, however, came under increasing strain after the 2006 general elections in Bosnia. The internal divisions in Bosnia continued to rise under the government of Milorad Dodik in Republika Srpska, and affected the capacity of the central state to make decisions on foreign policy issues. From 2007 to 2010, the post of Bosnian Ambassador to Serbia remained vacant[1221], and from October 2010 to December 2011, no Council of Ministers could be formed. In this state of permanent institutional crisis, issues, like border disputes, which required central state's decisions, could hardly be addressed. Besides, the relations between Serbia and Bosnia were durably affected by the ICJ ruling of February 2007 regarding the genocide of Srebrenica. These tensions were only relieved more recently, in 2010, as Serbia's Parliament adopted a declaration condemning the 1995 Srebrenica massacre and Serbia's President Tadić attended the Srebrenica commemoration. But these improvements have had little impact on Serbia and Bosnia's readiness to address their border issue.

Although no progress has been recorded with Croatia either, Serbia's approach has taken an interesting turn in the past few years, characterised by an increasing number of references to the EU and its member states, and a renewed will to address the issue. Until recently, the border issue was not of primary (not even secondary) interest to Serbian authorities. The bilateral relations between the two countries were dominated by concerns over normalisation and reconciliation, and sometimes strained by sporadic issues, such as the 2008 genocide lawsuit brought by Croatia before the ICJ, or populist declarations[1222]. The resurgence of Serbia's interest for its border dispute with Croatia came with the 2008-2009 border dispute that opposed Slovenia and Croatia. The dispute, which concerned the Bay of Piran, was similarly inherited from the dissolution of Yugoslavia. But it was not solved as Slovenia joined the EU in 2004. Four years later, the bilateral dispute climaxed, when Slovenia brought the bilateral issue at the EU level and exercised its veto right against Zagreb. Croatia was

[1218] B92. 16.06.2010. '"Serbia-Montenegro Border Demarcated".'
[1219] SRNA. 8.12.2004. 'Bosnia, Serbia-Montenegro Disagree on Demarcation Accord.'
[1220] Ibid.
[1221] European Commission. 5 November 2008a. 'Bosnia and Herzegovina 2010 Progress Report.' p. 24.
[1222] Interview with an Official from the Ministry of Foreign Affairs of Serbia, Directorate for Neighbouring and South-East European Countries. Belgrade, 15/09/2011

negotiating its accession and had purportedly transmitted documents to the EU that were prejudging its disputed border in the Bay of Piran. The blockade of Croatia's negotiation process with the EU lasted almost one year and stirred up much annoyance in Brussels. Since Croatia joined the EU before Serbia in 2013, it could, in the future, theoretically use its asymmetrical bargaining position to tentatively force Belgrade into an agreement. This possibility is subject to caution. First, it is not sure that the EU (i.e. the other member states) would "tolerate a new Piran dispute" between Serbia and Croatia[1223]. Second, Croatian top-level officials have recently indicated that they would not follow Slovenia's path, which they deemed self-damaging. As stated by Croatian Foreign Minister Vesna Pusić,

> *"Our experience with Slovenia over the Bay of Piran dispute teaches us that it that is best to resolve problems bilaterally if at all possible, but if not, international courts and arbitration are still a viable option".*[1224]

Whether a "new Piran dispute" is likely or not, the legal possibility for one EU member states to block the accession process of an acceding state prompted keen concerns in Serbia's MFA. As argued by a high official in the MFA, the experience shows that by multilateralising their bilateral disputes, "some actors may try to use the EU on some issues" for their own interest[1225]. This possibility calls for preventive actions, drawing lessons from the negative experience of the Piran dispute. As stated by a director in Serbian MFA,

> *"there is from our side the ambition to gradually eliminate all the open issues as we proceed towards EU accession. We already have the Kosovo issue, so it is in our interest to have the fewest problems".*[1226]

If Serbia and Croatia do succeed in solving their bilateral dispute through the conclusion of a bilateral agreement, then Serbia is also ready to bring the case in front of an arbitration court (e.g. under the aegis of the EU) or before the ICJ, in accordance with the EU's good-neighbourliness principle[1227].

In 2008-2009, the member states of the EU also started to matter in a different way to Serbia –as a reservoir of ideas and a source of inspiration. In the past few years, Serbian experts in the MFA have indeed conducted several studies on the border arrangements existing between the member-states in fluvial areas that used to be disputed[1228]. Officials in the MFA were tasked to

> *"analyse the manner European countries have settled their border disputes in fluvial areas, to consult with experts and institutions from these countries and to report on their way of doing".*[1229]

[1223] Interview with an Official from the Embassy of the Republic of Austria to Serbia. Belgrade, 13/09/2011
[1224] Cit. in Blic. 8.1.2012. 'Croatian Foreign Minister Interviewed on Ties with Serbia.'
[1225] Interview with a Top Official from Ministry of Foreign Affairs of the Republic of Serbia. Belgrade, 12/09/2011
[1226] Interview with an Official from the Ministry of Foreign Affairs of Serbia, Directorate for Neighbouring and South-East European Countries. Belgrade, 15/09/2011
[1227] Ibid.
[1228] Ibid.
[1229] Ibid.

For instance, there have been studies about the Guadiana River border dispute between Spain and Portugal [1230] and the Nagymaros-Gabcikovo barrage dispute between Hungary and the Slovak Republic [1231]. The peaceful settlement of the dispute is cited as an example in Serbia's answers to the Commission's 2011 Questionnaire[1232].

In the end, structural forces, like conditionality, did not matter as much as motivational forces, like negative lesson-drawing and experiential learning, in Serbia's recent change of attitude. Perhaps, the strengthening of the EU's conditionality regime in 2008-2009 has brought further momentum in this sudden interest for border dispute resolution. But conditionality cannot be pointed out as a cause for action in this respect. As stated by a top-official in the MFA,

> *"it has a serious impact, […] but I won't say that this [EU condition] is the primary reason [for Serbia's engagement with its neighbours], because we would be obliged to cooperate with or without the EU".* [1233]

EU conditionality is not a prerequisite for good-neighbourliness, and border disputes do not need the structural power of the EU to be resolved. Such allegations would misgauge the role of the EU. For most of the countries of the Western Balkan states, good-neighbourly relations are inherently important, given their common heritage[1234]. The EU, then, "does not impose"[1235] the pursuit of good-neighbourly relations. It rather acts as "a facilitator"[1236], "leaving to the parties to find a solution", whilst making the item more important to all. As explained by a MFA official involved in border dispute resolution:

> *"for the EU, it is important that there is an atmosphere of dialogue, that there is the ambition to settle the dispute in the course of the accession process. This is what the EU expects. The EU does not want the problems to be forgotten or frozen".* [1237]

[1230] The dispute revolves around a segment of the Guadiana River between the Olivenza and Táliga, with a city (Olivenza) claimed by Portugal but administrated *de facto* by Spain. The issue lost the little relevance it had, after the creation in 2009 of the Euroace euroregion.

[1231] The dispute erupted with the construction of a dam, which changed the course of the Danube River. It was solved in 1997 by a decision of the ICJ, upon the recommendation of the European Parliament. See Englefield, G. 1993. 'The International Boundary between Hungary and Slovakia: The Nagymaros-Gabcikovo Dispute.' *Boundary and Security Bulletin* vol.1 (2).

[1232] Republic of Serbia. 2011. 'Answers of the Republic of Serbia to the EU Questionnaire Delivered by the European Commission.' p. 522.

[1233] Interview with a Top Official from Ministry of Foreign Affairs of the Republic of Serbia. Belgrade, 12/09/2011

[1234] Interview with an Official from Ministry of Foreign Affairs of the Republic of Serbia, Directorate General for the European Union. Belgrade, 12/09/2011; Interview with an Official from the Ministry of Foreign Affairs of Serbia, Directorate for Neighbouring and South-East European Countries. Belgrade, 15/09/2011

[1235] Interview with an Official from Ministry of Foreign Affairs of the Republic of Serbia, Directorate General for the European Union. Belgrade, 12/09/2011

[1236] Interview with a Top Official from Ministry of Foreign Affairs of the Republic of Serbia. Belgrade, 12/09/2011

[1237] Interview with an Official from the Ministry of Foreign Affairs of Serbia, Directorate for Neighbouring and South-East European Countries. Belgrade, 15/09/2011

At play there are dispositions creating a positive issue-linkage, according to which "good-neighbourliness is part of European integration"[1238].

3.3.4. Summary of the findings

Despite the weakness of its CFSP acquis in that area, the EU actively supported the settlement of border disputes in the Western Balkans. But the structural impact of its conditionality approach should not be overestimated. In fostering the 2001 border agreement between Macedonia and the FRY, the EU's exercise of conditionality did not matter as much as regime change in the FRY and rising instability in Macedonian borderlands. In fostering the 2009 border agreement between Macedonia and Kosovo, the EU played a greater role, hand in hand with the US, very much involved in Kosovo. It helped reframing the border issue as technical in nature rather than political, backed its linkage with the Ahtisaari process, encouraged the progress realised by the joint technical commission, used its political leverage to speed up the negotiations and increased its conditionality leverage by linking the border issues to the acquis-laden framework of integrated border management. These contributions played an essential role in the settlement of the Kosovo-Macedonian border dispute.

Throughout its conditionality dialogue with Serbia, the EU also endeavoured to bring forwards some changes, though with limited success. In the border dispute opposing Serbia and Montenegro, the EU did not succeed in lifting the deadlock maintained by Serbia's insistence on linking its Montenegrin border issue with its Kosovo's non-recognition policy. With Bosnia-Herzegovina, the standstill is rooted in the institutional complexities of the Bosnian state and the tumultuous relations between Belgrade and Sarajevo. With Croatia, Serbia only started to look at its border issue through a European prism following the Croato-Slovenian border dispute over the Piran Bay. Despite their many attempts, the EU and its member states, however, did not succeed in bringing about any tangible result so far. The only achievement has been a rising interest in Belgrade for EU member states' experiences in that matter, and a nascent willingness to draw lessons from them.

Interestingly, border dispute settlement remains, overall, a field in which the EU has little influence. Domestic factors remain prevalent in most of the cases described. These factors facilitate or constrain the resolution of border disputes in an essential manner. Then come the motivational or dispositional forces radiating towards the EU. These mattered because good neighbourly relations came to be considered as a principle constitutive of what European integration stands for; because Macedonia, and to a lesser extent Serbia, became more inclined to consider that good neighbours having settled all disputes is what will make a peaceful Europe; and because resolving dispute settlement was sometimes perceived as an opportunity to demonstrate one's commitment to European integration and capacity to learn. Structural forces, in the end, barely mattered, except for Macedonia in 2009. Too weak, too vague and too circumvolutory to decisively turn the tide of events, conditionality barely went further than encouragement and laudatory politics. Despite the 2009 achievement, the EU's practice of the general principle of good-neighbourliness may, in this respect, appear quite disappointing. In most of the cases, EU norms merely echoed UN obligations,

[1238] Ibid.

and left few European imprints that would have magnified the compellingness of the general principle of good-neighbourliness.

3.4. Changes in Serbia and Macedonia's approach to critical foreign policy issues

This section explores other aspects of the context and output dimensions of Serbia and Macedonia's foreign policy. It assesses the extent to which Serbia and Macedonia have inflected their foreign policy approach towards critical foreign policy issues, i.e. regarding Macedonia's naming issue and the Serbia's Kosovo issue. It infers Europeanisation from the settlement of neighbourly disputes through the use of European frameworks and analyses the motives, causes and reasons that best account for the phenomenon. It should be kept in mind, here, that Serbia's Kosovo issue and Macedonia's naming differ in an essential respect: the EU membership of one of the parties to the dispute (Greece). The analysis will take into account this important difference.

3.4.1. Descriptive analysis

3.4.1.1. Macedonia's naming issue with Greece

Despite their flourishing economic relations, Skopje and Athens have remained the chief protagonists of a bilateral dispute that has been going on for far too long. The bone of contention concerns in its core the name of the state of Macedonia, and in its peripherals, the use of cultural, linguistic and historical references to Antique Macedonia. Although many view the on-going dispute with a certain amusement, its apparent triviality is deceptive. The dispute has had wide-ranging implications over the past two decades, and certainly not positive ones. It has affected Macedonia's foreign policy well beyond the scope of its bilateral relations with Greece. As a matter of fact, it is responsible for the delayed admission of Macedonia to the United Nations in 1993 (under the name of FYROM); for a 20-month economic blockade imposed by Greece in 1994-1995; for the belated establishment of full diplomatic relations between Macedonia and the European Union in December 1995; and for the derailment in 2008 of Macedonia's European and Euro-Atlantic integration processes. In a country fraught with internal weaknesses, this critical issue adds to the impending threats hanging over Macedonia's stability. But surprisingly, it has attracted little scholarly attention so far –notwithstanding (many) conspicuously partial writings[1239].

3.4.1.1.1. The position of Greece

The naming issue arouse in 1991, as Skopje declared its independence under the name of "Republic of Macedonia" (RoM). This name, enshrined in the 1991 Constitution, followed the appellation borne by Macedonia in the SFRY between 1963 and 1991.

[1239] Most of the literature on the subject was produced in the mid 1990s at the occasion of Macedonia's quest for international recognition. Among the few recent academic writings on the naming issue specifically, see Ragaru, N. 2011. 'Macédoine-Grèce: Les Pouvoirs De La Toponymie.'; Mavromatidis, F. 2010. 'The Role of the European Union in the Name Dispute between Greece and Fyr Macedonia.' *Journal of Contemporary European Studies* vol.18 (1); Shea, J. 2008. *Macedonia and Greece: The Struggle to Define a New Balkan Nation*; Messineo, F. 2012. 'Maps of Ephemeral Empires: The Icj and the Macedonian Name Dispute.' *Cambridge Journal of International and Comparative Law* vol.1 (1).

The republic was then known as the "Socialist Republic of Macedonia". Having an independent "Republic of Macedonia" bordering the Greek region of Macedonia, however, ran into Athens' most outspoken opposition. The reasons of this opposition are multiple.

First, there are Greek objections on historical grounds. Athens considers that the term of "Macedonia" evokes the ancient kingdom of Macedon, which reportedly "belongs to the Hellenic nation" [1240] and is part of Greek culture[1241]. Of course, this debate on the cultural roots of today's Greece is highly political. Historiographies that shrug off the fact that ancient nations were not built on the same foundations as today's nations certainly fell short of scientific value. But, in Greece, they cement the sense of national belonging characterising the "Greekness" of the Greeks. That is why Athens constantly objects to Skopje's insistence on naming the country "RoM", and denounces its pretence at sharing the Hellenic legacy. For Greece, this pretence is nothing but "theft of Greece's historical and cultural heritage" [1242].

The dispute also has a plainly political dimension. Greece accuses Skopje of "treacherous […] intentions", i.e. the "promotion of irredentist and territorial ambitions […]" in the Greek region of Macedonia [1243]. This region hosts an unrecognised minority of Slavo-Macedonians[1244], whose presence is not new, but whose number decreased in the past century[1245]. This minority, according to Athens, is prone to convey Skopje's claim over the Hellenic legacy, and translate it in territorial terms, stirring up popular agitation and irredentism. If Slavo-Macedonians in Greece, after all, come to identify themselves as the proud descendants of Alexander the Great, why should they remain under Athens' thumb? Skopje's pretence, according to Greece, also, is no fiction; it came close to completion after the Second World War, as Tito secretly envisioned the creation of a Greater Macedonia that would absorb parts of northern Greece[1246].

Greece, finally, articulates its argument in the realm of international law, accusing Skopje of

[1240] Ministry of Foreign Affairs of the Hellenic Republic. 'Fyrom Name Issue'. [accessed 10/1/2013].
[1241] Since nations are imagined communities too, the naming issue cannot be solved by simply asserting what seem to be historical facts. The vacuity of the historical debate surrounding the naming issue is well exposed in Ragaru, N. 2011. 'Macédoine-Grèce: Les Pouvoirs De La Toponymie.'
[1242] Ministry of Foreign Affairs of the Hellenic Republic. 'Fyrom Name Issue'. [accessed 10/1/2013].
[1243] Ibid.
[1244] The Government only recognises one minority in Greece (the Muslims), and denies the existence of Slavic Macedonian communities in Northern Greece. For many Greeks, those who call themselves Macedonians, anyway, are no ethnic Macedonians. They are Bulgarians or Yugoslavs. See McDougall, G. 18 February 2009. 'United Nations Human Rights Council Report of the Independent Expert on Minority Issues -Mission to Greece.' p. 13.
[1245] Vankovska, B. 2010. 'David Vs. Goliath: The Macedonian Position(S) in the Socalled 'Name Dispute' with Greece.' *Südosteuropa: Zeitschrift für Politik und Gesellschaft* vol.58 (3).
[1246] According to some authors, the creation of the Socialist Republic of Macedonia would have responded to Tito's plan to gain access to Aegean Sea by claiming Greek territory in Greece's Macedonia, e.g. Thessaloniki. See Mavromatidis, F. 2010. 'The Role of the European Union in the Name Dispute between Greece and Fyr Macedonia.' *Journal of Contemporary European Studies* vol.18 (1). p. 48.

> *"contravening the fundamental principles of international law and order; specifically for good neighbourly relations, sovereignty and territorial integrity"*.[1247]

Greece denounces, more specifically, Skopje's alleged violations of the Interim Accord, which was reached in 1995 by the two countries under the aegis of the United Nations and the patronage of the US. The 1995 Interim Accord commits both countries to abide to a code of conduct in international affairs. The accusations of Greece concern a set of specific provisions: those stating that none of the parties shall question or undermine the territorial integrity of the other (arts 2-4, 6.2), that the two parties shall refrain from provocative actions (art. 7.1), that Macedonia shall foreswear controversial symbol (art. 7.2)[1248], and that Macedonia shall be referred to as FYROM in international settings for Greece not to veto its membership (art. 11)[1249]. According to Greece, Macedonia failed to respect "the letter and the spirit of the Accord"[1250]: it portrayed fallacious maps of Greater Macedonia in history school books, supported irredentism in Northern Greece, resorted to provocative actions against Greece[1251], used prohibited symbols[1252], and more questionably, used the name of RoM in international organisations[1253].

Because Skopje allegedly violates the commitments agreed upon under the auspices of the United Nations, Greece considers that the naming issue is not a sheer matter of bilateral relations. In the 2000s, it therefore took retaliation measures against Skopje, and chose to multilateralise the issue in order to put Skopje under greater pressure. This decision followed a series of diplomatic achievements that were believed to weaken the position of Greece[1254], e.g. the admission of Macedonia in Nato's pre-accession Membership Action Plan (MAP) process in 1999, the US recognition of Macedonia under its constitutional name in 2004[1255], and the recognition of

[1247] Ministry of Foreign Affairs of the Hellenic Republic. 'Fyrom Name Issue'. [accessed 10/1/2013].
[1248] The Interim Accord foresees that Macedonia shall cease to displayed the Vergina Sun on its national flag (which it did between 1992 and 1995). The Vergina Sun was found in 1977 on the presumed tomb of Philipp II of Macedon.
[1249] As noted by the ICJ in its 2011 ruling, the Interim Accord, however, does not preclude the use of ROM in bilateral relations, including between Skopje and Greece. See footnote 1278 and Messineo, F. 2012. 'Maps of Ephemeral Empires: The Icj and the Macedonian Name Dispute.' *Cambridge Journal of International and Comparative Law* vol.1 (1). p. 183.
[1250] Ministry of Foreign Affairs of the Hellenic Republic. 'Fyrom Name Issue'. [accessed 10/1/2013].
[1251] For instance, Skopje's decision in December 2006 to rename its airport "Alexander the Great" infuriated Greece.
[1252] See the Interview with Greece's Foreign Minister Dora Bakogiannis in Frankfurter Allgemeine Zeitung. 28.3.2008. 'Skopjes Anachronismus Heizt Spannungen An.'
[1253] Yet, as noted by the ICJ in its 2011 ruling, the Interim Accord does not prevent Macedonia from using the name of ROM in its dealings with international organisations. As a matter of fact, Macedonia uses consistently its ROM appellation when it addresses the UN and the EU. Article 11 (1) of the Interim Accord rather provides that Greece shall not veto the admission of Macedonia, if Macedonia accepts to be referred (by others) as FYROM. See footnote 1278 and Messineo, F. 2012. 'Maps of Ephemeral Empires: The Icj and the Macedonian Name Dispute.' *Cambridge Journal of International and Comparative Law* vol.1 (1). p. 183.
[1254] Ragaru, N. 2011. 'Macédoine-Grèce: Les Pouvoirs De La Toponymie.'
[1255] The US recognition of Macedonia under its constitutional name in November 2004 took place on the eve of a referendum on the law on municipality borders, providing more autonomy, at the local level, for the Albanians in Macedonia. Some argue that ethnic Macedonians traded their support for the referendum in exchange with US recognition. See Vankovska, B. 2010. 'David Vs. Goliath: The Macedonian Position(S) in the Socalled 'Name Dispute' with Greece.' *Südosteuropa: Zeitschrift für Politik und Gesellschaft* vol.58 (3).

Macedonia as EU candidate in 2005[1256]. In a landmark decision, Greece decided to react in 2008 by preventing Macedonia from being invited to join Nato at the Bucharest Summit[1257]. Threatening to use its veto right, Athens, with the support of France[1258] and a few others, succeeded to overcome the resistance of the US[1259] and to condition Macedonia's membership in Nato to the resolution of the naming issue. The decision was ultimately taken that

> *"an invitation to the former Yugoslav Republic of Macedonia will be extended as soon as a mutually acceptable solution to the name issue has been reached".*[1260]

Greece applied the same logic of "no solution, no invitation"[1261] to Macedonia's integration process in the EU. Since 2008, it keeps blocking the opening of Macedonia's accession negotiations, despite the positive recommendations of the Commission and the European Parliament. The decision of the European Council, reflecting the Greek position, provides that

> *"further steps by the former Yugoslav Republic of Macedonia in its progress towards the EU are possible, […but] maintaining good neighbourly relations, including a negotiated and mutually acceptable solution on the name issue, remains essential".*[1262]

This position, first uttered in 2008, has been reiterated ever since on a yearly basis, and the stalemate remains effective.

3.4.1.1.2. The position of Macedonia

The Macedonians, on the other side, view the term of "Macedonia" as part of their national identity[1263]. Already questioned by the Serbs, who oppose the autocephaly of the Macedonian Orthodox Church[1264], and by the Bulgarians, who challenge the

[1256] Interview with an Official from the Permanent Mission of Bosnia and Herzegovina to the Osce. Skopje, 08/03/2011

[1257] Greece, officially, did acknowledge the use of its veto power in the North Atlantic Council to prevent Macedonia from securing its invitation. The Declaration of the Bucharest Summit only evokes a lack of consensus among Nato members. And indeed, Greece did not stand alone against Macedonia, but received the support of others, e.g. France and Spain. Still, in its 2011 ruling, the ICJ observed that the ground for the objection of Greece laid in the naming dispute, not in other factors. The support it got from other partners therefore also related to the naming dispute. Although no formal veto was used at the Bucharest Summit, the position of Greece, in practice, therefore amounted to the unlawful use of veto powers. See Para 71, International Court of Justice. 5 December 2011. 'Judgment of the Court Regarding the Objection by Greece to the Admission of the Former Yugoslav Republic of Macedonia to Nato.' and Messineo, F. 2012. 'Maps of Ephemeral Empires: The Icj and the Macedonian Name Dispute.' *Cambridge Journal of International and Comparative Law* vol.1 (1). p. 182.

[1258] United States Embassy in Athens. 9.6.2008. 'Sarkozy Vows Athens'. [accessed 4.3.2013]

[1259] United States Embassy in Athens. 26.8.2008. 'Scenesetter for Ambassador Lagon's September 1-3 Visit to Greece'. [accessed 4.3.2013]

[1260] Point 20, North Atlantic Treaty Organization. 3 April 2008. 'Bucharest Summit Declaration.'

[1261] GreekNews. 25.2.2008. 'Karamanlis: No Solution Means No Nato Invitation to Skopje.'

[1262] Point 56, European Council. 19/20 June 2008. 'Conclusions of the Presidency '.

[1263] This claim has been reiterated by leading figures of the government over the past fifteen years, e.g. lately, in Kurir. 14.6.2012. 'Gruevski: Greece Should Realize That Macedonians Live in Macedonia.'

[1264] The Macedonian Orthodox Church is autonomous from the Serbian Orthodox Church since 1959. But in 1967, the Archbishopric of Ohrid in Macedonia declared its full administrative independence. Its proclaimed autocephaly implies that the archbishop is not appointed by the patriarch of the Serbian

idiosyncrasy of Macedonian language, the Macedonians perceive the objections of the Greeks as a threat to their fragile sense of identity [1265] and a denial of their fundamental "right to self-identification"[1266]. They argue, indeed, that every country should be allowed to choose its own name; that its constitutional name, "Republic of Macedonia", is already in use for bilateral purposes in most of the UN Security Council (e.g. by the United States, the United Kingdom, China and Russia most notably), and that it has been recognised by the majority of the UN membership[1267]. For Macedonia, using RoM should be the norm in international affairs, and Skopje thus reserves the right to deny the establishment of diplomatic relations with countries that fail to use RoM, especially at the bilateral level, such as Cyprus [1268]. In multilateral settings, Macedonia takes a more acceptant position, pursuant the 1995 Interim Accord and the UNSC resolution 817/1993. Therein, it accepts "being provisionally referred to" as FYROM[1269]. But FYROM, then, is not considered as the country's actual name; it is an interim designation, which others may use to label Macedonia[1270]. As stated already in 1993 by Macedonian Prime Minister Crvenkovski,

> *"the Republic of Macedonia will in no circumstances be prepared to accept the "former Yugoslav Republic of Macedonia" as the name of the country".* [1271]

Macedonia also systematically rejects the accusations of Greece regarding its alleged plans for territorial expansion. It argues that the realisation of such plans would contravene the domestic and international obligations it freely and bindingly subscribed to. Skopje first recalls that its Constitution was amended in January 1992 in order to explicitly provide that the country has "no territorial claims against neighbouring states", and that it "shall not interfere in the sovereign rights of other states and their internal affairs"[1272]. This commitment is unambiguous, since another provision bars all exceptions and asserts the immutable character of Macedonia's

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Orthodox Church. The autocephaly of the Macedonian Orthodox Church is rejected by the Serbian Orthodox Church and other national Orthodox Churches.

[1265] The Macedonian identity is even more fragile, as it is split between Slavo- and Albano-Macedonians. But this difference does not seem to create a cleavage in the position towards Macedonia's name. Despite their electorate, which is often more open to a compromise with Greece, Albanian parties tend to align themselves with Slavo-Macedonian parties, when they enter a ruling coalition. See Azizi, A. 2012. 'Euro-Atlantic Integration of Macedonia and the Name Issue: Viewed from the Prism of Albanians.' *Mediterranean Journal of Social Science* vol.3 (8).

[1266] Republic of Macedonia. 16 November 2012. 'Address by the President H.E.Mr. Gjorgje Ivanov at the Congress "90 Years of Paneuropa"'. [accessed 15.2.2013].

[1267] As of September 2012, 134 countries reportedly recognised Macedonia under its constitutional name. Republic of Macedonia. 27 September 2012. 'Address by the President H.E.Mr. Gjorgje Ivanov at the 67th Session of the General Assembly of the United Nations'. [accessed 15.2.2013].

[1268] Macedonia has established diplomatic relations with 167 states to date. Not all of them recognise Macedonia under its constitutional name though. France, Germany and of course Greece, for instance only use FYROM in their official correspondence. Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Bilateral Relations with Non European Countries. Skopje, 03/11/2011

[1269] United Nations Security Council. 7 April 1993. 'Resolution on the Former Yugoslav Republic of Macedonia.'

[1270] Interview with an Official from Ministry of Foreign Affairs of the Republic of Macedonia, United Nations Unit Skopje, 07/03/2011

[1271] Republic of Macedonia. 24 March 1993. '*Letter from Prime Minister Branko Crvenkovski Addressed to the President of the UN Security Council*.'

[1272] Amendments I and II, Constitution of the Republic of Macedonia. 1991.

obligations in this respect[1273]. Skopje, second, recalls that the Badinter Arbitration Commission, mandated by the European Community, acknowledged this state of affairs in 1992, when it recommended the recognition of Macedonia (under the name of RoM)[1274]. And it third recalls its commitment to the 1995 Interim Accord, which provides that each Party "undertakes to respect the sovereignty, the territorial integrity and the political independence" of the other Party[1275], and that "neither of them will assert or support claims to any part of the territory of the other Party or claims for a change of their existing frontier"[1276]. Skopje therefore claims that the decision of Greece to hamper Macedonia's integration in the EU and in Nato is neither legitimate, nor legal. Dismayed by the conclusions of the Bucharest Summit in 2008, Skopje sued Athens before the International Court of Justice (ICJ), with outstanding success[1277]. Greece was found guilty of breaching its obligation under Article 11 of the 1995 Interim Accord by objecting to the Nato admission of Macedonia[1278]. *Contra* Greece, the ICJ noted that in the Interim Accord, Macedonia "had not undertaken any obligation to call itself 'the former Yugoslav Republic of Macedonia'" [1279]. Despite this ruling, Greece continued to block Macedonia's integration in transatlantic structures, e.g. in the 2012 Chicago Summit[1280].

This Greek blockade of Macedonia's European and Euro-Atlantic integration fuelled increasing frustrations in Macedonia, and prompted an escalation of the tensions between the two countries. A line was crossed in 2009, when the Macedonian government launched a urban project, called Skopje 2014, aiming at revitalising the city centre in an overly historicist style recalling the ancient kingdom of Macedon. The project foresaw the construction of a large dozen of official buildings, several bridges, and a plethora of monuments. The "antiquisation" of the city was intended to foster Macedonian "nation-building" and underline the cultural roots of Macedonians in history[1281]. The erection on Skopje's main square of a 25-meter high statue of a "Warrior on a Horse", which evidently depicts Alexander the Great (in front of another giant statue of Philip II of Macedon), unsurprisingly infuriated Athens[1282]. The whole project is primarily supported by the right-wing government led by the VMRO-DPMNE since 2006, but it is subject to increasing resistance in the population, owing to its nationalist flavour, its extravagant cost and its negligence of Albanian historiography in Macedonia[1283].

[1273] See art. 6, Ibid.
[1274] Opinion 6, in Pellet, A. 1990. 'The Opinions of the Badinter Arbitration Committee: A Second Breath for the Self-Determination of Peoples.' *European Journal of International Law* vol.3 (1).
[1275] art. 3, Interim Accord between the Hellenic Republic and the former Yugoslav Republic of Macedonia. 13 September 1995.
[1276] art. 4, Ibid.
[1277] Messineo, F. 2012. 'Maps of Ephemeral Empires: The Icj and the Macedonian Name Dispute.' *Cambridge Journal of International and Comparative Law* vol.1 (1).
[1278] International Court of Justice. 5 December 2011. 'Judgment of the Court Regarding the Objection by Greece to the Admission of the Former Yugoslav Republic of Macedonia to Nato.'
[1279] Messineo, F. 2012. 'Maps of Ephemeral Empires: The Icj and the Macedonian Name Dispute.' *Cambridge Journal of International and Comparative Law* vol.1 (1). p. 186.
[1280] The ICJ has no legal capacity to enforce its judgments.
[1281] See MINA. 7.1.2012. 'Pm Gruevski: Yes, Skopje 2014 Was My Idea.'
[1282] Ragaru, N. 2011. 'Macédoine-Grèce: Les Pouvoirs De La Toponymie.'
[1283] Beside many Albanians, and a growing number of intellectuals, the opponents to the project count the Social Democratic Union party (SDSM, in the opposition, centre-left), the New Social Democratic Party (NSDP, centre-left) and New Democracy (Albanian party).

3.4.1.1.3. The negotiation framework and its outcome

In order to resolve the naming dispute, Macedonia and Greece have conducted (fruitless) negotiations in the past 15 years under the auspices of the United Nations[1284]. The EU, interestingly, does not take any active part in this process. Since December 1999, the negotiations are chaired by Matthew Nimetz, a Personal Envoy of the UN Secretary General. The diplomat brought forth different propositions for Macedonia's name, but to no avail. First opposed to any proposition that would include the term of "Macedonia", Greece gradually revised its position and, in the framework of the negotiations, now supports a compound name solution, i.e. a "name with a geographical qualifier for use in relation to anyone" (*erga omnes* solution)[1285]. Skopje, by contrast, stands for a "dual name" solution, whereby RoM would continue to be used by those states that have recognised Macedonia under its constitutional name, and FYROM would elsewhere be substituted by a compound name. The latest proposal by Matthew Nimetz in October 2008, gave precedence to Greece's demand for a compound name, but watered down its claim for an *erga omnes* solution. The proposal was not accepted by Macedonian leaders[1286].

3.4.1.2. Serbia's policy towards Kosovo

More than ten years after the Kosovo war, the thorny relations between Belgrade and Pristina remain an important factor of instability in the Western Balkans. In addition to the recurrent outbreak of violent incidents in the borderlands, these tensions in Europe's backyard maintain a climate of defiance and insecurity, with domestic, regional and international repercussions[1287]. The Kosovo issue opposes Belgrade and Pristina over an existential question –Kosovo's claim for statehood. Attempts at finding a common ground never ended up in the successful resolution of the issue. Following the failure of the Kosovo status process led by UN Special Envoy Martti Ahtisaari bewteen 2005 and 2007, and the failure of the Troika's initiative in 2007, Pristina, eventually, unilaterally declared its independence on 17 February 2008 –an act, which Serbia continues to consider as sheer "secessionism"[1288].

3.4.1.2.1. Kosovo's claim for statehood

Kosovo's claim for statehood is rooted in pre-war times[1289]. It is legitimated in Pristina by a series of historical events that are arguably supportive of the *sui generis* application of the general principle of self-determination: the violent encounter, in the

[1284] in accordance with art. 5 of the Interim Accord between the Hellenic Republic and the former Yugoslav Republic of Macedonia. 13 September 1995.
[1285] Ministry of Foreign Affairs of the Hellenic Republic. 'Fyrom Name Issue'. [accessed 10/1/2013].
[1286] The proposal provided that Macedonia would bear the name of "Republic of North Macedonia", except in the native language, where Macedonia would have been called "Република Македонија", i.e. Republic of Macedonia.
[1287] The Kosovo issue has domestic repercussions in Serbia, for instance, in the Albanian-populated Valley of Preševo, where instability is recurrent. It has implications at the regional level, e.g. regarding Serbian irredentism in Bosnia-Herzegovina, and at the international level, as shown in the 2008 South Ossetia war.
[1288] Republic of Serbia. October 2009. 'National Security Strategy of the Republic of Serbia.'
[1289] See Marko, J. 1999. 'Die Staatsrechtliche Entwicklung Des Kosovo Von 1913-1995.' In *Gordischer Knoten Kosovo: Durchschlagen Oder Entwirren? Völkerrechtliche, Rechtsvergleichende Und Politikwissenschaftliche Analysen Und Perspektiven Zum Jüngsten Balkankonflikt*, ed. Marko, J.

1980s, between the political aspirations of Kosovo Albanians and the rise of Serbian nationalism; the harsh limitations imposed in 1989 by Milošević's regime upon the autonomy and self-government of the Province; the hardening of Belgrade's repression in Kosovo in the 1990s; and the strengthening of Kosovo autonomous institutions, also in the 1990s, created as surrogates of Serbian state[1290]. When the Kosovo war eventually broke out in 1998, Kosovo's claim for statehood suddenly hit the headlines. The armed intervention of Nato against Milošević's regime in support of the Kosovo Liberation Army (UÇK) eventually coerced Serbia to sign a peace agreement in June 1999. Provisionally placed under the international administration of the UNMIK and the physical protection of Nato-led peacekeeping forces (KFOR), Kosovo was to retain "substantial autonomy and meaningful self-administration", without prejudice to the "sovereignty and territorial integrity" of the FRY[1291]. But considering the terrible events that erupted during the war and the *de facto* rift that had widened between Pristina and Belgrade, Kosovo, in the aftermath of the war, "could not accept anything but independence"[1292].

Throughout the 2000s, the successive governments in Pristina have struggled to establish their sovereign authority over the territory of Kosovo. Internally, they claimed supreme and independent authority over the whole territory of Kosovo, including the North and the enclaves populated by Kosovo Serbs[1293]. Although Pristina primarily used diplomacy to advance its position, it occasionally also resorted to force, as in 2010, when the government commanded the Kosovo Police to take over border crossings in the North, on which it had no control. Pristina also sought to establish its sovereignty externally, by enhancing its international visibility before 2008 and struggling for international recognition ever since.

3.4.1.2.2. Serbia's no-independence position

Following the Kosovo war, Belgrade, by contrast, could envision nearly "anything but independence" [1294]. This position has been tirelessly advocated ever since, with little variations and astonishing unity. Very few politicians have dared to cross the red line of acknowledging Pristina's claim for statehood, regardless of their party affiliation or official occupation. Domestic pressure remains very high in Serbia, with public opinions overly and emotionally opposed to Kosovo's independence[1295]. The no-independence position was already uttered in 2003, when Serbian Prime Minister Đinđić, a reformist assassinated by Serbian nationalists, sent a letter to the UN Security Council to draw the attention on the "silent sliding of Kosovo and Methohia

[1290] See Kramer, H. and Džihić, V. 2006. *Die Kosovo-Bilanz: Scheitert Die Internationale Gemeinschaft?* p. 16ff.
[1291] United Nations Security Council. 10 June 1999. 'Resolution 1244 (1999).'
[1292] Lehne, S. March 2012. 'Kosovo and Serbia: Toward a Normal Relationship.' In Policy Outlook. p. 4.
[1293] Kosovo counts bewteen 55 and 65 000 Serbs. The two-thirds of them live in the South. International Crisis Group. 19.2.2013. 'Serbia and Kosovo: The Path to Normalisation.' In Europe Report, vol.223. p. 10.
[1294] Lehne, S. March 2012. 'Kosovo and Serbia: Toward a Normal Relationship.' In Policy Outlook. p. 4.
[1295] In 2011, 65% of the Serbs thought that Kosovo "has to be part of Serbia"; 20% even declared that secession should be prevented by arms; and only 16% would be ready to recognise Kosovo's independence in exchange of EU membership. See Gallup Balkan Monitor. 'Insights and Perceptions: Voices of the Balkans'. [accessed 5.3.2013].

towards independence" [1296]. This course of event, according to Đinđić, contravened the UNSC resolution 1244, and would

> *"not help the position of those responsible democratic and reformist political forces in Serbia, who have insisted on full compliance with the international obligations and the integration of our country in the international community".* [1297]

Đinđić, who had had Milošević arrested in 2001, believed that Serbia would recover its international respectability by respecting its international obligations. But he expected the international community to do the same, i.e. respect the commitment the UNSC took when it had ascertained the FRY's "sovereignty and territorial integrity"[1298].

Failure to do so, according to a 2004 Parliament resolution on Kosovo[1299], was the reason why anti-Serb violence burst out in Kosovo in March 2004. Concerned by these events, the Parliament expressed its no-independence position unambiguously:

> *"Kosovo and Metohija is an inalienable part of Serbia and the State Union of Serbia and Montenegro".* [1300]

Belgrade's no-independence position was, according to another Parliament resolution[1301], not only grounded in UNSC resolution 1244; it also derived from the recommendations of the 1992 Badinter Commission and in the 1995 Dayton-Paris Peace Agreement. With no delay, this argument was put on the table of the negotiations which had just started in the framework of the Ahtisaari process in 2005. Any solution imposed to Serbia regarding the status of Kosovo would be seen as "illegitimate, illegal and invalid"[1302]. And any solution that would lead to Kosovo's secession would accordingly not only harm Serbia, but contravene international law, and as such be

> *"a dangerous precedent with unforeseen long term consequences for the international order in general".* [1303]

The refusal to negotiate Serbia's no-independence core position in the Ahtisaari framework was later reaffirmed by Serbia's Prime Minister Koštunica:

> *"Serbia will reject a solution that takes Kosovo away from Serbia and, very importantly, will continue to consider Kosovo part of its territory".* [1304]

[1296] Republic of Serbia. 7 February 2003. 'Letter of Serbian Prime Minister Zoran Djindjic to the Permanent Representatives of the Members of the United Nations Security Council.'
[1297] Ibid.
[1298] United Nations Security Council. 10 June 1999. 'Resolution 1244 (1999).'
[1299] Article 6a., National Assembly of the Republic of Serbia. 26 March 2007. 'Rezolucija O Kosovu I Metohiji.'
[1300] Article 6a., Ibid.
[1301] National Assembly of the Republic of Serbia. 21 November 2005. 'Rezolucija Narodne Skupštine Republike Srbije O Mandatu Za Političke Razgovore O Budućem Statusu Kosova I Metohije '.
[1302] Point 3, Ibid.
[1303] Ibid.
[1304] SETimes. 1.8.2006. 'Kostunica Says Kosovo More Important Than EU Membership '

It was also presented as the main reason why Serbia rejected the Ahtisaari proposal. As stated by the Serbian Parliament, the Ahtisaari proposal could not be accepted because it "does not respect the sovereignty and territorial integrity of the Republic of Serbia […]"[1305].

In order to ascertain the permanence of this commitment and spread the electoral burden arising from the expected failure of the Ahtisaari process on the eve of the 2007 parliamentary elections, the no-independence position was engraved in the new Constitution of the Republic of Serbia, adopted by referendum in October 2006 and proclaimed by the Parliament on 8 November 2006. In its preamble (subject to international lawyers' scepticism[1306]), the Constitution of Serbia not only reaffirms that

> *"the province of Kosovo and Metohija is an integral part of the territory of Serbia, that it has the status of a substantial autonomy within the sovereign state of Serbia".*[1307]

It also creates

> *"constitutional obligations [for] all state bodies to uphold and protect the state interests of Serbia in Kosovo and Metohija in all internal and foreign political relations".*[1308]

Although the preamble does not specify what the "state interests of Serbia in Kosovo" are, and how these shall be "upheld and protected", the text creates landmark obligations in Serbia's policy towards Kosovo.

With the growing wariness that Pristina might unilaterally declare its independence, Serbia rapidly found a field of application for its constitutional innovation: obstructing the international recognition of Kosovo's independence. In July 2007, the Serbian Parliament voted another resolution on Kosovo (the fourth in three years). In the document, supported by 217 out of 250 members of the parliament (MPs), Belgrade first reiterated that "Kosovo is an "inseparable part of the state of Serbia"[1309], but it then also placed

> *"the Serbian government and all state organs […] under obligation to react vigorously and duly to […] threats and acts of unilateral acknowledgment of Kosovo-Metohija's independence".* [1310]

[1305] Para. 6, National Assembly of the Republic of Serbia. 14 February 2007. 'Rezolucija Nsrs Povodom „Predloga Za Sveobuhvatno Rešenje Statusa Kosova" Spec. Izaslanika Gs UN Martija Ahtisarija '.

[1306] According to the Venice Commission of the Council of Europe, the "Constitution itself does not at all guarantee substantial autonomy to Kosovo, for it entirely depends on the willingness of the National Assembly of the Republic of Serbia whether self-government will be realised or not". See Venice Commission. 19 March 2007. 'Opinion No. 405/2006 on the Constitution of Serbia.'

[1307] Constitution of the Republic of Serbia. 2006.

[1308] Ibid.

[1309] art. 1, National Assembly of the Republic of Serbia. 25 July 2007. 'Rezolucija Nsrs O Neophodnosti Pravednog Rešavanja Pitanja Autonomne Pokrajine Kim Zasnovanog Na Međunarodnom Pravu '.

[1310] art. 6, Ibid.

While the MPs of the nationalist SRS party, which had won the parliamentary elections, voted in favour of the text, its leader (currently officiating as President of Serbia) Nikolić reportedly attacked the resolution, arguing that it should have specified that Serbia would "defend Kosovo by all means possible"[1311]. This is what international lawyers commonly term "a threat of use of force". Serbia's no-independence position was confirmed in a fifth resolution in 2007[1312], and very solemnly in front of the UNGA, as pro-EU President Tadić declared "Kosovo's independence is unacceptable for Serbia"[1313].

On the eve of Kosovo's declaration of independence, the Serbian government finally adopted a top-secret Kosovo Action Plan, aimed at pre-empting Pristina's attempt to secede. It presumably contained a series of "measures against Kosovo or countries which recognize Kosovo […], such as economic and trade embargoes or downgrading of diplomatic relations" [1314]. Unsurprisingly, Serbia condemned Kosovo's declaration of independence immediately after its promulgation. For instance, in his address in front of the UNSC, Serbian President Tadić requested that the Security Council take

> *"effective measure in order to ensure that all the provisions of the Charter of the United Nations and UNSC resolution 1244 are fully respected […], react urgently and annul the unilateral and illegal act of the secession of Kosovo".*[1315]

Serbia further protested against the declaration of independence by adopting a series of retaliatory measures, in accordance with its Kosovo Action Plan. It charged Kosovo's most prominent officials with accusations of high treason[1316]; it recalled its ambassadors posted in countries recognising Kosovo (e.g. from the United States, Turkey, Afghanistan, France, the Czech Republic and Australia)[1317]; declared *persona non grata* some foreign ambassadors in Belgrade (e.g. Macedonia and Montenegro's ambassadors) [1318]; even threatened countries willing to recognise Kosovo to engage legal actions against them[1319]; and stopped receiving some ambassadors (e.g. from the UK) in the Ministers' cabinets and put restrictions at lower (working) levels[1320]. But it did not break off relations with any recogniser; soon, sent back its ambassadors[1321]; readmitted the foreign ones it had expelled, and more importantly, eventually conceded that "recognition [is] not an unfriendly act"[1322]. All in all, the retaliatory

[1311] United States Embassy in Belgrade. 26.7.2007. 'Serbia Adopts New Kosovo Resolution, Pm Declares Victory'. [accessed 22.01.2013]
[1312] National Assembly of the Republic of Serbia. 26 December 2007. 'Rezolucija Nsrs O Zaštiti Sureniteta, Teritorijalnog Integriteta I Ustavnog Poretka Republike Srbije.'
[1313] B92. 27.9.2007. 'Kosovo Independence Unacceptable, Tadić Tells UN.'
[1314] United States Embassy in Belgrade. 16.1.2008. 'Serbia Adopts Kosovo Action Plan'. [accessed 22.01.2013]
[1315] Republic of Serbia. 18 February 2008. 'Address before the United Nations Security Council by H.E.Mr. Boris Tadić.'
[1316] BBC News. 19.2.2008. 'Serbia Recalls Ambassador from Us '
[1317] B92. 18.2.2008. 'Belgrade Recalls Ambassador from U.S.'
[1318] B92. 22.5.2008. 'Serbia Recalls Ambassador from Prague.'; B92. 10.10.2008. 'Macedonian Ambassador Expelled Too.'
[1319] Xinhua. 27.2.2008. 'Serbia to Sue Countries Recognizing Kosovo at Icj.'
[1320] United States Embassy in Belgrade. 20.2.2008. 'Serbia: Government Response to Kosovo Independence'. [accessed 30.01.2013]
[1321] B92. 9.10.2008. 'Govt. Sends Back All Ambassadors.'
[1322] B92. 20.2.2008. 'Recognition Not Unfriendly Act, Đelić Told.'

measures heralded by Serbia in its Kosovo Action Plan prior to Kosovo's declaration of independence did not hold water for a very long time.

Rather than opposing Kosovo independence by standing against the recognising states and therewith risking its self-ostracisation, Serbia preferred to attack Kosovo in the realm of law. Recalling the threat issued by Serbian Parliament in 2007[1323], Serbian President Tadić expressed his intention to challenge the legality of Kosovo's declaration of independence:

> *"Serbia will never recognize Kosovo's independence and, respecting international law, own legitimate interests, her integrity in Kosovo, will defend in the legal arena, in front of the International Court of Justice."*[1324]

The ICJ rendered its opinion on the issue on 22 July 2010, but against Serbia's expectations, it concluded that "the declaration of independence of the 17 February 2008 did not violate general international law"[1325]. Instead, it remained rather ambiguous. Whereas Kosovo officials heartily hailed the judgement of the Court as speaking in favour of Kosovo's right for self-determination and international recognition, President Tadić acknowledged Serbia's bitter disappointment, but nuanced its implications. For Serbia, the Court had "applied in its opinion a narrow approach as to the scope of the question put to it"[1326], and had failed to discuss the status of Kosovo. Since the ICJ limited itself to addressing the legality of the declaration of independence rather than the independence *per se*, its opinion, in President Tadić's understanding, did not affect Serbia's position against Kosovo's independence.

Unsurprisingly, the electoral victory of the nationalists in the 2012 general elections did not result in the softening of Serbia's no-independence position[1327]. President Nikolić is a long-time opponent to Pristina's claim, and a nationalist figure linked to Serbian wartime ideologist Vojslav Šešelj[1328]. President Nikolić reaffirmed in many occasions that Kosovo's independence was unacceptable, as did his Prime Minister Dačić, another nationalist figure, coincidentally born in Prizren (Kosovo)[1329]. For instance, most recently, Prime Minister Dačić stated before the UN Security Council that

[1323] Point 7e, National Assembly of the Republic of Serbia. 26 December 2007. 'Rezolucija Nsrs O Zaštiti Suvereniteta, Teritorijalnog Integriteta I Ustavnog Poretka Republike Srbije.'.
[1324] B92. 14.2.2009. '"It's Clear to All, Kosovo Is No State".'
[1325] International Court of Justice. 22 July 2010. 'Accordance with International Law of the Unilateral Declaration of Indepedence in Respect of Kosovo.'
[1326] Republic of Serbia. July 2010. 'Position of the Republic of Serbia Concerning the Advisory Opinion On "Accordance with the International Law of the Unilateral Declaration of Independence in Respect of Kosovo" Rendered by the International Court of Justice on 22nd July 2010.'
[1327] B92. 26.10.2012. 'President: Ready for Talks, Independence Unacceptable.'
[1328] Until 2008, Nikolić was deputy president and *de facto* leader of the far-right wing Serbian Radical Party (SRS), since the transfer of its official leader, Vojslav Šešelj, in The Hague before the ICTY.
[1329] Dačić acted between 1992 and 2000 as spokesman of Milošević's party and leads this party (the SPS) since 2006. See Dacic, I. 'Биографија'. [accessed 22/1/2013].

> *"Serbia will never, under any circumstances, implicitly or explicitly, recognize the unilateral declaration of independence by Kosovo's ethnic-Albanian authorities".*[1330]

President Nikolić likewise reaffirmed that

> *"Serbia is not ready and cannot nor will it ever under any circumstances recognize, either explicitly or implicitly, the unilaterally declared independence of its southern province of Kosovo and Metohija".*[1331]

This position was similarly enshrined in a new Parliament resolution, produced after lengthy cross-party negotiations in 2012-2013, in the framework of a new Kosovo platform. Adopted by 175 MPs out of 250, the resolution states that

> *"The Republic of Serbia, in accordance with international law, the Constitution and the will of the people, does not recognize and will never recognize Kosovo's unilaterally declared independence".*[1332]

In order to ascertain that the spirit of the resolution will not be altered, the resolution finally created an obligation for the government to "to make future agreements in line with the views and fundamental goals of this Resolution"[1333]. This provision may for instance complicate the establishment of treaty relations between Serbia and Kosovo, if those imply implicit or *de facto* recognition. All but a few parties[1334] supported the Kosovo platform resolution.

3.4.1.2.3. The negotiation frameworks and their outcome

Belgrade and Pristina initiated active negotiations on Kosovo-related issues in 2005, following Kai Eide's recommendation to the UN Secretary General[1335]. The UN-backed negotiations took place in Vienna between November 2005 and March 2007 under the leadership of UN Special Envoy Maarti Ahtisaari. The negotiations covered a variety of issues, including decentralisation, religious and cultural heritage and international presence. They resulted in the elaboration of a draft status settlement plan, the essence of which was Kosovo's *de facto* supervised independence[1336]. A UN Security Council resolution was accordingly prepared with the support of the USA and EU member states in order to endorse the Ahtisaari plan and amend the UNSC resolution 1244, but the draft resolution was eventually discarded in July 2007. Unlike

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[1330] Republic of Serbia. 21 August 2012. 'Statement of H.E.Mr. Ivica Dacic before the UN Security Council.'
[1331] Republic of Serbia. 25 September 2012. 'Address before the United Nations General Assembly by H.E.Mr. Tomislav Nikolić'
[1332] art. 1a, National Assembly of the Republic of Serbia. 13 January 2013. 'Rezolucija O Kosovu I Metohiji.'
[1333] art. 1c, Ibid.
[1334] A few MPs, e.g. from the Liberal Democratic party, opposed the resolution and submitted a counter project, more amenable to finding a common ground with Pristina. Most of the opponents, however, came from Koštunica's DSS nationalist party, which rejected the resolution because it was not firm enough.
[1335] United Nations. 7 October 2005. 'Kai Eide Report on a Comprehensive Review of the Situation in Kosovo.'
[1336] United Nations. 26 March 2007. 'Martti Ahtisaari's Comprehensive Proposal for the Kosovo Status Settlement.'

Pristina, which accepted the plan, Serbia, backed by Russia in the UN Security Council, rejected it[1337].

After the failure of the Ahtisaari process, the Kosovo status talks continued under the aegis of an UN-backed Troika consisting of representatives of the USA, Russia and the EU. Face-to-face negotiations between the representatives of Serbia and Kosovo were staged in Vienna and a deadline to reach an accord was set by the UN Security General. But this new round of negotiations, expectedly, ended up in disappointment. By the end of November 2007, the Troika concluded that, notwithstanding their acceptance of the fact that peace had to be maintained,

> *"regrettably, the parties were unable to reach an agreement on Kosovo's future status".*[1338]

A few weeks after, Kosovo declared its independence. Serbia reacted by severing its ties with Pristina, cooling its relations with those states that were recognising Kosovo and boycotting those events, where Kosovo was given a seat on an equal-footing[1339]. This strategy, however, weakened the position of Belgrade as it pushed Serbia towards self-isolationism. In an attempt to regain international legitimacy, Serbia brought the case in front of the ICJ. In prevision of an opinion that would expectedly support its view, Belgrade, from January 2010, pushed for re-opening the status talks under the aegis of the UN[1340]. It prepared a draft resolution condemning the fact that "unilateral secession cannot be an acceptable way for resolving territorial issues", and calling on parties to "find a mutually acceptable solution for all outstanding issues through peaceful dialogue" [1341]. Wary of the possibility that the status talks could be reopened, especially after their recognition of Kosovo's independence, France, Germany, Italy, the UK and the USA expressed their firm opposition to the draft resolution. After intense negotiations, Serbia eventually amended its text, and presented a new version, co-sponsored by the EU, which was passed on 9 September 2010. While acknowledging the ICJ advisory opinion, the new resolution dropped its reference to secession and its call for settling all outstanding issues. Milder in its tone and more general in its wording, it welcomed "the readiness of the European Union to facilitate a process of dialogue between the parties"[1342].

Dragged into this new round of negotiations, the EU designed a negotiating framework, which cautiously avoided a direct confrontation on the question of status. Its aim was rather to assist Belgrade and Pristina in finding "practical ways to make sure that ordinary life can go on more smoothly" in Kosovo[1343]. The negotiations,

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[1337] National Assembly of the Republic of Serbia. 14 February 2007. 'Rezolucija Nsrs Povodom „Predloga Za Sveobuhvatno Rešenje Statusa Kosova" Spec. Izaslanika Gs UN Martija Ahtisarija '.
[1338] Troika. 28 November 2007. 'Kosovo Troika Press Communiqué: The Baden Conference.'
[1339] Serbia, for instance, failed to participate in the Western Balkan conference launching the Brdo Process in March 2010.
[1340] Secretary of State of the United States. 30.1.2010. 'Demarche: Serbia's Plans for a New Draft Unga Resolution on Kosovo'. [accessed 22.01.2013]
[1341] Permanent Representation of the Republic of Serbia to the United Nations. 28 July 2010. 'Draft Resolution on Agenda Item 77 of the 64th Session of the General Assembly.'
[1342] United Nations General Assembly. 9 September 2010. 'Resolution on the Request for an Advisory Opinion of the International Court of Justice on Whether the Unilateral Declaration of Independence of Kosovo Is in Accordance with International Law.'
[1343] European Union. 8 March 2011. 'Statement by the Spokesperson of Catherine Ashton, EU High Representative on the Start of the Belgrade - Pristina Dialogue.'

launched in March 2011 with the support of the UN General Assembly[1344], were to focus on three domains: regional cooperation, freedom of movement and rule of law. Of course, each of the issues discussed had "status-sensitive aspects", and the negotiations, designed to be technical in nature were in fact highly political[1345]. In this dialogue, the role of the EU went beyond that of mere facilitator, since its representatives had competences in agenda-setting, in proposing solutions, and above all, in reframing the negotiations through the conditionality regimes the EU established with Serbia and Kosovo[1346]. First represented by her advisor, Robert Cooper, the EU High Representative for CFSP, Catherine Ashton, eventually took the lead of the facilitation process in October 2012. The negotiating framework, meanwhile, upgraded the level of representation of Serbia and Kosovo up to the Prime Minister level[1347]. Interestingly, the Belgrade-Pristina dialogue does not involve any representative of the Kosovo Serbs' community.

Unlike its forerunners, the EU-facilitated dialogue between Belgrade and Pristina has borne notable fruits. The two parties have to date concluded a series of bilateral agreements[1348], e.g. on freedom of movement, the mutual recognition of university diplomas and the provision of authenticated copies of civil registry documents in July 2011; customs stamps, cadastral documents in September 2011; integrated border management (IBM) in November/December 2011; cooperation and regional representation in February 2012; implementation of the 2011 IBM agreement in December 2012; customs duties, VAT and levies with a focus on North Kosovo in January 2013. More importantly, this dialogue has inflected Serbia's policy towards Kosovo in critical aspects of its no-independence position.

3.4.1.3. Notable changes in Serbia's approach

3.4.1.3.1. Deployment of the EULEX throughout Kosovo

In the course of these many rounds of negotiations, Serbia first inflected its policy towards Kosovo as regards the deployment of the EULEX, a civil operation launched by the EU in 2008-2009 (European Union Rule of Law Mission in Kosovo). Designed to assist Pristina's authorities in the promotion of the rule of law, more specifically in the fields of policing, justice and customs, the EULEX assumes activities that are usually part of the domestic prerogatives of sovereign states. It can be seen both as reinforcing Pristina's capacities to establish the rule of law throughout Kosovo, and as a sign that Kosovo is not a sovereign state as any other. Because of this ambiguity, Belgrade has always paid a great attention to the way the mission could or should be

[1344] United Nations General Assembly. 9 September 2010. 'Resolution on the Request for an Advisory Opinion of the International Court of Justice on Whether the Unilateral Declaration of Independence of Kosovo Is in Accordance with International Law.'
[1345] Lehne, S. March 2012. 'Kosovo and Serbia: Toward a Normal Relationship.' In Policy Outlook.
[1346] Wary of the diplomatic weight of the EU in this negotiation process, Serbia tried, vainly, to associate the UN in the negotiation process, in order to ascertain that any accord concluded under the auspices of the EU are conform to the UNSC resolution 1244.
[1347] The Belgrade-Pristina dialogue was suspended between March and October 2012 owing to the elections in Serbia. When the dialogue resumed, it ceased to be operated by high-ranking career diplomats, and started to involve Serbia and Kosovo's Prime Ministers directly.
[1348] For a chronology of the negotiation rounds between March 2011 and February 2012, see Malazogu, L. and Bieber, F. September 2012. 'The Future of Interaction between Prishtina and Belgrade.' In Confidence Building Measures in Kosovo, vol.3. p. 9-10.

deployed. Initially hostile to its deployment, Serbia's position shifted in 2009 to negotiated acceptance, and recently, to calculated support.

Serbia has always contemplated the international presence in Kosovo with a tinge of mistrust. For instance, it blamed the UNMIK and the KFOR in 2004 for reluctantly performing their obligations under Resolution 1244, and accused them of fuelling the instability that culminated in March 2004 with the largest outbreak of violence in Kosovo since the end of the war. Belgrade linked the attacks against the Serbs to the role of the UNMIK in Kosovo, which allegedly encouraged the "transfer of responsibilities [to] Kosovo's provisional institutions"[1349]. But at least, for Serbia, the UNMIK was bound to respect its UN mandate, defined by the UNSC resolution 1244, and was therefore by nature "status-neutral".

As it became clear that the Ahtisaari process in 2005-2007 would be accompanied by a reorganisation of the international presence in Kosovo, and that the EU would play a more active role in the field, Serbia welcomed the news with outspoken defiance. The reason lay in Serbia's overall rejection of the Ahtisaari plan, against the EU, and in the fear that the EU mission in Kosovo would stealthily work at the implementation of the contested plan. Serbia had good reasons to believe in the ambiguity of the EULEX's agenda. First, the deployment of the EULEX had been initially planned in the framework of the Ahtisaari plan[1350], which itself had be backed by key member states of the EU, including in the UN Security Council. Second, the European Parliament had expressed its firm support for the Ahtisaari plan in general and for the establishment of an ESDP mission "contribut[ing] to the implementation" of the Ahtisaari plan[1351]. And third, the mandate of the EULEX was defined by the Council of the European Union in exactly the same terms as in the Ahtisaari plan[1352]. In the end, Serbia thus viewed the EULEX as an instrument enabling the application of the Ahtisaari plan, and therefore opposed it on the ground that the UN Security Council had not given its approval to the plan, and therefore not authorised the deployment of an EU mission in Kosovo[1353]. Supported by Russia in the UN Security Council, Prime Minister Koštunica declared in December 2007:

> *"it is unacceptable that the illegitimate arrival of an EU mission to the province is discussed so that [former UN envoy to Kosovo Martti] Ahtisaari's plan for creating a puppet state may be implemented".*[1354]

In order to overcome the deadlock, the EU, together with the US and the UN, engaged "a very intense dialogue with Belgrade"[1355]. The Serbian government publicly

[1349] National Assembly of the Republic of Serbia. 24 March 2004. 'Rezolucija O Kosovu I Metohiji.'
[1350] The Ahtisaari plan included a provision on a "Eurpean Security and Defence Policy mission" to be deployed in support of the rule of law. See art. 13 of United Nations. 26 March 2007. 'Martti Ahtisaari's Comprehensive Proposal for the Kosovo Status Settlement.'
[1351] European Parliament. 29 March 2007. 'European Parliament Resolution on the Future of Kosovo and the Role of the EU.'
[1352] Article 13.2 of the Ahtisaari plan is similar to article 2 of the EULEX's mission statement. Compare United Nations. 26 March 2007. 'Martti Ahtisaari's Comprehensive Proposal for the Kosovo Status Settlement.' and Council of the European Union. 4 February 2008. 'Council Joint Action on the European Union Rule of Law Mission in Kosovo, Eulex Kosovo.'
[1353] Point 5, National Assembly of the Republic of Serbia. 26 December 2007. 'Rezolucija Nsrs O Zaštiti Suvereniteta, Teritorijalnog Integriteta I Ustavnog Poretka Republike Srbije.'
[1354] EUobserver. 17.12.2007. 'EU Kosovo Mission 'Unacceptable' for Serbia.'

declared its willingness to accept the EULEX deployment throughout Kosovo if three conditions were met: the EULEX would have to seek the UNSC approval; the EULEX would remain status neutral; and the EULEX would not be seen as implementing the Ahtisaari plan[1356]. After intensive and lengthy negotiations, these conditions were accepted by the EU and its partners in November 2008. In its statement on the deployment of the EULEX, the French Presidency, in accordance with the UN Secretary General's report of 24 November 2008, thus declared:

> *"In the implementation of its mandate, the EULEX Kosovo mission will fully respect UNSC Resolution 1244 (1999) and will operate under the general authority and within the status neutral framework of the UN".*[1357]

This re-positioning of the EULEX did not lift all the ambiguities constraining the role of the international presence in Kosovo, and by far. It provided the EULEX with a "compromised authority" and an "ambiguous recognition" issue[1358], which severely hindered its subsequent performance[1359]: whereas Pristina authorities considered that the EULEX, in accordance with its initial plans, was to assist Kosovo in its unilateral implementation of the Ahtisaari plan[1360], Belgrade viewed the EULEX as a status-neutral device, deployed under the authority of the UN, which had nothing to do with the Ahtisaari plan.

The outcome of the negotiations was enshrined in an ambiguous report of the UN Secretary General approved by the UN Security Council, as part of a so-called "six-point plan" [1361]. To a certain extent disappointed by the mixed signals the EULEX would send, Kosovo authorities nevertheless accepted the deployment of the EU-led mission, as did the EU and Serbia, for different reasons though. The former hailed its practical implications, i.e. the possibility to deploy the mission throughout Kosovo, while the latter claimed diplomatic victory for the status-neutrality reference. According to Serbian Foreign Minister Jeremić, the UN report confirmed indeed that

> *"the neutral status of EULEX's engagement [...] is a guarantee that not a single part of its mandate can be based on the Ahtisaari Plan for Kosovo independence that the Republic of Serbia has rejected, and that the Security Council never approved".*[1362]

[1355] European Union @ United Nations. 5 November 2008. 'Summary of Remarks by Euhr Solana to EU Parliament Foreign Affairs Committee and Chairs of Foreign Affairs and Defence Committees of National Parliaments.'

[1356] United States Embassy in Belgrade. 22.10.2008. 'Serbia and UN Agree on 6 Point Text on Kosovo'. [accessed 30.01.2013]

[1357] Presidency of the Council of the European Union. 28 November 2008. 'Declaration by the Presidency on Behalf of the European Union on the Deployment of Eulex.'

[1358] Greiçevci, L. 2011. 'EU Actorness in International Affairs: The Case of Eulex Mission in Kosovo.' *Perspectives on European Politics and Society* vol.12 (3).

[1359] Džihić, V. and Kramer, H. July 2009. 'Kosovo after Independence: Is the Eu's Eulex Mission Delivering on Its Promises?' In International Policy Analysis.

[1360] The 2008 Constitution of Kosovo makes reference to the Ahtisaari plan, which it adopts.

[1361] The six-point plan was a plan negotiated between Serb and the UN officials and included in the UN Secretary General report. It detailed recommendations in six policy fields (police, customs, transportation and infrastructure, boundaries and Serbian patrimony) in which Belgrade would continue to have a say, and reaffirmed the role of the UN in Kosovo and the need to act in accordance with UNSC resolution 1244.

[1362] B92. 27.11.2008. 'Eulex Receives Green Light.'

Rather than replacing the UNMIK, the EULEX was accordingly to assist the UN mission in its implementation of the six-point plan, in accordance with UNSC resolution 1244 and with a chain of command ending up in the Security Council rather than Brussels. In December 2008, i.e. ten months after the EU's Joint Action of 4 February 2008 launching the EULEX, the EULEX could eventually be deployed. After its initial rejection of the EULEX, Serbia's position by the end of 2008 thus shifted towards negotiated acceptance.

In the subsequent years, Serbia scrutinised with great attention the role of the EULEX in Kosovo. When the EULEX was deemed to weaken Serbia's no-independence position, it came under fire. During the 2011 North Kosovo crisis, for instance, the EULEX was heavily criticised by the Serbian government, who considered that Pristina's forcible seizure of Kosovo crossing points with Serbia had been permitted, if not facilitated, by the EULEX. The accusation was formulated by Serbian Foreign Minister Jeremić in the UNSC:

> *"If EULEX and the KFOR participate in what Hashim Thaqi called 'an operation to assume control over territorial integrity of the Republic of Kosovo', they will have gravely violated resolution 1244 (1999) and dramatically deviate from the UN's status neural framework".*[1363]

Serbia also did not give the EULEX free rein. In many areas, it continued to make "purposeful obstruction", e.g. in the transmission of documents[1364] -a sign that its acceptance had limitations.

In chosen areas, however, Serbia's acceptance gradually shifted towards calculated support. In the police area, for instance, Serbia signed an agreement with the EULEX in August 2009 to facilitate cross-border cooperation. This agreement was a condition posed by the EU to enter a visa liberalisation regime[1365]. In the area of justice, it urged the UN Security Council to "upgrade the current support capacities" of the EULEX (especially in witness protection), and to enhance the independence of the EULEX from Pristina's "ethnic Albanian institutions"[1366], on the ground that many high-profile indictees in Kosovo are Albanians and former KLA members. Of course Belgrade voiced less concerns for the crimes committed by Kosovo Serbs. More recently, the Serbian government finally called for strengthening the "executive role" of the EULEX in the areas of customs[1367], in order to prevent Pristina from gaining influence in North Kosovo. This call was formulated in a more general way by Serbian Prime Minister Dačić, who requested that the EULEX plays "an executive role in the implementation of the agreements reached in Brussels in accordance with status neutrality"[1368]. Rather than genuine, this support to the EULEX is obviously

[1363] Republic of Serbia. 15 September 2011. 'Address before the United Nations Security Council by H.E.Mr. Vuk Jeremic.'
[1364] United States Embassy in Belgrade. 12.1.2010. 'Serbia Still Not Cooperating Fully with Eulex'. [accessed 30.01.2013]
[1365] Ibid.
[1366] Republic of Serbia. 12 May 2011. 'Address before the United Nations Security Council by H.E.Mr. Vuk Jeremic.'
[1367] B92. 8.11.2012. '"Eulex Must Guarantee Neutrality".'
[1368] B92. 16.11.2012. 'Serbian Pm: Eulex Needs to Have Executive Role.' See also Republic of Serbia. 25 September 2012. 'Address by Foreign Minister H.E.Mr. Ivan Mrkic before the Security Council of the United Nations'. [accessed 15.2.2013].

determined by utilitarian calculations. But it illustrates nonetheless a shift in Serbia's approach to the EULEX operations in Kosovo. Serbia's position now conceives itself as obstructing cooperation when the EULEX takes actions against Serbia's no-independence positions, and as supporting the reinforcement of the mission, when this reinforcement undermines the international status of Kosovo. Rather than opposing the EULEX in principle, Belgrade would rather turn the EULEX into guarantor of the *status quo* in Kosovo in all status-sensitive issues. Should it lack the capacity to (or willingness) to do so, Serbia's position commends that EULEX should seek assistance from the UNMIK, so as to ascertain the international community's deeper engagement in Kosovo[1369].

3.4.1.3.2. Customs and border management

Serbia has also inflected its position in the highly symbolical area of customs and border management. Although the government continues to oppose the idea of setting up a boundary with Kosovo that could be considered as national border, critical steps have been made with the deployment of the EULEX in 2009 and through the Belgrade-Pristina technical dialogue in 2011-2012. They signal Belgrade's growing acceptance of the idea of physical separation with Kosovo, and its *de facto* abandonment of the idea of partition. Borders, after all, are the physical markers of states' territorial integrity and sovereignty.

Kosovo borders, or boundaries,[1370] were initially administrated by UNMIK officers, who cooperated with Serbian Customs Service. While the UNMIK retained ultimate responsibility for border issues, the KFOR was in charge of the surveillance of the green border. In 2007, however, the personal controls at the borders of Kosovo started to be operated by the Kosovo Police (KP). Since the KP operational mandate was placed under the ultimate authority of the UNMIK, and since KP officers in North Kosovo were ethnic Serbs, Serbia did not raise insuperable objections. The KP had a limited capacity to control the movement of persons in an out Kosovo anyway. The empowerment of the KP at the northern borders of Kosovo, however, only had a limited impact on drug-smuggling and trafficking activities in the region. The insufficient resources of the KP and UNMIK, as well as the porosity of the green border were key impediments. Moreover, the few improvements in this area were reversed in 2008, as riots flared up in North Kosovo in response to Kosovo's declaration of independence. Angered by the rumour that North Kosovo's border posts would henceforth be manned by ethnic Albanian officers, a Kosovo Serbian crowd destroyed two crossing points and forced the UNMIK to leave. Most of the Serbian officers belonging to the KP had resigned, and the deployment of the EULEX was blocked by Serbia. In December 2008, Serbian President Tadić evoked the possibility of a partition of Kosovo[1371], while Kosovo Minister Samardžić declared that Serbia "will protect [Kosovo Serbs] just like [it] protects the Serbs in Serbia"[1372].

[1369] Republic of Serbia. 21 August 2012. 'Statement of H.E.Mr. Ivica Dacic before the UN Security Council.'
[1370] Kosovo authorities consider that Kosovo has sovereign borders, whereas Serbian authorities refer to the administrative line as boundaries.
[1371] B92. 30.9.2008. 'Tadić Hints at Kosovo Partition.'
[1372] Associated Press. 17.3.2008. 'Peacekeepers Battle Serbs in Kosovo.'

The issue could only be defused after Serbia and the EU came to an agreement in the UN. The six-point-plan presented by the UN Secretary General in 2008 confirmed the applicability of the UNSC resolution 1244 in the area of border management. The EULEX, placed under this mandate, accordingly re-established control over the border crossings in North Kosovo in spring 2009. It started to register the goods entering in North Kosovo at the most contested locations (gates 1 and 31), but it could not ascertain full customs controls due to political circumstance and lack of capacities[1373]. Kosovo customs services, meanwhile, could not access these locations. Since it contrasted with the way ordinary borders are operated, Belgrade readily carried on with this arrangement. However, Serbian police officers, stationed at the administrative line, did not recognise Kosovo passports, and refused to endorse the new customs stamps issued with the label "Kosovo - Customs" (previously "UNMIK-Kosovo Customs")[1374]. This gesture put a sudden halt to Kosovo's exports to and through Serbia.

In 2011, the issue was brought on the agenda of the Belgrade-Pristina dialogue by the EU. But as the first rounds of negotiations did not inflect Serbia's position, Pristina decided on 20 July 2011 to reciprocate Serbia's non-recognition in trade relations by decreeing that Serbia's customs stamps would no longer be valid in Kosovo[1375]. Overrun, the EULEX could not thoroughly implement the restrictive measure decided in Pristina, and the Kosovo government therefore decided to forcibly send its own officers at the border crossings. Outraged, the Kosovo Serbs responded by assaulting the border facilities and impairing the mobility of the EULEX, KFOR and KP with barricades built throughout North Kosovo. Pressured by the EU, which suggested that Serbia's bid for EU candidacy could be jeopardised by the situation in Kosovo, President Tadić eventually called for dismantling the barricades, on the ground that

> *"the barricades are not contributing to the defence of Serb national interests. On the contrary, they are endangering them".* [1376]

An agreement was finally reached on 2 September 2011, although North Kosovo Serbs continued to defy Belgrade on the barricades, despite the snowy winter. The agreement confirmed the usage of customs stamps labelled with "Kosovo Customs", without state symbols.

Shortly after, on 2 December 2011, Belgrade and Pristina sealed another agreement, again in the framework of the EU-led technical dialogue. This agreement addressed

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[1373] European Commission. 14 October 2009c. 'Kosovo (under Unscr 1244/99) 2009 Progress Report.'

[1374] Trade relations between Serbia and Kosovo were regulated by their joint participation in the CEFTA. Kosovo could fully participate in the CEFTA from 2007 but was represented by the UNMIK, under the label of "UNMIK on behalf of Kosovo in accordance with UNSC resolution 1244". After declaring independence, Kosovo decided, in accordance with its Constitution, to phase out the reference to UNMIK, and started to issue "Kosovo-Customs" stamps. Serbia responded by declaring Kosovo's customs stamps invalid, despite the assessment of UN Secretary General's Special Envoy, Lamberto Zannier, who stated that "Kosovo-Customs" stamps were not violating the UNSC resolution 1244. See International Crisis Group. 26.8.2010. 'Kosovo and Serbia after the Icj Opinion.' In Europe Report, vol.206.p. 20-22

[1375] The reciprocation of trade relations was foreseen by the 2006 Central Free Trade Agreement. See Hamilton, A. February 2012. 'The Kosovo-Serbia Dialogue and the North of Kosovo: From Technical Arrangements to Political Haggling.'

[1376] Balkan Insight. 1.12.2011. 'Abandon Barricades, Tadic Urges Kosovo Serbs.'

the wider issue of border management. Pressed by Pristina to accept the return of KP officers at the northern gates of Kosovo, Serbia sought a way out that would undermine Pristina's claim in the North. Serbia therefore first launched the idea of Integrated Border Management (IBM)[1377] - a way of organising the horizontal and vertical cooperation between the Kosovo, Serbian and international actors present at the border crossings, and above all re-empowering the EULEX at the expense of the Kosovo police institutions. The EU, a key promoter of IBM cooperation in the Western Balkans, welcomed the idea and facilitated the negotiations. The final agreement and its protocols entrusted the EULEX with large competences at northern border crossing points, but envisioned a growing participation of KP officers, including ethnic Albanians, and the creation of an implementation group chaired by the EU to ascertain the application of the IBM principles[1378]. In December 2012, the IBM was eventually implemented at the most sensitive border crossings of Jarinja (gate 1) and Brnjak (gate 31). It implied the presence, next to KFOR, EULEX officers, of KP and Kosovo customs officers on the Kosovo side of the border, and of Serbian officers, on the other side. Although the practical role of the EULEX vis-à-vis the KP and Kosovo customs officers remain to be determined, this agreement sounds as a confirmation of Serbia's departure from the idea of partition, and it signals its acceptance of materialising the physical separation from Kosovo.

The Serbian governments, which negotiated these customs and IBM deals, claimed that the agreements are "status neutral"[1379]. But these were celebrated by Kosovo's Prime Minister as signs of *de jure* recognition of Kosovo[1380], criticised in Serbia by more radical nationalists in the opposition. After there conclusion, Former Prime Minister Koštunica thus stated

> *"I strongly advocate that Serbia sends a request to the UN Security Council to stop the negotiations under Brussels' supervision and return the negotiation under the full mandate of the Security Council because it is envisaged by the Resolution 1244*".[1381]

These reactions are certainly excessive. But the fact that Serbia (albeit reluctantly) concluded and implement these agreements is nonetheless indicative of a substantive change in Belgrade's approach. These agreements, after all, allow the transformation of the poorly-manned checkpoints along the administrative line into proper border posts with competences in personal control and customs. They also make the prospect of territorial partition less likely, and overall, lay the foundation stone of state-to-state relations.

3.4.1.3.3. Kosovo's representation in international fora

Another symbolical area, in which Serbia has inflected its Kosovo policy, is the highly sensitive issue of Kosovo's representation in international *fora*. Until recently, Kosovo was represented in international fora by the UNMIK, which spoke for

[1377] International Crisis Group. 19.2.2013. 'Serbia and Kosovo: The Path to Normalisation.' In Europe Report, vol.223. p. 14.
[1378] B92. 5.12.2011. 'Agreement on Administrative Border Crossings.'
[1379] B92. 3.9.2011. '"Customs Stamp Agreement Represents Status Neutral Solution".'
[1380] B92. 7.12.2011. 'Thaci: Serbia De Jure Recognized Kosovo.'
[1381] B92. 1.12.2012. 'Border with Kosovo Is "Unacceptable".'

Kosovo authorities and signed agreements on their behalf[1382]. Kosovo representatives could attend to international meetings, but they were placed under the umbrella of the UNMIK, in accordance with UNSC resolution 1244. This arrangement was in line with Serbia's view that Kosovo should be denied the exercise of external sovereignty, and Pristina accepted as well, at least reluctantly, this *ad interim* solution. When Kosovo declared its independence, however, it enshrined in its Constitution that its President shall represent the country externally, sign international agreements and lead the country's foreign policy[1383]. Kosovo started accordingly to question its UNMIK chaperonage, arguing that

> *"the time is over when UNMIK and UNMIK's chief represented Kosovo".*[1384]

It also claimed that Kosovo representatives had henceforth a right to speak on behalf of their own country, and struggled to be accepted on an equal footing in regional meetings. Serbia objected to Kosovo's claim by boycotting the events where Kosovo was not represented by the UNMIK[1385]. But this self-isolationist response ran against Serbia's interests. It furthermore sparked off deep concerns in Brussels, since the presence of Serbia in these meetings was deemed essential to support regional cooperation, reconciliation and good-neighbourliness. Serbia first inflected its position in spring 2010, arguing that it would accept a solution granting Kosovo an "asymmetrical" representation. This position did not differ substantially from Serbia's previous commitment to Kosovo's representation through the UNMIK:

> *"Our position is that Kosovo cannot participate anywhere without UNMIK, since that would violate Resolution 1244".*[1386]

But it made this commitment more flexible. Kosovo representatives would for instance be "escorted by the UNMIK chief" who would speak "before the delegation"[1387]. The Kosovo government understandingly refused this proposal[1388], and Serbia, pressed by the EU on the eve of an important regional meeting[1389], then accepted the presence of Kosovo to its side. The use of the Gymnich formula[1390], signalling a practical solution, made the agreement possible, but it was no *panacea*.

The EU therefore brought this issue on its agenda in the framework of the Belgrade-Pristina dialogue, and an agreement was eventually sealed on 24 February 2012, just before Serbia received its EU candidate status. The so-called "footnote agreement" marks a significant departure from Belgrade's position towards Kosovo external representation. Indeed, it implicitly phases out the UNMIK's chaperonage, by

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[1382] For instance the UNMIK, on behalf of Kosovo, signed the CEFTA accession agreement in December 2006, and the UNMIK represents Kosovo in the regional cooperation council since February 2008.
[1383] Arts 1,7,10, Constitution of the Republic of Kosovo. 2008.
[1384] B92. 21.12.2008. 'K. Albanians Puzzled over Representation.'
[1385] For instance, the inauguration of Croatian President Josipović in February 2010, and the Western Balkan conference launching the Brdo process in March 2010.
[1386] B92. 29.4.2010. 'Belgrade Wants Priština Represented "Asymmetrically".'
[1387] Ibid.
[1388] B92. 21.12.2008. 'K. Albanians Puzzled over Representation.'
[1389] The EU-Western Balkan summit, planned in June 2010
[1390] The formula prescribes that countries are represented only by the name of their representatives. It proscribes the name of the countries and state symbols.

providing that Kosovo may henceforth "participate on its own account and speak for itself at all regional meetings"[1391]. Regional meetings shall not only encompass the arrangements whose aim is to "promote cooperation or integration in the Balkan region", it also includes "meetings with EU institutions in the context of the European agenda[1392]. The condition posed to Kosovo's participation in those meetings, however, is the consistent use of an asterisk next to its name, i.e. "Kosovo*", linked to a footnote reading, which reads: "this designation is without prejudice to positions on status, and is in line with UNSC 1244 and the ICJ Opinion on the Kosovo declaration of independence" [1393]. The agreement finally recommends that the organisers of regional meetings refrain from displaying state symbols, save the EU or the host country's[1394].

Praised by the EU, the footnote agreement did not clear all the ambiguities underpinning Kosovo's international representation. Divergent interpretations of the letter and the spirit of the agreement fuelled new problems, especially in its implementation phase[1395]. For the Kosovo negotiating team, the footnote agreement signalled *de facto* recognition of Kosovo's independence by Serbia and *de jure* recognition by the EU [1396]. For Serbian President Tadić, the footnote confirmed Serbia's claim regarding the asymmetrical representation of Kosovo[1397]. Contested though it is, this agreement marks a watershed in Serbia's policy towards Kosovo. First, it signals that Belgrade henceforth accepts that Kosovo should no longer be represented by the UNMIK, at least in some *fora*. Second, it paves the way of the further changes, since provisions in the agreement may be subject to extensive interpretations. A clarification by the EU first concluded that the footnote must not always be visible[1398], and it remains to be seen whether participation may imply membership[1399], and what the scope of Kosovo "promoting cooperation or integration in the Balkan region" is[1400]. Of course, Serbia remains firm in its stance that the agreement is an exception conceded to Kosovo and that UNMIK-based representation shall remain the rule. As stated by an MFA official,

> *"It is particularly important that UNMIK continues to represent Kosovo in international fora in accordance with Resolution 1244. Accordingly, UNMIK representatives should secure their attendance at international meetings and conferences to which the Provisional Institutions of Self-Government in Kosovo representatives are invited, except in cases where specific solutions are agreed upon in the dialogue between Belgrade and Pristina."* [1401]

[1391] Point 4, B92. 25.2.2012. 'Agreement on Regional Representation of Kosovo.'
[1392] Point 10, Ibid.
[1393] Points 2-3, Ibid.
[1394] Point 7, Ibid.
[1395] Lepore, P. July 2012. 'Beyond the Asterisk Agreement.' vol.12.
[1396] UNMIK. 25.2.2012. 'Media Monitoring -Headlines.'
[1397] B92. 24.2.2012. 'President Tadić Says His Policy Has Been "Confirmed".'
[1398] Serbia walked out of several meetings because of that, for instance, in spring 2012, of a RCC meeting in Sarajevo, a regional conference on civil society in Belgrade, and a LGTB rights conference in Budvar.
[1399] Serbia claims that participation in regional meetings shall not imply membership. See Republic of Serbia. 21 August 2012. 'Statement of H.E.Mr. Ivica Dacic before the UN Security Council.'
[1400] See Republic of Serbia. 10 May 2012. 'Statement by Ms. Jelena Plakalović, UN Fifth Committee, Agenda Item 158.'
[1401] See also Ibid.

But in agreeing to the footnote arrangement, Serbia's also placed itself under the constraining scrutiny of the EU with regards its implementation, including in those areas that require further clarification. Belgrade, then, not only accepted to normalise its some specific aspects of its relations with Pristina; it also opened avenues for the timely normalisation of a wider scope of its international relations with Kosovo.

3.4.2. Inferring Europeanisation from the settlement of neighbourly disputes

3.4.2.1. The international framework for the peaceful settlement of disputes

According to the UN Charter, states have a duty to "settle their international disputes by peaceful means in such a manner that international peace and security and justice are not endangered"[1402]. This duty is universal, and it is completed by the obligation, for all UN members to "refrain from any action which may aggravate" a dispute that has not been solved[1403]. Several documents codify this principle of international law, most notably the 1970 Declaration on Principles of International Law Concerning Friendly Relations and Co-operation among States[1404] and the comprehensive 1982 Manila Declaration on the Peaceful Settlement of International Disputes[1405]. All of them view dispute settlement as essential to the maintenance of international peace and security –a principle interrelated with other principles of international law, e.g. the principle of non-use of force, the principle of self-determination of peoples and the principle of sovereign equality.

The interrelation with the principle of self-determination is important for states with limited external sovereignty, like Kosovo[1406]. It makes the rights and obligations of UN members states in dispute settlement matters (e.g. Serbia, Macedonia, Greece) equally applicable to parties that are not signatories of the UN Charter, inasmuch as they claim statehood (e.g. Kosovo).

The sovereign equality principle, reaffirmed by the Manila Declaration, is important to Macedonia's naming issue, since Greece enjoys a better position than Macedonia *vis-à-vis* the EU. The principle, however, commands that all parties to a dispute

> *"shall have equal rights and duties and are equal members of the international community, notwithstanding differences of an economic, social, political or other nature".*[1407]

It is a premise that is essential to establishing dialogue, appraising the dispute, agreeing on a method to settle the dispute and engaging the proceedings.

The means and the procedure used to settle a dispute shall be freely agreed upon by the parties[1408]. But the UN Charter provides an explicit list, consisting of

[1402] Art. 2(3), United Nations. 1945. 'Charter of the United Nations.'
[1403] United Nations General Assembly. 24 October 1970. 'Declaration on Principles of International Law Concerning Friendly Relations and Co-Operation among States.'
[1404] Ibid.
[1405] United Nations General Assembly. 15 November 1982. 'Resolution Adopting the Manila Declaration on the Peaceful Settlement of International Disputes.'
[1406] Kosovo, for instance, is not a member of the United Nations.
[1407] United Nations General Assembly. 24 October 1970. 'Declaration on Principles of International Law Concerning Friendly Relations and Co-Operation among States.'

> *"negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangement, or other peaceful means".*[1409]

These methods of dispute settlement differ from one another in format –e.g. whether negotiations involve third actors, judicial procedures-, and in the type of outcome that can be expected to produce –e.g. treaty, binding award or commission's report[1410].

The UN Charter also provides that parties to a dispute may "resort to regional agencies or arrangements"[1411]. This possibility is a direct reference to the chapter VIII of the Charter, which provides that the action of the UN may be complemented, if not substituted, by regional actors, provided their activities are consistent with the purposes and principles of the United Nations. If this is the case, the parties shall first invoke the settlement procedures as established under the regional framework. Article 52 of the UN Charter provides indeed that

> *"The Members of the United Nations entering into such arrangements or constituting such agencies shall make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council".*[1412]

This possibility is remarkable, since it demonstrates the UN's support for the development (and even precedence) of regional ways of doing things in dispute settlement matters –a possibility that finds its full expression in Europe.

3.4.2.2. European frameworks for the settlement of neighbourly disputes

The European continent has witnessed the emergence of several regional arrangements which can be invoked to settle neighbourly dispute matters in the sense of Chapter VIII of the UN Charter. First, there is the Council of Europe, which in 1957 adopted its European Convention for the Peaceful Settlement of Disputes. The Convention, as a rule, commits its signatories to submit to the ICJ "all international legal disputes" for judicial settlement, including, in particular, those concerning the

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[1408] United Nations. 1992. 'Handbook on the Peaceful Settlement of Disputes between States.'
[1409] Art. 33 (1), United Nations. 1945. 'Charter of the United Nations.'
[1410] The UN provides a quite detailed account of different methods. Negotiations include consultations and exchanges of views. They usually imply direct, face-to-face talks aimed at solving a point of contention between at least two parties. Inquiry usually supposes that the dispute focuses on divergent opinions on facts. The parties then mandate a commission of inquiry to investigate the disputed issue and its related aspects and to draw a report on the basis of its fact-finding or investigative mission. Other peaceful means may for instance include good offices, i.e. the efforts consented by a third party, considered neutral, to facilitate peaceful settlement by encouraging the parties to resume negotiations. When this third party submits its own proposals, holds meetings and intervenes in the negotiations in order to reconcile the contending claims, then it undertakes mediation. Conciliation follows the parties' decision to submit their dispute to a non-judicial commission, comprising representatives of the two parties, in order to gain a better understanding of each other's case and envisage a compromise. Arbitration implies to submit the dispute to an *ad hoc* body specifically created to render an award, which is binding for the parties. It is then a compulsory means of dispute settlement, just as judicial settlement, which supposes that the dispute is submitted to a pre-constituted international court or tribunal. United Nations. 1992. 'Handbook on the Peaceful Settlement of Disputes between States.'
[1411] Art. 33 (1), United Nations. 1945. 'Charter of the United Nations.'
[1412] See also Point I.5., United Nations General Assembly. 15 November 1982. 'Resolution Adopting the Manila Declaration on the Peaceful Settlement of International Disputes.'

existence of "any fact, which, if established, would constitute a breach of international obligations"[1413]. In certain cases, the parties may first seek to settle their legal dispute through conciliation. As regards the disputes that are not legal in character, the Convention provides that the parties shall use conciliation, and in case of failure (or prior agreement) resort to arbitration[1414]. The Convention of the Council of Europe has hitherto only been invoked in rare occasions, e.g. in the resolution of the South Tirol - Alto Adige dispute between Austria and Italy in 1971.

Another regional arrangement in the sense of Chapter VIII of the UN Charter is the OSCE, which "as such, […] provides an important link between European and global security"[1415]. The OSCE offers a relatively formalised dispute settlement mechanisms based on mediation, conciliation and arbitration [1416] –the so-called "Valletta Mechanism" (which has never been used), Direct Conciliation mechanism (never used), and OSCE arbitration mechanism (never used either). Similarly recognised as a regional arrangement in the sense of Chapter VII of the UN Charter, the North Atlantic Treaty Organisation also provides a framework for international disputes. The Nato offers its good offices, after direct negotiations have failed, and, if the dispute is legal in nature, that it commands its submission to a judicial tribunal[1417].

These regional arrangements complete the UN framework for the settlement of international disputes in Europe. However, they can only be invoked by states participating in such arrangements. Although Serbia is a member of the Council of Europe and a participating state of the OSCE, it is not member of Nato and has not ratified the OSCE convention on Conciliation and Arbitration. As for Kosovo, it is not participating in any of these frameworks. And Macedonia is not a member of Nato. Serbia and Kosovo, therefore, may hardly invoke these regional arrangements in the settlement of their dispute. Greece and Macedonia, by contrast, are bound by their membership in the Council of Europe and participation in the OSCE, but the Nato framework may not be as relevant.

Although the EU has not declared itself a regional arrangement in the sense of Chapter VIII of the UN Charter, it can be considered as one in many respects, including regarding its observance and promotion of the international principle of peaceful settlement of disputes[1418]. After all, the EU's CFSP intends to "preserve peace, prevent conflicts and strengthen international security, in accordance with the purposes and principles of the United Nations Charter"[1419]. It conceives its role as supportive of UN prescriptions, and views the EU's cooperation with the UN, in all

[1413] Art. 1, Council of Europe. 29 April 1957. 'European Convention for the Peaceful Settlement of Disputes.'
[1414] Chapter II and III, Ibid.
[1415] Point 25, Conference on Security and Cooperation in Europe. 1992. 'Helsinki Summit Declaration.'
[1416] OSCE. 2011. 'Osce Mechanisms and Procedures.'
[1417] North Atlantic Council. December 1956. 'Resolution on the Peaceful Settlement of Disputes and Differences between Members of the North Atlantic Treaty Organization.'
[1418] See Blockmans, S. and Ramses A. Wessel. 2011. 'The European Union and Peaceful Settlement of Disputes in Its Neighbourhood: The Emergence of a New Regional Security Actor?' In *The European Union and Global Emergencies: Law and Policy Aspects* eds. Antoniadis, A., et al. p. 90-93; White, N. D. 2006. 'The Ties That Bind: The EU, the UN and International Law.' *Netherlands Yearbook of International Law* vol.37.
[1419] Art. 21, Treaty on European Union. 30 March 2010.

respects, as a "priority"[1420]. The EU, as regional arrangement in the sense of Chapter VIII, provides a regional framework for the peaceful settlement of international disputes. The member states of the EU all recognise the jurisdiction of the European Court of Justice, and the bilateral issues that do not fall under the jurisdiction of the European Court of Justice (ECJ) and could not be solved at the ministerial level, can be submitted to the European Council. The EU, however, also supports the peaceful settlement of international disputes in its neighbourhood, where it intends to develop a

> *"special relationship […] aiming to establish an area of prosperity and good neighbourliness, founded on the values of the Union and characterised by close and peaceful relations based on cooperation".*[1421]

Most of the disputes that directly involve the EU fall under an arbitration procedure, specifically designed as part of the Stabilisation and Association process[1422]. The others, which are too political or concern neighbourly relations, can be dealt as part of the EU's Political Dialogue with non-EU states. In its 1997 Joint Declaration on Political Dialogue, the EU and Macedonia agreed to discuss at the highest level issues that "enhanc[e] security and stability in the whole of Europe and, in particular, in the region of South Eastern Europe" [1423]. In 2003, likewise, the EU and Serbia established Political Dialogue with the purpose of "promoting regional cooperation, development of good neighbourly relations and fulfilment of obligations under international law"[1424]. Arguably, the EU's concern for settling neighbourly disputes is connected to its promotion of good-neighbourliness through political dialogue –a principle that has gradually entered the grey area of the EU's political criteria and is now projected through conditionality. The experience of Cyprus, which joined the EU despite an unresolved dispute with Turkey, convinced the EU that dispute settlement is more than international obligation, which the EU may promote regionally; it shall become a precondition to EU accession.

In the Western Balkans, the expectations of the EU in that matter have gradually been strengthened. Until recently, the EU's enlargement strategy papers, for instance, did not mention open disputes as an issue jeopardising the European perspectives of Western Balkan states. In 2008, however, the Commission, for the first time, acknowledged that

> *"nearly all regional partners have unresolved bilateral issues with their neighbours, including border disputes".*[1425]

From 2008, it dedicated a specific part of its strategy papers to so-called "bilateral questions", and recalled that the settlement of outstanding issues with neighbouring

[1420] Council of the European Union. 12 December 2003. 'European Security Strategy: A Secure Europe in a Better World.'
[1421] Art. 8, Treaty on European Union. 30 March 2010.
[1422] In accordance with a protocol to the Stabilisation and Association agreements concluded by the EU with most of the Western Balkan states.
[1423] Council of the European Union. 29 April 1997c. 'Joint Declaration on Political Dialogue between the EU and the Former Yugoslav Republic of Macedonia.'
[1424] Council of the European Union. 17 September 2003. 'Joint Declaration on Political Dialogue between the EU and Serbia and Montenegro.'
[1425] European Commission. 5 November 2008b. 'Enlargement Strategy and Main Challenges 2008-2009.'

countries was part of the Stabilisation and Association process. At first almost limited to border issues, the bilateral questions started to encompass other questions, including more sensitive ones (e.g. Kosovo issue and naming issue).

The role that the EU was ready to play also changed in the course of the past few years. The Commission, at first, limited itself to "urging all partners to address bilateral issues as a priority", while "monitoring developments"[1426]. In 2009, however, it added that

> *"where appropriate, the Commission is ready to facilitate the search for solutions, at the request of the parties concerned".*[1427]

This role of facilitator prescribed the resolution of disputes "in conformity with the principle of peaceful settlement of disputes in accordance with the United Nations Charter, including if necessary jurisdiction of the International Court of Justice"[1428]. While reiterating that dispute settlement "need to be solved by the parties concerned"[1429], the EU intensified in 2010 its readiness to facilitate the process, arguing that "the EU" (and no longer the sole Commission)

> *"stands ready to facilitate the creation of the necessary political impetus in the search for solutions and to support related initiatives".* [1430]

Although the nature of the "necessary political impetus" to which the EU would contribute is not specified, it certainly pertains to conditionality-related incentives for EU accession. While reiterating its support for the UN framework, including, when necessary, judicial settlement, the EU added in 2012, that it would also support attempts at settling international dispute by "other existing or ad hoc dispute settlement bodies"[1431]. It also called

> *all parties concerned to address bilateral issues, falling outside areas of EU competence and/or contractual obligations towards the EU, in a constructive spirit, as early as possible, taking into account overall EU interests and values".*[1432]

All in all, even though the EU recognises that "the responsibility to find solutions" to neighbourly disputes falls devolve upon prospective member states[1433], these cannot ignore the EU's regional arrangement. From passive monitoring body, the EU has become a proactive facilitator, a dedicated amplifier of UN prescriptions under Chapter VIII, and through its conditionality policy, possibly, an influent middleman.

[1426] Ibid.
[1427] European Commission. 14 October 2009a. 'Enlargement Strategy and Main Challenges 2009-2010.'
[1428] Ibid.
[1429] European Commission. 9 November 2010a. 'Enlargement Strategy and Main Challenges 2010-2011.'
[1430] Ibid.
[1431] European Commission. 10 October 2012c. 'Enlargement Strategy and Main Challenges 2012-2013.'
[1432] Point 7, Council of the European Union. 5 December 2011. 'Council Conclusions on Enlargement and Stabilisation and Association Process.'
[1433] European Commission. 14 October 2009a. 'Enlargement Strategy and Main Challenges 2009-2010.'

3.4.3. Argumentative analysis

3.4.3.1. Structural analysis

The EU's commitment to promote the peaceful settlement of international dispute in the Western Balkans impregnates its relationship with Serbia and Macedonia. Both countries face specific conditions in that matter, displaying cross-country similarities, in the sense, for instance, that they command cooperation for its own sake rather than imposing the substantive terms of dispute settlement. But they also display important differences, which can help explaining why Serbia's approach towards Kosovo has been inflected while Macedonia's remained stalled.

3.4.3.1.1. Conditionality based on the reminiscence of a community of views (Kosovo issue)

First of all, for want of a common position on the Kosovo status or the Macedonia naming issue, the EU does not impose any condition on Serbia and Macedonia that would prescribe the adoption of a preferred solution (e.g. recognition of Kosovo, or relinquishment of Macedonia's name). This is understandable, considering the divergence of views of EU member states in those matters. Nearly half of them, for instance, make a relatively consistent use of Macedonia's constitutional name in their bilateral relations[1434]. These are mostly states that joined the EU later, in 1995 or 2004/2007. The others, by contrast, make a consistent use of FYROM in their multilateral and bilateral relations, and do not support Macedonia's claim against Greece. Most of EU member states, likewise, do not support Serbia in its no-independence policy towards Pristina. But five of them did not recognise the independence of Kosovo and are more supportive of Belgrade's claim[1435]. This lack of consensus deprives the EU of the possibility to reach a common position on these issues.

This is not to say that there is no EU position at all, even at the embryonic state, upon which the EU's conditionality approach is built. A deeper analysis shows that behind its obvious disunity, the EU has kept some memories of institutional unity in favour of Kosovo's independence, whereas no such reminiscence characterises its approach to Macedonia's naming issue. A few years ago, EU member states unanimously endorsed the Ahtisaari plan recommending the independence of Kosovo under international supervision[1436]. Their endorsement was backed by the EU's High Representative Javier Solana[1437] and the European Parliament[1438]. Of course, this EU position was subject to the approval of the UN Security Council, which had to adopt

[1434] According to a content-analysis of the MFA websites of the 27 EU member states, only Austria, Bulgaria, the Czech Republic, Estonia, Finland, Hungary, Ireland, Lithuania, Poland, Romania, Slovakia, Slovenia and Sweden use the term of "Republic of Macedonia" in a consistent manner. Latvia, Portugal and the UK display ambiguities, whereas the other EU member states consistently use "FYROM", "FYR Macedonia" or "FYR/Macedonia". (Online research carried out in February 2013).
[1435] Cyprus, Greece, Spain, Slovakia and Romania did not recognise Kosovo (as of 2013).
[1436] Council of the European Union. 18 June 2007. 'Conclusions on the Western Balkans.'
[1437] NATO Headquarters. 26 February 2007. 'Joint Press Point with Nato Secretary General, Mr. Jaap De Hoop Scheffer and the EU High Representative for the Common Foreign and Security Policy, Mr. Javier Solana.'
[1438] European Parliament. 15 March 2007. 'Report on the Future of Kosovo and the Role of the EU.'

the plan and amend the UNSC resolution 1244. This never happened, since Serbia, supported by Russia, rejected the plan, and the failure of the Ahtisaari process consequently tolled the death knell of the EU's common position towards Kosovo. This experience, however, did not prove fruitless. Although the EU had to erase all its reference to the Ahtisaari plan in order to be able to deploy the EULEX in Kosovo, it did not fully give up the idea which germinated through the Ahtisaari process. This idea (implying the inflection of Serbia's no-independence position towards the Ahtissari's proposal for supervised independence) remained latent, embedded within the institutional memory of EU supranational bodies. And it recurrently resurfaced, despite the EU's official commitment to status-neutrality vowed in 2008[1439]. In February 2009, the European Parliament thus adopted a resolution dealing with the "role of the EU" in Kosovo, in which it

> *"encourage[d] those EU Member States which have not already done so to recognise the independence of Kosovo".*[1440]

In 2010, it added that it

> *"would welcome the recognition by all Member States of the independence of Kosovo".*[1441]

In September 2012, the President of the European Parliament went further, declaring that

> *"the relations between Serbia and Kosovo, as part of a peaceful development, must end, the way we see it, in mutual recognition".*[1442]

The European Parliament rapporteur for Kosovo, Ulrike Lunacek made a similar statement a few weeks after, arguing that Serbia should recognise Kosovo, since

> *"the EU will not allow another Cyprus in the EU [and] will not accept any country without defined borders".*[1443]

These statements belied the deal the Council struck in November 2008 with Serbia in the UN to authorise the deployment of the EULEX throughout Kosovo.

The Ahtisaari idea even took root in the Commission, though in a much less outspoken way. In its 2012-2013 enlargement strategy paper, for instance, the Commission rightfully applied the footnote agreement. It referred to Kosovo* "without prejudice to positions on status", and in the footnote, to the ICJ 2011 ruling as well as the UNSC resolution 1244/1999, which guarantees Serbia's territorial

[1439] Presidency of the Council of the European Union. 28 November 2008. 'Declaration by the Presidency on Behalf of the European Union on the Deployment of Eulex.'
[1440] Point 3, European Parliament. 5 February 2009. 'European Parliament Resolution on Kosovo and the Role of the EU.'
[1441] Point 1, European Parliament. 8 July 2010. 'European Parliament Resolution on the European Integration Process of Kosovo.'
[1442] B92. 4.9.2012. 'Ep Wants Serbia To "Recognize Kosovo", Pm Told.'. Martin Schultz later explained that this statement was a personal estimate.
[1443] B92. 10.11.2012. 'No EU without Kosovo Recognition, Ep Rapporteur Claims.'

integrity. But in the same document, the Commission, for the first time, also called Serbia to

> *"respect[...] the territorial integrity of Kosovo"*[1444].

This prescription is reminiscent of the recommendations contained in the Ahtisaari plan[1445]. Its resurgence is a challenge to the pragmatic status-neutrality compromise found in 2008, and it points out, if need be, the ambiguity of the EU's engagement in Kosovo –an engagement aiming at strengthening Pristina's internal sovereignty (through the EULEX's assistance to consolidate the rule of law, the police and the customs), while denying the status-sensitive implications of this consolidation.

Of course, in enlargement matters, it is not the Commissioners or the Parliamentarians who ultimately make decisions on the conditions that Serbia shall meet to join the EU. The Council does, and its members, whether they recognised Kosovo or not, are in this respect quite vocal: officially, recognition is not a condition for Serbia to join the EU, but the normalisation of the relations between Belgrade and Pristina is[1446]. Behind closed doors, however, some officials[1447], including in Serbia[1448], doubt of the possibility to lastingly decouple normalisation (which is a process) from recognition (which is the usually outcome of normalisation)[1449].

Be that as it may, there is here a meaningful difference in the structural conditions weighing on Serbia and Macedonia. Although the EU, in neither cases, has an official position regarding the terms of their dispute settlement, it used to have one for Serbia, carved in the EU's support for the Ahtisaari proposal. Despite its eventual failure, this position remained etched in the EU's institutional memory. This, arguably, differentiates the EU's underlying approach to conditionality in the two cases at hand, for the EU never conceived a common position regarding the terms of Macedonia's dispute with Greece[1450].

3.4.3.1.2. Conditionality based on instrumental solidarity (naming issue)

Another difference lies in the subsidiary role some EU member states play in the absence of EU common position. In the case of Macedonia, most of the EU member

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[1444] European Commission. 10 October 2012c. 'Enlargement Strategy and Main Challenges 2012-2013.'

[1445] The Commissioner Füle later explained that this reference to Kosovo's territorial integrity should be understood as a rejection of partition. See B92. 11.10.2012. '"EU Does Not Want Partition of Kosovo".'

[1446] This statement has been made publicly at several occasions since 2008, e.g. by the British and German, ambassadors to Serbia, the Foreign Ministers of France and Hungary, but also the Head of the EU delegation in Serbia, the EU enlargement Commissioner, the European Parliament's rapporteur for Serbia and even the Commission's President.

[1447] Interview with an Official from the Embassy of the Republic of France to Serbia. Belgrade, 14/9/2011

[1448] Interview with an Official from the Ministry of Foreign Affairs of Serbia, Directorate for Neighbouring and South-East European Countries. Belgrade, 15/09/2011

[1449] It is questionable that a solution prescribing normalisation without recognition is sustainable. East-West Germany relations or Taiwan-PR China relations are sometimes cited as example, though.

[1450] Except in the early 1990, before the signature of the Interim Agreement, when the European Council concluded that it would recognise the FYROM "under a name which does not include the term Macedonia". European Council. 27 June 1992. 'European Council Declaration on Former Yugoslavia.'

states have remained relatively passive in this question –they did not advocate a specific solution, openly side with one or the other party, or suggest that the EU should take a more stringent or lenient position. Certainly, for some of them, Macedonia is not a matter of primary concern –their bilateral relations with Skopje are irrelevant, and Western Balkan politics is a distant matter. For many others, the naming issue is important in character, but it is not a security issue the EU shall get directly involved in. As explained by a Slovenian diplomat quoting his colleagues,

> *"many say: we do not want to bring problems in the EU, so let's handle that in the UN, and we'll open negotiations for accession when it's done".*[1451]

The assumption behind this assessment is that the EU should not import an issue which it can address externally. As stated by an EU diplomat in Skopje,

> *"we have a long history of making mistakes of that kind, i.e. importing problems like Cyprus. So, we don't want to repeat what happened in the past".*[1452]

Only a few member states, in the past ten years, actively engaged in fostering the dispute settlement in one way or the other. Their engagement was often sudden, arising as those states held the Presidency of the Council of the EU. Getting involved in the dispute settlement primarily aimed at gaining international credit for (hopefully) succeeding where others failed. Hungary, for instance, prioritised the resolution of this question during its Presidency in 2011. Hungarian Prime Minister Orban then pointed out the responsibility of Greece in the naming issue fiasco, arguing that

> *"there is no reason for someone to stop a country from becoming a part of Europe. […]. This unnatural state should be resolved and Macedonia which has six years of candidate status should become member as soon as possible".*[1453]

Hungary also declared itself to be "prepared to assist the negotiations and to be actively included if all sides require that" [1454]. Another example is Slovenia, also during its Presidency of the Council. In 2008, Slovenian Foreign Minister Rupel reportedly had "a big fight with his Greek counterpart" [1455] on the question, as he hosted a meeting with Western Balkan states' foreign ministers. More recently, Slovenia offered to host informal meetings in Ljubljana and to share the lessons it drew from the settlement of its own dispute with Croatia[1456]. But both initiatives lacked impetus –perhaps because they were more instrumental than principled, and only materialised during the 6-month Presidency. Supportive of Macedonia's position

[1451] Interview with an Official from the Slovenian Embassy to Macedonia. Skopje, 02/11/2011
[1452] Interview with an Official from Delegation of the European Union to the Former Yugoslav Republic of Macedonia. Skopje, 01/11/2011
[1453] EUbusiness. 12.5.2011. 'Hungary Pledges Support for Macedonia's EU Entry.'
[1454] Assembly of the Republic of Macedonia. 11.6.2011. 'Priorities of the Hungarian Presidency with Council of the EU Presented in the Macedonian Assembly.'
[1455] Interview with an Official from the Slovenian Embassy to Macedonia. Skopje, 02/11/2011
[1456] Just as Greece, Slovenia at first succeeded to block the accession process of its southern neighbour by obtaining from the EU that the settlement of the dispute (concerning the Bay of Piran) becomes a condition for resuming the accession negotiations. After almost a year of stalemate, Slovenia eventually lifted its veto and accepted to decouple the European perspectives of Croatia from the settlement of its bilateral dispute.

though they were, Slovenia and Hungary considered indeed that the question in general terms was a "bilateral issue concerning Macedonia and Greece"[1457], for which the negotiations had been placed "under the auspices of the UN"[1458]. Both countries accordingly refrained themselves from attempting to drag the EU into the negotiation process in a more proactive and durable way.

Greece by contrast, being both EU member state and party to the dispute, actively engaged in advocating the use of EU negative conditionality to block Macedonia's integration process. Its conditional approach "no solution, no invitation" lies at the crux of Macedonia's stalled integration processes since 2008[1459]. This principled approach has been uploaded in, and adopted by the Council as a *sine qua non* for the opening of Macedonia's accession negotiations. Although many EU member states do not share Greece's firm stance against Macedonia, they usually refrain from opposing it, out of solidarity. As argued by an EU diplomat,

> *"there is an element of solidarity amongst the member states. We'll defend the members first [i.e. Greece], against the outsiders [i.e. Macedonia], and when the latter join, we will defend them against the outsiders as well. There is a lack of understanding here about how strong this feeling is. Therefore, it is not the question of one state against the other EU member states. It is more, that we stand together".*[1460]

Unexpectedly, this "element of solidarity" has been even more salient since 2008. Because it is hardly struck by the economic crisis, most of the EU's member states refrained from questioning Greece's hardliner position regarding the naming issue. Wary of the political instability in Greece, they did not want to risk igniting new tensions. According to some accounts, some EU member states even traded their support against Macedonia in exchange of Athens' pledge to carry out economic reforms[1461]. Or they traded it against secret arrangements. According to a diplomatic cable from the US embassy in Athens, after the Greek veto in Bucharest, French President Sarkozy acknowledged that the position of Greece is "legitimate and responsible", while pressing Greek Prime Minister Karamanlis to purchase French Rafale fighters and FREMM frigates[1462].

These elements of solidarity allowed Greece to literally shape the EU's conditionality regime towards Macedonia and to ascertain the blockade of Skopje's European perspectives since 2008. The European Council conclusions' directly echo Greece's "no solution, no invitation" approach, when it states

> *"further steps by the former Yugoslav Republic of Macedonia in its progress towards the EU are possible, […but] maintaining good neighbourly relations,*

[1457] President of the Republic of Slovenia. 'Slovenian President Receives Macedonian President, Branko Crvenkovski'. [accessed 15.2.2013].
[1458] Assembly of the Republic of Macedonia. 11.6.2011. 'Priorities of the Hungarian Presidency with Council of the EU Presented in the Macedonian Assembly.'
[1459] Interview with an Official from Delegation of the European Union to the Former Yugoslav Republic of Macedonia. Skopje, 01/11/2011
[1460] Ibid.
[1461] The name of Germany is cited. Interview with a Senior Officer from the Osce Mission in Skopje. Skopje, 12/3/2013
[1462] United States Embassy in Athens. 9.6.2008. 'Sarkozy Vows Athens'. [accessed 4.3.2013]

> *including a negotiated and mutually acceptable solution on the name issue, remains essential".*[1463]

The conclusions of the European Council in the years following 2008 all reiterated the "essential" character of this condition, implicitly referring to the naming issue. Since the dispute shall be settled in a "mutually acceptable" way, the structure of the EU's conditionality regime towards Macedonia is highly asymmetrical and provides Greece with a major asset: further steps in Macedonia's progress towards the EU eventually depend on the positive assent of Greece.

Greece, on the other side, is not willing to convince its counterparts to increase the level of direct involvement of the EU in the process of dispute settlement. It sees that

> *"there is no point in interrupting [the UN mediation process] in order to put the EU in charge".*[1464]

More EU involvement would imply empowering segments of the EU institutional design upon which Greece, *qua* member state, has less control. It could for instance imply allowing the High Representative to shape the negotiation process, and possibly, to controvert Greece's "no solution, no invitation" approach. Greece's caution is well-grounded. Both the European Parliament and the European Commission have been recommending the opening of accession negotiations repeatedly. Whereas the Commission merely substantiated its recommendation by arguing that moving the accession process to its next stage would "consolidate peace and sustainability of reforms"[1465], the European Parliament, already in 2006, expressly warned that

> *"the question of the name of the republic does not constitute an obstacle to its further integration into the European fold".*[1466]

and later opposed the Greek blockade, arguing in 2009 that

> *"such outstanding bilateral issues in the Balkans should not obstruct accession or take precedence over the process of European integration".*[1467]

In 2010, the European Parliament furthermore called the EU to get more actively involved in the dispute resolution process, and offer its assistance[1468]. And in 2011, it

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[1463] Point 56, European Council. 19/20 June 2008. 'Conclusions of the Presidency '.
[1464] Interview with an Official from the Liaison Office of the Hellenic Republic in Skopje. Skopje, 01/11/2011
[1465] European Commission. 10 October 2012c. 'Enlargement Strategy and Main Challenges 2012-2013.' p. 13. The Commission already recommended the opening of accession negotiations in 2009, 2010 and 2011. See European Commission. 9 November 2010a. 'Enlargement Strategy and Main Challenges 2010-2011.'; European Commission. 12 October 2011c. 'Enlargement Strategy and Main Challenges 2011-2012.'; European Commission. 14 October 2009a. 'Enlargement Strategy and Main Challenges 2009-2010.'
[1466] European Parliament. 16 March 2006. 'European Parliament Resolution on the Commission's 2005 Enlargement Strategy Paper.'
[1467] European Parliament. 12 March 2009. 'European Parliament Resolution on the 2008 Progress Report on the Former Yugoslav Republic of Macedonia.'
[1468] European Parliament. 7 February 2010. 'European Parliament Resolution on the 2009 Progress Report on the Former Yugoslav Republic of Macedonia.'

elaborated on (and generalised) its recommendation, calling Commission and the Council to

> *"start developing a generally applicable arbitration mechanism aimed at solving bilateral issues between enlargement countries, between Member States and enlargement countries and between Member States".* [1469]

also inviting the High Representative and the Commissioner responsible for Enlargement and European Neighbourhood Policy

> *"to facilitate an agreement on the name issue and offer political guidance, with full respect for the ongoing process of negotiations and the provisions of the UN Charter".* [1470]

Whether stemming from the European Commission or the European Parliament, these recommendations have not been followed by the Council. But a higher degree of involvement of the EU in Macedonia's dispute settlement process would certainly weaken Greece's blocking position[1471].

In short, the conditionality dialogue set up by the EU and Macedonia in dispute settlement matters is remarkable in many respects. First, it has been seen, it is not substantive, since the EU has no prescriptive position on how the "negotiated and mutually acceptable" solution should look like. Second, it is less a conditionality regime designed collectively by the EU than set of national approaches projected at some point by individual EU member states on the EU level. Few member states, however, have expressed a consistent interest in the question, except, of course, Greece. Understandingly, their relative disinterest has not translated into a reinforcement of the role of the EU in the dispute settlement process. Third, the current conditionality regime is mainly defined by one EU member state, Greece, through the exercise of negative measures (blocking Macedonia's integration process), in accordance with its national approach of "no solution, no invitation". The other member states may not all support Greece's firm stance, but they do not obstruct it out of solidarity, despite the adverse recommendations of the European Commission and European Parliament. This configuration, all in all, is far from optimal, for the asymmetry in negotiating power, which Greece derives from its membership in the EU, undermines the external legitimacy of the EU's conditionality dialogue. If EU negative conditions are found to stem from Greece, *contra* the Commission and the Parliament, then failing to meet them is not as much a gesture of objection addressed to the EU collectively as to Greece specifically. That is why this configuration, as a matter of principle, carries flaws that likely undermine the effectiveness of conditionality.

3.4.3.1.3. Conditionality based on the constructive involvement of EU member states (Kosovo issue)

[1469] European Parliament. 7 April 2011. 'European Parliament Resolution on the 2010 Progress Report on the Former Yugoslav Republic of Macedonia.'
[1470] Ibid.
[1471] Unless Greece succeeds in controlling the EU process from the inside. This argument prevents Macedonian from being too optimistic regarding an EU mediation. Interview with a Member of the Government of Republic of Skopje. Podgorica, 13/5/2013

The EU's conditionality regime with Serbia is very different. First, it has been seen that even though the EU has no common position on how the solution to the Kosovo issue should look like, ideas supporting the Ahtisaari proposal have been etched in the EU's institutional memory. Their resurgence contrasts with the more hollow approach the EU adopts towards the naming issue. Secondly, it is remarkable that many (if not most of) EU member states have expressed a thorough interest for the Kosovo issue[1472]. This is understandable, since most of the EU member states have civilian and military personnel in the field[1473] and are therefore directly affected by the outcome of the negotiation process. Of course, this common interest for the Kosovo issue does not imply a community of view. EU member states hold different views on the Kosovo issue, and as the Council put it in the aftermath of Kosovo's declaration of independence,

> *"Member States will decide, in accordance with national practice and international law, on their relations with Kosovo".*[1474]

It nonetheless means that EU member states actively engage in the international debate on the Kosovo issue, that they interact more purposefully with Serbia at the bilateral level in order to support or inflect its national approach, and that they also contribute more constructively to shaping the EU's conditionality regime with Serbia at the EU level, despite their disunity. Their very active involvement for the question (particularly from the side of Germany) and starkly contentious positions (cf. Cyprus) preclude that they settle for an *a minima* solution. EU member states have instead helped designing a conditionality regime that supplements or completes (rather than adorns or replaces) their national preferences, while allowing them to continue expressing their national preferences.

Cyprus, for instance, is one of the strongest opponents in the EU to Kosovo's claim for independence. It views the case as a precedent potentially supportive of the separatist claims of Northern Cyprus. Romania, Spain, Slovakia and Greece concur in this argument, all concerned that Kosovo's precedent could have negative implications undermining their own territorial integrity. In 2008, Nicosia, followed by the other non-recognisers, thus rejected the plan circulated by Great Britain in the Council, which envisioned the creation of a common EU platform to recognise Kosovo's declaration of independence[1475]. In 2009, it sent lawyers to The Hague, together with Romania and Spain, in order to argue against the legality of Kosovo's declaration of independence. These lawyers, there, faced some of their colleagues coming from EU recognising states, sent before the ICJ in order to back Kosovo's claim[1476]. More recently, Cyprus exchanged official visits at the highest level with

[1472] Interview with an Official from the Embassy of the Republic of Austria to Serbia. Belgrade, 13/09/2011

[1473] 24 EU member states contribute or have contributed to the Nato-led KFOR mission, i.e. all EU member states but Cyprus, Latvia and Lithuania. All EU member states but Cyprus contribute to the EULEX mission in Kosovo.

[1474] Council of the European Union. 18 February 2008c. 'Gaerc Conclusions on Kosovo.'

[1475] United States Embassy in Nicosia. 15.2.2008. 'Fm Taking Hard Line over Garec's Kosovo Conclusions'. [accessed 30.01.2013]

[1476] Germany, Austria, Bulgaria, Denmark, Finland, France, the Netherlands, and the United Kingdom presented arguments in favour of the legality of Kosovo's declaration of independence at public hearings.

Serbia, as well as state decorations, and reiterated its outspoken support against Kosovo's independence[1477].

The position of Cyprus (and other non-recognisers) here strikingly contrasts with the behaviour of some recognisers, which used diplomatic *démarches* in order to promote Kosovo's independence. France, for instance, lobbied in the Arab world and African countries for the recognition of Kosovo's independence[1478], arguing that Kosovo was *a sui generis* case. Together with some partners, it approached Serbia directly in order to inflect its border management approach[1479]. This kind of demarches, interestingly, was not strictly conducted at the bilateral level. They often maintained an ambiguity, with France, Germany or the UK speaking as EU member states *primus intra pares*. For instance, in a demarche addressed to Serbia in 2008, the United Kingdom seemed to speak on behalf of the EU, when it stated

> *"Serbia, as a country that sees its future as a member of the EU, will have to come to terms with [the independence under international supervision of Kosovo]. Serbia cannot simultaneously seek rapid progress towards EU membership, including the early granting of candidate status, yet impose bilateral sanctions on trade, power supplies etc to Kosovo which will be destabilising regionally. You cannot simply refuse to cooperate with the EU's efforts".* [1480]

Clearly, this is not the type of *démarches* which Cyprus would have joined in 2008. There is thus among EU member states, nothing close to the solidarity element that has been pinpointed in the EU's approach to the naming issue. And for good reasons: the Kosovo issue does not involve a particular EU member state directly (unlike Greece in the naming issue). This gives both recognisers and non-recognisers a certain margin of manoeuvre at the EU level to create space for the exercise a richer EU conditionality regime towards Serbia.

Cyprus, for instance, did not oppose the deployment of the EULEX in Kosovo and most of the non-recognisers even agreed to contribute to the staffing of the EU-led mission, despite its ambiguous mandate. The non-recognisers also support the EU-facilitated dialogue between Belgrade and Pristina, despite their divergent expectations regarding its outcome. As stated by the President of Cyprus as his country held the Presidency of the Council of the European Union in December 2012,

> *"the Republic of Cyprus does not recognize and will not recognize the Unilateral Declaration of Independence of Kosovo; this is a position of principle which is consistent with international law. The solution must be an outcome of a mutual bilateral deliberation that will lead to an agreed settlement. The solution must respect the territorial integrity of Serbia and be approved by the UN Security Council".* [1481]

[1477] B92. 7.12.2012. 'Serbia and Cyprus Reiterate Mutual Support.'
[1478] United States Embassy in Paris. 12.2.2009. 'French Feedback on Kosovo Recognition Strategy'. [accessed 30.01.2013]
[1479] United States Embassy in Belgrade. 11.1.2008b. 'Serbia's Kosovo Minister Pledges No Violence and No Recognition'. [accessed 22.01.2013]
[1480] Ibid.
[1481] Republic of Cyprus. 10 December 2012. 'The President of the Republic Received Serbian Prime Minister.'

Despite (or perhaps because of) the considerable differences in the views EU member states hold, the fact that most of them engage in the debate on the Kosovo issue also makes EU conditionality more legitimate externally. EU conditionality, in this case, is not merely constituted by the expression of a single national approach projected at the EU level with the sympathetic consent of other member states. It has to be validated internally by actors having antagonistic preferences. Therefore, unlike Macedonia, which could argue that the hand of Greece stood behind the EU's conditionality regime, Serbia cannot question the collective character of the conditions posed by the EU in dispute settlement matters. This, of course, is no *panacea*; a community of views among EU member states would certainly be make the EU's condition even more legitimate. But in the absence of unity, legitimacy is arguably higher when all EU member states get constructively involved in the issue, rather than passively expressing their solidarity with a few.

3.4.3.1.4. Macedonia's incompliance with unspecific obligations

Serbia and Macedonia are not subject to the same type of conditions in dispute settlement matters. The expectations the EU has addressed to Macedonia in the past ten years are plain as far as the goal is concerned, but they barely address the question of how to proceed. The only clue is provided by the EU's insistence to settle the naming issue under the auspices of the UN. There is no intermediary step here and no other framework for negotiations. Already in 2002, the European Commission underlined in its SAA conditionality report that it was now "urgent […] to finally resolve this outstanding issue"[1482]. In 2005, it therefore called Macedonia to

> *"find rapidly a negotiated and mutually acceptable solution within the framework of UN Security Council resolutions 817/93 and 845/93".*[1483]

In subsequent years, the Commission reiterated this call, in all relevant proceedings (e.g. progress reports, enlargement strategy papers). For want of observable progress, the word "rapidly" fell in oblivion, but the Commission's call remained otherwise unchanged. It now reads:

> *"maintaining good neighbourly relations, including a negotiated and mutually acceptable solution to the name issue, under the auspices of the UN, remains essential".*[1484]

The Commission was not the only EU institution to call for a mutually acceptable solution negotiated under the auspices of the UN. The Council enshrined the same expectation in its conclusions on the Western Balkans[1485], in the European

[1482] European Commission. 4 April 2002. 'Former Yugoslav Republic of Macedonia Stabilisation and Association Report 2002.'
[1483] UN Security Council resolutions 817/93 and 845/93 call Greece and Macedonia for negotiating a solution under the auspices of the UN. See European Commission. 9 November 2005a. 'Analytical Report for the Opinion on the Application from the Former Yugoslav Republic of Macedonia for EU Membership.'
[1484] European Commission. 12 October 2011c. 'Enlargement Strategy and Main Challenges 2011-2012.'
[1485] E.g. Council of the European Union. 10 December 2007. 'Gaerc Conclusions on the Western Balkans.'; Council of the European Union. 9 December 2008. 'Conclusions on the Western Balkans.';

partnerships[1486], and in the Accession partnership[1487]. The insistence with which the Commission and the Council hint at the UN-mediated negotiation process, despite its lack of results, shows how the EU conceives of its conditionality regime with Macedonia. In dispute settlement matters, the EU merely conveys international obligations and therewith reinforces the compellingness of the UN. It leaves few imprints of its own, which would alter the substance or the format of the negotiation process, but considerably amplifies the resonance of UN obligations, by conditioning the opening of EU accession negotiations with the outcome of a UN-mediated process. The EU applies this strict, *ex ante* conditionality approach without clearly stating, however, that dispute settlement has become a *sine qua non* condition for resuming integration[1488]. In the mid 2000s, the Council repeatedly regretted the absence of progress in the UN-mediated progress[1489], but Macedonia could nonetheless proceed towards more integration and become candidate. In the late 2000s, it welcomed the initiation of a high-level dialogue on the issue, but despite the "positive developments"[1490], the Council did not allow Macedonia to resume its integration process. Since Macedonia's integration process now largely depends on the outcome of negotiations carried out in the framework of the UN, the Commission and the Council can hardly do more than taking an encouraging posture. As an EU diplomat in Skopje explained:

> *"we do not play an active role in the resolution of the naming issue. Our role regarding the name is one of encouragement, seeking to make progress, easing the discussions. We are not sitting in the middle, directly involved".*[1491]

The EU thus settles for calling Macedonia to "intensify"[1492] or "renew" it efforts" and engage in the UN process, as well as adopting "a constructive approach"[1493].

Council of the European Union. 8 December 2009. 'Draft Conclusions on the Enlargement and Stabilisation and Association Process.'; Council of the European Union. 14 December 2010. 'Conclusions on the Enlargement and Stabilisation and Association Process.'; Council of the European Union. 5 December 2011. 'Council Conclusions on Enlargement and Stabilisation and Association Process.'

[1486] Council of the European Union. 30 January 2006. 'Council's Decision on the Principles, Priorities and Conditions Contained in the European Partnership with Serbia and Montenegro Including Kosovo as Defined by the United Nations Security Council Resolution 1244 of 10 June 1999.'

[1487] Council of the European Union. 18 February 2008b. 'Council Decision on the Principles, Priorities and Conditions Contained in the Accession Partnership with the Former Yugoslav Republic of Macedonia.'

[1488] This, in itself, is already a source of ambiguity, since ex ante conditions shall be fulfilled before EU accession.

[1489] Council of the European Union. 30 January 2006. 'Council's Decision on the Principles, Priorities and Conditions Contained in the European Partnership with Serbia and Montenegro Including Kosovo as Defined by the United Nations Security Council Resolution 1244 of 10 June 1999.'

[1490] Council of the European Union. 8 December 2009. 'Draft Conclusions on the Enlargement and Stabilisation and Association Process.'

[1491] Interview with an Official from Delegation of the European Union to the Former Yugoslav Republic of Macedonia. Skopje, 01/11/2011

[1492] Council of the European Union. 30 January 2006. 'Council's Decision on the Principles, Priorities and Conditions Contained in the European Partnership with Serbia and Montenegro Including Kosovo as Defined by the United Nations Security Council Resolution 1244 of 10 June 1999.'

[1493] European Commission. 6 November 2007a. 'Enlargement Strategy and Main Challenges 2007-2008.'; Council of the European Union. 10 December 2007. 'Gaerc Conclusions on the Western Balkans.'

Because it implies an evaluation that creates additional space for conditionality, the EU has extended this notion of "constructive approach" in the past few years. In 2007, after Skopje renamed its airport Alexander the Great, the EU's expectation regarding the definition of "a constructive approach" became slightly more specific. Noting that this event had been received in Greece "as a provocation"[1494], the Commission reformulated the UN principle calling states to "refrain from any action which may aggravate"[1495] a unresolved dispute, by making it clear that

> *"actions which could negatively affect good neighbourly relations should be avoided".*[1496]

In 2009, after Skopje named a trans-European section of its motorway after Alexander of Macedon, the Commission repeated that this had been received in Greece "as a provocation"[1497], and criticised in substance such moves for not being constructive and contravening the EU's good-neighbourliness principle. The urban project "Skopje 2014", with its gigantic statutes and historicist architecture was handled in a similar vein, and attracted the same criticism. For instance, in an interview, EU enlargement Commissioner Stefan Füle declared:

> *"seriously, if you have a neighbour, and I'm not talking about two states now, and there is an issue between two of you, whatever the nature of that issue is, and you are trying sincerely to solve it, I guess you would avoid doing anything that your neighbour might call a provocation. This is simple logic. I would expect the government in Skopje to avoid doing things which would be called by the other side provocations".*[1498]

Yet, according to the European Council's conclusions of 2008 and subsequent years, it is not Skopje's unconstructive approach or purportedly provocative actions that justify the current stalemate –and the Council's decision to postpone the opening of accession negotiations: it is the absence of agreement settling the naming issue under the auspices of the UN. Since EU conditionality primarily targets the outcome of UN-mediated talks, it falls short of effectively preventing the deterioration of the negotiating climate stemming from Macedonia's provocative actions against Greece.

3.4.3.1.5. Serbia's qualified compliance with rather specific obligations

The EU's conditionality dialogue with Serbia was, until the Kosovo's declaration of independence, quite similar to that with Macedonia. It also limited itself to the promotion of dispute settlement in general terms, insisting on the obligation for Serbia to comply with UNSC resolution 1244. Every year, the Commission used to maintain in its progress reports that

[1494] European Commission. 6 November 2007b. 'The Former Yugoslav Republic of Macedonia 2007 Progress Report.'
[1495] See footnote 1403.
[1496] See for instance the Commission's progress reports and enlargement strategy papers from 2007 onwards or the Council's conclusions on the Western Balkans from 2008 onwards.
[1497] European Commission. 14 October 2009b. 'The Former Yugoslav Republic of Macedonia 2009 Progress Report.'
[1498] EurActiv. 20.6.2011. '*Füle Shows Macedonia Yellow Card*.'

> *"the full respect of UN Security Council Resolution 1244 is an obligation for Serbia as a UN member. It is also one of the key priorities of the European Partnership".*[1499]

This reference was directed at Belgrade as a reminder that Serbia had committed itself to dialogue with Pristina, and that its progress towards the EU now depended on the fulfilment of its international obligations[1500]. In 2005, the Commission clearly linked the realms of international law with European politics, as it stated

> *"as regards the respect of the United Nations Security Council Resolution 1244 on Kosovo, Belgrade's constructive engagement on the Kosovo issue will help to advance Serbia and Montenegro's European perspective, while obstruction could turn into an obstacle".* [1501]

Since the notion of "constructive engagement" expressly related to the implementation of UNSC resolution 1244, the EU did not specify its expectations, except to criticise characterised violations, if need be. For instance, the Commission (in vain) blamed Belgrade for disrupting the functioning of self-governing institutions in Kosovo. It pointed out that deterring Kosovo Serbs from participating in Kosovo institutions and elections, and maintaining parallel institutions in Kosovo were "not consistent with UNSC resolution 1244" [1502] and fell short of the "constructive approach" the EU expected from Serbia [1503]. Until Kosovo's declaration of independence, the EU thus played a role that was comparable with the one it played towards Macedonia: the EU amplified the compellingness of UN obligations by placing them at the core of its conditionality dialogue with Serbia, but it did not add much substance to them.

As the Kosovo status process came to an end, the EU supported the idea of amending the UNSC resolution 1244 by passing a new resolution adopting the Ahtisaari proposal. The EU's conditionality regime with Serbia would have then been adapted in order to magnify the compellingness of the Ahtisaari plan. But this idea failed to materialise in July 2007, as the draft proposal did not receive the approval of the UN Security Council. Serbia (backed by Russia) opposed the idea of Kosovo's supervised independence, and instead, insisted on the need to abide by UNSC resolution 1244. In August 2007, Serbia reminded the EU that it had been previously called to "fully respect" the UNSC resolution 1244 in its European Partnership; that it would therefore make it a priority henceforth and intensify its dialogue with Pristina[1504]. Wary of the *status quo*, the EU faced a dilemma. Its conditionality regime with Serbia had been designed to magnify the compellingness of UNSC resolution 1244, but at the same time, it was now the UNSC resolution 1244 which had been invoked by Serbia (and Russia) as a means to perpetuate the *status quo*. The EU did not solve this dilemma. The declaration of independence of Kosovo shed light on the EU's lack of

[1499] European Commission. 14 November 2007. 'Serbia 2007 Progress Report.'
[1500] See Council of the European Union. 30 January 2006. 'Council's Decision on the Principles, Priorities and Conditions Contained in the European Partnership with Serbia and Montenegro Including Kosovo as Defined by the United Nations Security Council Resolution 1244 of 10 June 1999.'
[1501] European Commission. 9 November 2005b. 'Enlargement Strategy Paper 2005.'
[1502] European Commission. 14 October 2009d. 'Serbia 2009 Progress Report.'
[1503] European Commission. 8 November 2006b. 'Serbia 2006 Progress Report.'
[1504] Government of the Republic of Serbia. 2 August 2007. 'Action Plan for Implementation of the European Partnership Priorities '.

unity on that matter. But it started to bracket in its proceedings the references to the UNSC resolution 1244 as corner stone of its conditionality regime with Serbia. The Commission, for instance, continued to invoke the UNSC resolution 1244 in its progress reports, but only as justification for dismantling Serbia's parallel institutions in Kosovo. It ceased to advocate the reinforcement of Belgrade's dialogue with Pristina pursuant UNSC resolution 1244, and increasingly supported it for its own sake.

By relaxing its lineage with UNSC resolution 1244, the EU's conditionality regime became somehow less permeable to international politics. In place of the objective obligations deriving from UNSC legal acts, it started to emphasise the more amenable notion of "constructive approach with regard to Kosovo"[1505], a notion subject to political appreciation. This new emphasis is best seen in the wording of the Commission's progress reports. Before 2008, these systematically underlined that respecting UNSC resolution 1244 was a key priority of Serbia's European partnership[1506]. After 2008, the Commission replaced the reference to UNSC resolution 1244 by the following:

> *"Cooperating constructively on matters relating to Kosovo is a key European Partnership priority".*[1507]

This notion of "constructiveness" was not fully new to the EU's jargon. It had been previously used to designate the intensification of dialogue with Pristina on a number of practical issues. Later, it implied the "normalisation of Serbia's relations with Kosovo"[1508] under the aegis of the EU, and, more concretely, "taking steps towards a visible and sustainable improvement of relations with Kosovo"[1509]. No doubt that the EU, which had supported the Ahtisaari proposal, therewith, has been able to extend its own understanding of what a "constructive approach" shall entail.

The EU also used this opportunity to reframe its conditionality regime. It fractionated the Kosovo dispute into a series of technical, albeit status-sensitive, issues of lower intensity, which it gradually brought on the negotiation table, under its mediation. The conditionality logic not only applied to the whole (the adoption of a constructive approach), but targeted successively each of the intermediary steps. This fractioning of the EU conditionality logic is a major difference, if compared with the EU's approach to the naming issue. Success, in Serbia's case, is not expected to emerge as a one-off event, e.g. the signature of a bilateral treaty settling the Kosovo issue. It is broken down into intermediary achievements, each being subjects to conditionality.

With regards to the deployment of the EULEX, first, the Commission made it clear in 2008 that Serbia would have to compromise. In its enlargement strategy paper, it put it clearly that

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[1505] The notion of "constructive approach to Kosovo" is part of Serbia's European Partnership from 2006, and was later integrated in nearly all EU documents dealing with the issue (e.g. Enlargement strategy papers, progress reports, Council conclusions)
[1506] See footnote 1499.
[1507] European Commission. 14 October 2009d. 'Serbia 2009 Progress Report.'
[1508] European Commission. 12 October 2011c. 'Enlargement Strategy and Main Challenges 2011-2012.'
[1509] Council of the European Union. 5 December 2011. 'Council Conclusions on Enlargement and Stabilisation and Association Process.'

> *"the EU expects Serbia to take a constructive line on EULEX deployment".*[1510]

But as the government multiplied its rhetorical actions against the EULEX, the tone of the EU became more assertive, and pressure mounted to have Serbia comply with EU expectations. In March 2008, the EU office in Belgrade and the EU's Special Representative in Kosovo cautioned the Serbian government that it was putting the signature of Serbia's SAA in jeopardy and that Serbia's aggressive "psychology […] would not be forgotten"[1511]. The EU did not follow through with its threats, as the EU member states had precisely worked at decoupling Serbia's SAA from the EULEX issue[1512]. But since Serbia was now considering applying for EU membership, the EU had a new leverage. The EU did not expressly condition Serbia's candidate status to the acceptance of the mission[1513], but it implicitly established a link between the two. In an address to the European Parliament, the EU's High Representative Javier Solana argued in April 2008 that the deployment of the EULEX throughout Kosovo had to be backed by

> *"every effort to reach out to the Serbian people […], telling them clearly with words but also deeds, that we want them to be part of the European family".*[1514]

Following the EU's insurance that the EULEX was not designed to implement the Ahtisaari proposal, that it would be status-neutral and respect UNSC resolution 1244, the government of Serbia eventually adopted a decision supporting the deployment of the EULEX by the end of 2008. The Commission praised this decision in its 2009 progress report. But it also warned that

> *"insufficient cooperation with EULEX make[s] the whole area vulnerable to organised crime activities".*[1515]

Accepting the deployment of the EULEX had been a step forwards, duly rewarded in words and deeds, but it was not a *panacea* –more had to be done to fulfil the EU's expectations and support the mandate of the rule of law mission in Kosovo. The Commission accordingly toughened its conditionality approach, in particular in the field of policing. It posited the signature of a police cooperation agreement as requirement for Serbia to qualify for visa liberalisation[1516]. The agreement was signed in August 2009, and in December 2009, Serbia was offered visa liberalisation. The agreement was to facilitate the exchange of information between the EULEX and the Serbian police and, according to the EULEX, provide "a palpably stronger fight

[1510] European Commission. 5 November 2008b. 'Enlargement Strategy and Main Challenges 2008-2009.'
[1511] United States Embassy in Belgrade. 2.10.2008. 'Serbia: Long-Term Damage to Foreign Relations'. [accessed 30.01.2013]
[1512] Parliamentary elections were about to be held in May 2008, and the signature of the SAA in April 2008 was to benefit pro-EU forces against the more nationalist forces in the government.
[1513] B92. 15.10.2008. '"Eulex, EU Accession Not Linked".'
[1514] Council of the European Union. 8 April 2008. 'Address by Javier Solana, EU High Representative for the CFSP to the Committee on Foreign Affairs of the European Parliament '.
[1515] European Commission. 14 October 2009d. 'Serbia 2009 Progress Report.' p. 59.
[1516] United States Embassy in Belgrade. 12.1.2010. 'Serbia Still Not Cooperating Fully with Eulex'. [accessed 30.01.2013]

against organised crime" in Kosovo[1517]. Its implementation was closely monitored by the Commission, which in 2010, requested further improvements[1518].

The EU also used its conditionality approach to inflect Serbia's position in the field of customs and border management. It started to address the issue by linking it to the mandate of the EULEX, which could not be effectively exercised in North Kosovo without Serbia's cooperation. In its 2009 progress report, the Commission rightfully noted that

> *"the lack of full customs operations in that area prevents the efficient fight against organised crime".*[1519]

To mitigate this flaw, the role of the EULEX at Kosovo's northern border was to be strengthened, in particular at Gate 1 and 31. The EULEX, according to the EU Special Representative in Kosovo, Pieter Feith, would assist Kosovo authorities, in accordance with EU standards and best practices, by introducing customs control and efficiently collecting tax revenues "in the whole of Kosovo" and therewith make sure that "Kosovo becomes a unique customs territory"[1520]. The problem, however, was that the EULEX, in the field, encountered tremendous difficulties in assisting Kosovo authorities, since Kosovo police and customs services could not access its northern borderlands. In 2010 and 2011, the Commission, backed by the Council[1521], therefore called Serbia to

> *"cooperate actively with EULEX in order for it to exercise its functions in all parts of Kosovo".*[1522]

The Commission also became increasingly critical towards Serbia's refusal to recognise Kosovo's customs stamps. Reminding Belgrade that the stamps, according to the UNMIK, were in accordance with UNSC resolution 1244, it expressed "serious concerns" about the issue already in 2009[1523]. In March 2010, Belgrade responded to by accepting to seek a solution "in the course of 2011"[1524]. One year later, the issue was indeed brought on the negotiation table, in the framework of the EU-facilitated dialogue between Belgrade and Pristina, but no agreement could be found. The deterioration of the situation in North Kosovo, following Pristina's failed attempt to forcibly take over the control of Kosovo's borders in the North, led the EU to accentuate its conditionality approach. Germany proved especially keen on pushing Belgrade to normalise its relations with Pristina in those matters[1525]. At stake was the

[1517] B92. 11.9.2009. 'Mup-Eulex Protocol Signed.'
[1518] European Commission. 9 November 2010c. 'Serbia 2010 Progress Report.'
[1519] European Commission. 14 October 2009d. 'Serbia 2009 Progress Report.' p. 59.
[1520] B92. 12.2.2009. 'Feith Backs Establishment of Customs.'
[1521] Council of the European Union. 8 December 2009. 'Draft Conclusions on the Enlargement and Stabilisation and Association Process.'
[1522] European Commission. 12 October 2011a. 'Analytical Report for the Opinion on Serbia's Application for Membership of the European Union.'
[1523] European Commission. 14 October 2009d. 'Serbia 2009 Progress Report.'
[1524] Government of the Republic of Serbia. March 2010. 'Action Plan for Fulfilment of Priorities under the Ec 2010 Progress Report with the Aim of Accelerating Candidate Country Status.'
[1525] German Chancellor Angela Merkel, who had been visiting Serbia in August 2011, underlined that Serbia had to allow the EULEX to operate in North Kosovo. She considered it as one of the preconditions Serbia would have to fulfill before being granted the candidate status. See B92. 24.8.2011. 'Officials Say Germany, Serbia Do Not Agree on Kosovo.'

Commission's opinion regarding Serbia's application for EU membership. The EU first called Serbian politicians to calm down the rhetorical attacks against the EULEX, which was accused of having assisted Pristina in its North Kosovo operation[1526], and to show "maximum restraint"[1527]. Second, it demanded that the question of Kosovo's customs stamps be at last settled –which implied that Serbia, despite the political turmoil, should not give up dialoguing with Pristina[1528]. As stated by the EU's High Representative Catherine Ashton,

> *"A return to dialogue remains the only way for Belgrade and Pristina to resolve the underlying issues […]. The European Union expects to see rapid and substantive progress".*[1529]

Finally, it insisted on the need for the Serbian government to fully support the EULEX, demanding in particular the dismantlement of the barricades erected by Kosovo Serbs in the North. This request, already formulated in the past[1530], was backed by the Council, who attached

> *"great importance to EULEX and KFOR being unhindered in the execution of their mandates".*[1531]

The barricades were disrupting EULEX operations in North Kosovo, including in customs matter, and fuelling criminal activities. In order to ascertain the proper management of North Kosovo borders, the Council, backed by the Commission and with the support of the Serbian government, brought the issue of integrated border management on the negotiation table. Both issues (customs stamps recognition and IBM) were discussed in September-December 2011 as part of the EU-facilitated dialogue between Belgrade and Pristina. Both were subject to hard conditionality measures. Serbian Deputy Prime Minister for European integration, for instance, referred to the EU's conditional approach regarding the customs stamps issue as "blackmailing" Serbia on Kosovo. He blamed the EU for

> *"tak[ing] advantage of the expectation of obtaining EU candidate status to potentially put inappropriate pressure on us, to try to pull out something that crosses the red lines of our policy".*[1532]

As for the second issue, the unhindered execution of EULEX's tasks in Kosovo and the IBM dimension, Serbian top officials soon recognised that no progress could be made towards EU candidacy without a clear signal in that direction[1533].

[1526] European Commission. 12 October 2011a. 'Analytical Report for the Opinion on Serbia's Application for Membership of the European Union.'
[1527] European Union. 28 July 2011. 'Statement by the High Representative Catherine Ashton on the Situation in North Kosovo.'
[1528] European Commission. 12 October 2011a. 'Analytical Report for the Opinion on Serbia's Application for Membership of the European Union.'
[1529] European Union. 28 July 2011. 'Statement by the High Representative Catherine Ashton on the Situation in North Kosovo.'
[1530] Council of the European Union. 8 December 2009. 'Draft Conclusions on the Enlargement and Stabilisation and Association Process.'
[1531] Council of the European Union. 5 December 2011. 'Council Conclusions on Enlargement and Stabilisation and Association Process.'
[1532] EurActiv. 1.9.2011. 'Serbia Calls for End to EU 'Blackmail' on Kosovo.'
[1533] Courrier des Balkans. 21.2.2012. 'Intégration Européenne: « Il Reste Une Semaine À La Serbie ».'

Following the inflection of Serbia's position in customs stamps issue and the conclusion of an agreement in September 2011, the Commission gave a positive opinion recommending that Serbia be granted the candidate status. Shortly before the Council's meeting in December 2011, Serbia also inflected its position on the IBM issue, in the hope that the Commission's recommendation would be followed. The Council, indeed, welcomed the "progress to date" accomplished by Serbia in the Belgrade-Pristina dialogue, especially on customs and IBM[1534]. But it decided to grant Serbia the candidate status only a few months later, in March 2012, after observing that the agreements had been concluded in good faith (with the goal of being implemented), that Serbia resumed its active cooperation with the EULEX and above all, that Serbia inflect its position on Kosovo's regional representation issue.

The EU started to address the issue of Kosovo's participation and representation in regional and international fora shortly before Kosovo's declaration of impendence. In its 2007 progress report, the Commission noted for the first time that Serbia

> *"needs to show a more constructive approach towards Kosovo's participation in regional initiatives and international fora".*[1535]

Contra Belgrade, which purported that Kosovo had to be represented through the UNMIK in all international settings, the Commission was concerned by the difficult participation of Kosovo authorities in regional initiatives, especially the SEECP, Regional Cooperation Council (RCC) and CEFTA. In the aftermath of Kosovo's declaration of independence, the Commission therefore expressed its willingness to

> *"explore all avenues to promote Kosovo's involvement in regional cooperation".*[1536]

In the meantime, Serbia started to boycott the regional meetings, where Kosovo was invited as equal. This fed the Commission's critique against Serbia, which on the one side failed to properly sustain its own participation in regional meetings, and on the other side, continued to harm key regional initiatives, by undermining their relations with Kosovo and hindering their intent to advance regional cooperation and development in the Western Balkans[1537]. The Commission therefore urged the parties to "reach a pragmatic solution" in 2009[1538], and in 2010, to find "an acceptable and sustainable solution" to the issue "as soon as possible"[1539]. The Commission added

> *"this is essential for inclusive and functioning regional cooperation".* [1540]

[1534] Council of the European Union. 5 December 2011. 'Council Conclusions on Enlargement and Stabilisation and Association Process.'
[1535] European Commission. 14 November 2007. 'Serbia 2007 Progress Report.'
[1536] European Commission. 5 November 2008b. 'Enlargement Strategy and Main Challenges 2008-2009.'
[1537] European Commission. 14 October 2009a. 'Enlargement Strategy and Main Challenges 2009-2010.'
[1538] European Commission. 14 October 2009d. 'Serbia 2009 Progress Report.'
[1539] European Commission. 9 November 2010c. 'Serbia 2010 Progress Report.'
[1540] Ibid.

Despite these calls, Belgrade stood firm against it, rejecting any deviation from its initial position. Serbian President Tadić increasingly came under the EU's fire, and publicly admitted that pressures were exerted to inflect Serbia's position. For instance, before the UN Security Council, he declared

> *"Kosovo can and should participate in multilateral and regional fora in the presence of UNMIK officials, who speak first—and with either the "UNMIK-Kosovo" nameplate, or a personalized one. No other arrangements will work, despite all pressures to the contrary"."*[1541]

The pressures he referred to in 2010 came from the Commission, but also from particular member states, e.g. Germany, who were very keen on conditioning Serbia's candidate status with an agreement on Kosovo's representation[1542]. In March 2010, the Serbian government nonetheless agreed to "seek a solution" lifting this obstacle in the course of 2011[1543]. Meanwhile, the pressure continued to mount. The European Parliament called Belgrade to compromise on the issue [1544]; the Commission toughened its tone by implying that Belgrade' s attitude was not only unconstructive, but that it was expressly contravening the

> *"principles of inclusive and functioning regional cooperation, [and] undermining regional cooperation generally".* [1545]

The Commission criticised in particular the fact that the Serbia's intransigence was holding up the signature of an EU-Western Balkans Transport Community Treaty. The Serbian government accordingly started to inflect its position, arguing that Kosovo should be allowed participate in regional initiatives, provided it was represented with "asymmetric elements"[1546]. This inflection created some space for negotiations, and the EU accordingly brought the very sensitive issue on the negotiation table in November 2011. The Commission had, despite its critical assessment, rendered a positive opinion on Serbia's application for membership, and the Council was about to convene. No agreement, however, could be reached, and the Council then postponed its decision on Serbia's candidate status. In its conclusions, it made it clear that it

> *"the Council expects Serbia to address the question of regional cooperation".* [1547]

This implied reaching an agreement on inclusive regional cooperation with Kosovo. Only then would the Council consider validating the Commission's recommendation on Serbia's candidate status. No doubt that this strict conditional approach put the

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[1541] Republic of Serbia. 22 January 2010. 'Address before the United Nations Security Council by H.E.Mr. Boris Tadić.'
[1542] Obradović-Wochnik, J. and Wochnik, A. 2012. 'Europeanising the 'Kosovo Question': Serbia's Policies in the Context of EU Integration.' *West European Politics* vol.35 (5).
[1543] Government of the Republic of Serbia. March 2010. 'Action Plan for Fulfilment of Priorities under the Ec 2010 Progress Report with the Aim of Accelerating Candidate Country Status.'
[1544] European Parliament. 19 January 2011. 'Resolution on the European Integration Process of Serbia.'
[1545] European Commission. 12 October 2011a. 'Analytical Report for the Opinion on Serbia's Application for Membership of the European Union.'
[1546] B92. 29.4.2010. 'Belgrade Wants Priština Represented "Asymmetrically".'
[1547] Council of the European Union. 5 December 2011. 'Council Conclusions on Enlargement and Stabilisation and Association Process.'

Serbian government under great pressure. In order to defuse the accusations coming from the nationalists, Serbian President Tadić stated in December 2011 that he would resist the

> *"the pressures which someone in Europe plans to exert on Belgrade and me can only be a hindrance rather than help".*[1548]

But faced with the risk a new disavowal of the EU on the eve of general elections in Serbia, the Serbian government eventually agreed on a deal on 24 February 2012. The agreement concluded under the patronage of the EU's High Representative Catherine Ashton, came as a last minute event, ensuing after lengthy negotiations and ending up just a few hours before the General Affairs Council convened to discuss Serbia's candidate status. This agreement was decisive in the Council's decision to grant Serbia the status of candidate, confirmed by the European Council in March 2012[1549]. In the subsequent months, the Commission continued to monitor the implementation of the footnote agreement. It noted that the initial interpretation of the agreement by Serbian authorities had been too restrictive, and clarified its expectations[1550]. The new instructions, adopted in September 2012 by the new government, complied with the EU requirement that the footnote should be visible in documents, but not on nameplates[1551].

3.4.3.1.6. Different types of conditionality, different achievements

These recent achievements follow a practice of conditionality that fundamentally differs from the structural conditions governing the EU's conditional dialogue with Macedonia. These differences may help understanding why Macedonia's position remained impervious to change, whereas Serbia's approach to the Kosovo issue got inflected at least in some respects.

Until the failure of the Ahtisaari process, the EU's conditionality dialogue with Serbia did not prove more effective than with Macedonia. The EU, for instance, met great difficulties in the deployment of the EULEX. But the fact that EU member states and institutions, at one point, all concurred in supporting the Ahtisaari plan certainly marked the EU's collective memory. However contentious EU member states are today with regards to the Kosovo issue, their debate at the EU level builds on the aborted proposal of Martti Ahtisaari. This preliminary agreement on the terms of dispute settlement channelled, rather than silenced, the energies of EU member states; it helped the EU redefining its role in the negotiating process –not solely as a faithful amplifier of the UN, but as a more autonomous mediator; and, at the operational level, it helped the EU drawing the contours of the EU's conditionality regime towards Serbia, by fractioning the Kosovo issue into a series of technical, albeit status-sensitive, issues of lower intensity, which it gradually brought on the negotiation table. The mediation between Belgrade and Pristina, in which the EU engaged in 2011

[1548] B92. 21.12.2011. 'Tadić Vows "Not to Give in to Pressure".'
[1549] It was one of the three conditions posed to Serbia, in addition to the implementation in good faith of the agreements reached on customs and IBM matters and the renewed cooperation with the EULEX in order to facilitate the execution of its mandate in North Kosovo. See Council of the European Union. 28 February 2012. 'Council Conclusions on Enlargement and Stabilisation and Association Process.'
[1550] European Commission. 10 October 2012b. 'Serbia 2012 Progress Report.'
[1551] B92. 3.9.2012. '"Footnote in Documents, Not on Nameplates".'

capitalises on the characteristics of this EU's advanced conditionality approach. In order to make further steps towards the EU, Serbia systematically had to demonstrate its readiness to constructively contribute to the EU-mediated dialogue, not by solving the Kosovo issue altogether, but by agreeing to find a common ground with Pristina in a number of status-sensitive domains. That was, and still is, "of crucial importance" for the Council[1552].

This approach starkly contrasts with the EU's first generation conditionality measures used in Macedonia. In place of an embryonic consensus on the terms of dispute settlement, the position of the EU with regards to the naming issue is shaped by the relative disinterest of the majority of the member states and a sense of solidarity with Greece, which is both EU member state and party to the dispute. Rather than searching a more active involvement, the EU limits itself to magnifying the compellingness of the UN-mediated process. As the latter did not yield results in years, its conditionality approach lacks the impetus –and the autonomy-, that could inflect Macedonia's position. Worst, because it conditions further progress in terms of integration on the outcome of the UN-led negotiations, rather than on the constructive character of Macedonia's participation in the negotiation process or its readiness to reach intermediary steps, the EU's conditionality regime can barely deter Macedonia from provocative acts. With or without them, Macedonia remains blocked on its EU integration path. On the top of that, the internally (not to speak of externally) asymmetric design of the conditionality regime (with Greece chiefly determining the EU's conditions for lifting the Macedonia's stalemate) brings about an external legitimacy issue, which is avoided in the EU's approach to Serbia through the active participation of non-recognisers in the EU's conditionality dialogue.

3.4.3.2. Dispositional analysis

Serbia's dispute with Pristina and Macedonia's bone of contention with Greece are foreign policy issues that occupy an important place in Serbia and Macedonia's domestic politics. Governments are tempted to present dispute settlement as zero-sum games, rather than seeking to maximise collective utility; political parties regularly use these issues for electoral purposes in an attempt at discrediting their contestants; and public opinions usually react emotionally to their accusations. Politicians, all in all, do have an interest in maintaining the *status quo*, rather than engaging constructively in the settlement of the dispute. Their individualistic preferences constrain the inflection of Serbia and Macedonia's approaches and the emergence of dispositions amenable to compromise.

But European integration is also a matter that considerably permeates domestic politics in Serbia and Macedonia. And advocating the *status quo* for electoral purposes or demonising the other party to the dispute certainly collides with the EU's expectations in dispute settlement matters. The EU, after all, provides a framework within which national interest may be redefined so that EU-related collective interests take precedence over individualistic preferences. *Ceteris paribus*, concerns over regional stability, good neighbourliness and EU membership, in other words, shall prevail over concerns over relative losses, national pride and fears of electoral defeats.

[1552] Council of the European Union. 5 December 2011. 'Council Conclusions on Enlargement and Stabilisation and Association Process.'

Serbia and Macedonia's politicians were not initially predisposed to make such an arbitrage. After all, they had to wait until 2003 to be offered unambiguous "European perspectives"[1553]. But despite the gradual definition of EU integration as strategic objective in both countries, it is notable that dispositions prioritising individualistic concerns never really lost ground. In dispute settlement matters, national interests have become compatible with European integration, but their core has not been redefined through the prism of European integration. That is a pity, since the ideational transformation of the way "national" interests are define arguably lies at the crux of Serbia and Macedonia's disposition to engage dialogue, in a European constructive spirit, with, respectively, Kosovo and Greece.

3.4.3.2.1. The domestic politics of dispute settlement in Macedonia

In Macedonia, first, there has been little substantive debate on the naming issue since the beginning of the stalemate. Despite its important implications, the National Assembly of Macedonia never really addressed the question. At two occasions, it issued a declaration. In 2008, it reacted to the veto of Greece at the Bucharest Summit, and in 2012, on the eve of its Chicago Summit, it vainly called Nato to respect its "open doors" principle and the 2011 ICJ ruling[1554]. These declarations, however, did not emerge as the result of parliamentarian debates involving constructively the opposition. They were drawn by Macedonia's ruling party in order to back the Government's approach, and had little concern for the opposition's participation in the process. As reported by a leader of the opposition,

> *"we have never had a really substantive debate about [the naming issue] in the Parliament in the last four years. There were several initiatives, all of them coming from the opposition, and all of them were rejected by the Parliament's majority".*[1555]

Rather than discussing the Government's policy, the National Assembly swiftly validated the posture of the majoritarian party, the VMRO-DPMNE, and its leader, and Prime Minister, Nikola Gruevski. Since it coming to power in 2006, the VMRO-DPMNE has pursued a policy of nation-building seeking to establish a genealogical link between today's Macedonians and the Kingdom of Macedon. Its identity politics have promoted the use of historicist references to antique Macedonia in political discourses, with the questionable argument that "one of the fundamental human rights is the right to identity, the right to self-identification"[1556]. This infuriated Greece, whose officials noted in 2011 that:

[1553] Presidency of the Council of the European Union. 21 June 2003. 'Thessaloniki EU-Western Balkans Summit Declaration.'
[1554] Balkan Insight. 25.4.2012. 'Macedonia Draws up Declaration on Nato Bid.'
[1555] Interview with a Member of the Assembly of the Republic of Macedonia and National Council for European Integration. Skopje, 07/03/2011
[1556] Republic of Macedonia. 16 November 2012. 'Address by the President H.E.Mr. Gjorgje Ivanov at the Congress "90 Years of Paneuropa"'. [accessed 15.2.2013].

> *"since the Gruevski government, things have worsened considerably. […] This government acts very sentimentally. It defines everything in ethno-historical terms, which the precedent government did not".*[1557]

Rather than playing the temperance card with Greece in order to gain international credit, the ruling party has applied since 2006 a nationalist approach and taken a hard line on the naming issue. It therewith gained domestic political popularity and won every election since 2006. The government and the ruling party usually present themselves as the true defenders of the Macedonian nation. After the party won the 2006 parliamentary elections, the government started to rename Skopje's airport "Alexander the Great Airport" and Macedonia's transversal highway "Philip II Highway". In 2008, it promised its voters that it would organise a referendum on any agreement reached with Greece on the naming issue, while pledging to

> *"find a solution, which does not undermine state and national interests".*[1558]

and claiming that

> *"Macedonia should not have to choose between its name and its accession to the EU".*[1559]

These political moves, which (vainly) aimed at putting Greece under pressure[1560], increased the popularity of the ruling party. With the flagship project "Skopje 2014", initiated by Macedonia's Prime Minister Gruevski in 2009, the naming issue took an even wider ethno-national dimension. The government was not only to defend Macedonia's position with regards to the naming issue; it was to rejuvenate and promote the alleged culture, language and history of Macedonia. As stated by Macedonian President Ivanov, elected in 2009 as VMRO-DPMNE candidate,

> *"every solution that contributes to altering the reference to our language and our uniqueness is unacceptable for Macedonia".*[1561]

Following the new setback suffered by Macedonia at the margin of the Nato's Chicago Summit in 2012, Macedonian Prime Minister Gruevski accused Greece of committing a "political genocide" against Macedonians[1562], and declared, in reference to his "Skopje 2014" project:

> *"If we irritate them, what word can be used for the things they are doing to us? There is no greater irritation than 20 years of blocking, denial,*

[1557] Interview with an Official from the Liaison Office of the Hellenic Republic in Skopje. Skopje, 01/11/2011
[1558] SETimes. 9.6.2009. 'Name Issue Heats up in Macedonia.'
[1559] Interview with a Member of the Assembly of the Republic of Macedonia, Committee on European Issues. Skopje, 07/03/2011
[1560] United States Embassy in Skopje. 12.5.2009. 'Scenesetter for the Deputy Secretary's Visit to Macedonia'. [accessed 17.12.2012]
[1561] Balkan Insight. 28.4.10. 'Macedonia President Addresses Name Issue.'
[1562] European Parliament. 28 June 2012. 'Parliamentary Question by Nikolaos Salavrakos on the Provocative Statements by Prime Minister Gruevski Referring to Greece's 'Political Genocide' against Fyrom.'

underestimation, financial damage to the people and the country, even tension. This is not irritation, but a crime against a nation and a state."[1563]

And, in the same vein, in a statement before the UN General Assembly,

"Imagine the virtual state that my citizens find themselves in, blackmailed, with a blocked development and perspective – because of the blockages from our southern neighbour to enter the Euro-Atlantic institutions, just because for what we are, i.e. what we feel like".[1564]

It is clear, from these statements and actions, that Macedonia's ruling party since 2006 has not actively promoted an inclusive approach to the naming issue. Through its historicist quest for precedence, it gains domestic support by antagonising Greece. Its use of identity politics underlines Macedonia's belonging to Europe, but, interestingly, in a way that seems to exclude Greece. For instance, ahead of the Chicago Summit, Macedonian Prime Minister Gruevski challenged the EU membership of Greece, as he declared in an implicit reference to Greece that his country

"will continue to act with principle, in a much more European manner compared to certain EU member-states".[1565]

Much of Macedonia's inflexible approach in dispute settlement matters can be traced back to the ruling party's emphasis on nation-building since 2006. It is also backed by the Macedonian Orthodox Church, whose Metropolitan declared in 2010 that "the holy Macedonian name" was "given by God" and mentioned, as such, over seventy times in the Bible[1566]. And the VMRO-DPMNE can also count on the strong albeit declining opposition of a majority of Macedonians to any change in the country's name[1567].

More interested in staying in power, the coalition partner of the VMRO-DPMNE, the Albanian party of the BDI has failed to make any substantive contribution to the resolution of the naming issue. As it agreed to form a coalition with the VMRO-DPMNE in 2008, the BDI first gave its senior coalition partner *carte blanche* to address the naming issue. Wary that the hard line chosen by the VMRO-DPMNE may lastingly impair Macedonia's chance to join Nato and the EU, the BDI conditioned in 2009 its support to the resolution of the naming issue within 6 months[1568]. His leader, Ali Ahmeti, warned the VMRO-DPMNE that the Albanians in Macedonia would not tolerate to be stuck on their path towards Nato and the EU for a question should be

[1563] Balkan Insight. 22.5.2012. 'Giant Statue of Philip of Macedon Erected in Skopje.'
[1564] Republic of Macedonia. 24 September 2011. 'Address by the Prime Minister H.E.Mr. Nikola Gruevski at the General Debate of the 66th Session of the General Assembly of the United Nations'. [accessed 15.2.2013].
[1565] Balkan Insight. 21.5.2012. 'Macedonian Pm Slams Nato, Greece over Blockade.'
[1566] MINA. 3.10.2010. 'Macedonian Church against Any Name Change.'
[1567] In 2009, 65% of the Macedonians declared they would disapprove of giving up Macedonia's name in exchange of Nato and EU accession (51% in 2010 and 41% in 2011). There are ethnic differences in the level of acceptance though. Ethnic Albanians are generally more favourable to changing the name of Macedonia than Slavo-Macedonians. Gallup Balkan Monitor. 'Insights and Perceptions: Voices of the Balkans'. [accessed 5.3.2013].
[1568] Balkan Insight. 7.5.2009. 'Dui Urges Deal on Macedonia Name.'

dealt with as a technical rather than political problem[1569]. But as the ultimatum expired, the BDI did not break the coalition, arguing that such a move would not be helpful. The BDI repeated its ultimatum in 2011, after the new victory of VMRO-DPMNE[1570], and again forwent leaving the ruling coalition after the deadline expired. Despite its inclination to compromise, the BDI showed that it would rather stay in the ruling coalition than pressure its senior partner, the VMRO-DPMNE.

Even the opposition in Macedonia does not substantively challenge the government's approach to the naming issue. For good reason, as stated by a leader of the opposition in 2006:

> *"let me see who is going to be manly enough to tell the public that the name is going to be changed"*[1571].

Under the leadership of Radmila Šekerinska, the main opposition party, the SDSM, did advocate more flexibility in order to enable the country to join Nato and the EU[1572]. During the 2008 campaign (and shortly after Nato's non-invitation in Bucharest in April), the SDSM proposed, for instance, to secure the adhesion of Macedonia to Nato within six month[1573]. Her proposal implied the subordination of Macedonia's individualistic preferences to its EU commitment. But it collapsed in front of the VMRO-DPMNE's hard line, and the opposition party suffered a serious electoral setback in June 2008. In September 2008, Radmila Šekerinska, as a consequence, left the party's leadership and was replaced in 2009 by the former President of Macedonia, Branko Crvenkoski, who sought to regain the credit lost among its voters by presenting himself less amenable to compromise with Greece. Under his leadership, the SDSM has sent ambiguous signals, presumably in order to regain popularity. In June 2010, on the one side, it proposed to call a referendum on any agreement the government would seal with Greece. Branko Crvenkoski had previously opposed this idea, on the ground that it made an agreement more difficult to achieve[1574]. But on the other side, by releasing confidential documents showing that the VMRO-DPMNE had opposed a solution in 2005 that would have benefited Macedonia, the SDSM tried in 2012 to cast doubt on the capacity of the ruling party to rationally engage in dispute settlement.

Macedonia's political scene, in short, conveys endogenous dispositions that tend to undermine the strategic character of EU integration, and give precedence to the individualistic, tactical preferences of the parties. The lack of substantive political debate on the naming issue; the linkage operated by the ruling party between the naming issue and Macedonia's nation-building; the domination of the nationalist hard liners in Macedonia's domestic politics, and their popular support as well as their

[1569] Interview with a Member of the Assembly of the Republic of Macedonia, Committee on European Issues. Skopje, 07/03/2011
[1570] Skopje Diem. 15.6.2011. 'Name Issue Central Topic at Vmro-Dpmne – Dui Negotiations.'
[1571] Cit. in Vankovska, B. 2010. 'David Vs. Goliath: The Macedonian Position(S) in the Socalled 'Name Dispute' with Greece.' *Südosteuropa: Zeitschrift für Politik und Gesellschaft* vol.58 (3).
[1572] Interview with a Member of the Assembly of the Republic of Macedonia and National Council for European Integration. Skopje, 07/03/2011
[1573] Interview with a Member of the Assembly of the Republic of Macedonia, Committee on European Issues. Skopje, 07/03/2011
[1574] Interview with an Official from the Permanent Mission of Bosnia and Herzegovina to the Osce. Skopje, 08/03/2011

dubbing by the Church; the predominance of electoral concerns over strategic interests in partisan politics, and the lack of inclusive approach to dispute settlement negatively predispose Macedonia's readiness to constructively engage in dispute settlement.

3.4.3.2.2. The domestic politics of dispute settlement in Serbia

Serbia's endogenous dispositions to settle the Kosovo dispute did not prove more amenable to compromise. As soon as the public debate lapsed into Kosovo-related matters, Serbian politicians usually gave up on the strategic character of the EU integration objective. EU accession remained important throughout the past ten years, but not as important, domestically, as Serbia's commitment to the defence of Kosovo.

Before 2008, there was no political consensus on the strategic character of Serbia's integration in the EU. Serbia's ruling coalitions were led by the DSS, a nationalist party that vocally criticised the EU and the US and presented the Kosovo question as fundamentally incompatible with EU membership[1575]. The founding leader of the DSS, Vojislav Koštunica, was President of Serbia between 2000 and 2003, and Prime Minister between March 2004 and July 2008. Under his leadership, Serbia underwent some important reforms, but its relationship with the EU remained strained by its lack of cooperation with the ICTY, and, more generally, by the principled limitations the government put to Serbia's integration in the EU. These limitations stemmed from the precedence given by Prime Minister Koštunica to Serbia's national preferences, defined in individualistic terms, over its EU integration objective, defined in more collective terms. For him, it was clear that Serbia would not accept anything implying Kosovo's independence even if that meant giving up Serbia's plan to join the EU[1576]. In 2007, Koštunica accordingly objected to the EU's plan to support the Ahtisaari proposal in the UN Security Council, and later in the same year, he opposed the deployment of the EULEX in Kosovo, which he deemed illegal[1577]. The coalition Koštunica formed between 2004 and 2007 in order to govern Serbia included other nationalist, Euro-sceptical parties, e.g. New Serbia, but it had to cope with an even more radical opposition on its right wing, the SRS party. Majoritarian in the Parliament, the nationalist, populist and revisionist SRS opposed Serbia's integration in the EU, and advocated a tougher approach to the Kosovo issue –including the threat of the use of force[1578]. In these conditions, it was difficult to imagine Serbia allowing the deployment of the EULEX mission in Kosovo, since both the ruling party, the DSS, and the strongest party in Serbia, the SRS (though in the opposition), viewed the EULEX as a mission designed to implement the supervised independence of Kosovo. In this respect, almost the whole political spectrum in Serbia subordinated EU accession to the defence of Kosovo –an arbitrage that constrained Serbia's approach to dispute settlement.

[1575] United States Embassy in Belgrade. 11.1.2008a. 'Prime Minister Charts Collision Course with Nato and Europe'. [accessed 4.3.2013]; Obradović-Wochnik, J. and Wochnik, A. 2012. 'Europeanising the 'Kosovo Question': Serbia's Policies in the Context of EU Integration.' *West European Politics* vol.35 (5).
[1576] SETimes. 1.8.2006. 'Kostunica Says Kosovo More Important Than EU Membership '
[1577] B92. 27.12.2007. 'Koštunica Decries "Illegal" EU Kosovo Mission.'
[1578] SETimes. 1.8.2006. 'Kostunica Says Kosovo More Important Than EU Membership '

Kosovo's declaration of independence in February 2007 had internal repercussions in Serbia's political landscape. The radicalisation of most of Serbia's political parties and their readiness to give up Serbia's integration in the EU nonetheless opened an opportunity window for pro-EU parties like the DS. In March 2008 the ruling coalition, formed between the DSS and the DS after the 2007 parliamentary elections, collapsed. The reason invoked by the leader of the DS, also President of Serbia since 2004, Boris Tadić, was that

> *"there was no agreement regarding further EU integration".*[1579]

Serbia was about to sign its SAA with the EU, but Prime Minister Koštunica, wary of loosing ground on the Kosovo issue, refused to commit his country unless EU member states recognised in the SAA that Kosovo is part of Serbia. For him,

> *"every further step towards the SAA will imply our indirect recognition of Kosovo independence".*[1580]

New elections were staged in May 2008, during which the DS campaigned "For a European Serbia". The victory of the DS, overtaking both the nationalist DSS and SRS in the Parliament, and the re-election, by a narrow margin, of Boris Tadić as President (against the SRS candidate Tomislav Nikolić) created new space for addressing the Kosovo issue. Under the leadership of Boris Tadić, Serbia sought to reconcile both its commitment to the EU and its defence of Kosovo. As stated by President Tadić himself,

> *"The policy of DS is very clear. We received the support of the citizens in the presidential elections and I am obligated to implement that. This policy is for Kosovo and the EU".*[1581]

If the mandate of the DS seemed clear at first sight, in practice, it was enshroud with a veil of elusiveness as to the means to embrace the EU while retaining Kosovo. The margin of manoeuvre was not large. But at least, the new government did not posit its preference of Kosovo over the EU as *ab initio* position. It simply remained elusive, giving officially the precedence to none of the two strategic objectives, and avoided their bundling.

A solution could be found in this context on the deployment of the EULEX by the end of 2008. The proposal advanced by President Tadić[1582] reflected his Janus-faced commitment to both EU integration and the Kosovo. On the one side, by entrenching the EULEX in the UN framework, Serbia ascertained that Kosovo would continue to be governed by UNSC resolution 1244. On the other side, by allowing the deployment of the EU-led mission in Kosovo, President Tadić lifted a key obstacle standing on the Serbia's way towards the EU, while gaining credit for this step forwards. EU's Enlargement Commissioner Olli Rehn praised President Tadić "constructive approach" to the deployment of the EULEX in Kosovo, whilst leaders

[1579] B92. 10.3.2008. 'Tadić: Lack of Agreement on EU Toppled Government.'
[1580] B92. 4.4.2008. 'Koštunica: EU Membership Not on Agenda.'
[1581] B92. 10.3.2008. 'Tadić: Lack of Agreement on EU Toppled Government.'
[1582] based on three conditions –that the EULEX receives the approval of the UN Security Council, that it respects a status-neutral mandate and that it does not seek to implement the Ahtisaari proposal.

in the opposition accused him of "a stab in the back of the defence of Kosovo"[1583]. In the following years, President Tadić sought to preserve his margin of manoeuvre in Serbian politics, urging the EU not to push Serbia for choosing between EU accession and Kosovo.

Despite the split of the SRS in October 2008, which gave birth to a more EU-acceptant (albeit no less nationalist) SNS party, the pressure remained high on the government to give the Kosovo issue precedence over EU integration. This claim came from most of the opposition parties, some political factions within the DS as well as the Serbian Orthodox Church[1584]. The Church, for instance, openly opposed President Tadić's call in December 2011 for dismantling the barricades that had hindered the operations of the EULEX in North Kosovo, and called the government

> *"not to abandon the people of Old Serbia for the sake of a chimera called the country's status of candidate for EU membership".* [1585.]

Within the ruling party, the DS also had its hardliners. Serbian Foreign Minister Jeremić, for instance, pursued a foreign policy that was largely determined by Serbia's approach to Kosovo. Under his leadership, his ministry directed a considerable amount of energy at hampering the international recognition of Kosovo, and little attention was paid comparatively to supporting the SEIO responsible for European affairs[1586]. Serbian Foreign Minister Jeremić also made it repeatedly clear that Serbia would "only join the EU with its territorial integrity intact"[1587]. His blunter rhetorics often contrasted with President Tadić's more elusive statements[1588].

Walking the thin line reconciling EU demands for normalising Belgrade's relations with Pristina without acknowledging the *de facto* independence of the former province was also very difficult because the electorate in Serbia unambiguously stood in favour of the defence of Kosovo. This gave President Tadić little margin of manoeuvre in the negotiating process, and his elusiveness as for Serbia's actual priority, eventually harmed his popularity. Disavowed by the Council in December 2011, which postponed its decision on Serbia's candidacy in the EU, President Tadić also fell under the fire of the hardliners, who accused him of deserting North Kosovo Serbs. His last minute agreement on Kosovo's representation in regional fora left a bitter taste in the electorate –the taste of being blackmailed by the EU, which fuelled Serbia's growing Euroscepticism.

In May 2012, Boris Tadić and his party eventually lost the parliamentary and presidential elections in Serbia. Tomislav Nikolić, who had headed the SRS in the absence of Vojislav Šešelj until the party split in 2008, became President of Serbia. His party, the SNS, won the parliamentary elections and formed a coalition with the SPS, the party Milošević founded in 1990. His leader, Ivica Dačić became Prime

[1583] SETimes. 20.10.2008. 'Eulex Deployment Agreement Possible, Tadic Says.'
[1584] Interview with a Research Fellow, Formerly at the Institute for International Politics and Economics. Belgrade, 13/09/2011
[1585] B92. 2.12.2011. 'Church: EU Has Alternative, Serbs Should Persevere.'
[1586] Interview with a Director from the Belgrade Centre for Security Policy. Belgrade, 01/03/2011
[1587] United States Embassy in Belgrade. 22.4.2008. 'Foreign Minister: Serbia Must Choose EU, but Only with Kosovo'. [accessed 22.01.2013]
[1588] Interview with an Official from the Embassy of the Republic of Austria to Serbia. Belgrade, 13/09/2011

Minister. Although the 2012 elections brought nationalist forces to power, they did not signify a reversal of Serbia's approach to Kosovo. The ruling coalition, under the leadership of President Nikolić, did not turn back the clock and overturn the achievements of the previous government, despite its attacks against the agreements sealed under the aegis of the EU. More generally, it maintained the dual commitment of embracing the EU while retaining Kosovo, but repeatedly stated that if it had to choose, it would not give up on Kosovo. In the words of Serbian President Nikolić:

> *"it is a hypothetical question whether somebody will set this condition or not but I am not ashamed and I am not running away from the responsibility to say that I am not on the list of people who would accept going down the EU integration path and giving up on Kosovo and Metohija".*[1589]

Or, in the same vein, in an address before the General Assembly,

> *"we are more and more frequently forced by the powerful and mighty to face a tough choice to give up Kosovo and Metohija or EU membership. What kind of a choice is that? Am I to tell our citizens that they are going to live better if they abandon themselves?".*[1590]

Nikolić's disposition differs from Koštunica's because it is not EU-sceptical in principle and leaves space for negotiations, provided those do not address the Kosovo status issue. It is in that sense less principled, and more pragmatic. President Nikolić's disposition also differs from the approach of Boris Tadić because it is less elusive on the arbitrage the ruling coalition would make, should Serbia have to choose between Kosovo and the EU[1591]. But instead of openly challenging the EU by discarding *ab initio* any efforts that would be vain if it was to end up with giving up on Kosovo, the ruling coalition adopts a comforting tone, insisting publicly on the fact that the EU does not posit the recognition of Kosovo's independence as precondition for Serbia's membership[1592]; that the EU-facilitated dialogue is no threat to Serbia's territorial integrity; and that it is in Serbia's best national interest to proceed with the dialogue[1593]. As stated by Serbian President Nikolić in the UN General Assembly in 2012,

> *"Serbia cannot move forward without Kosovo and Metohija, and the inhabitants of Kosovo and Metohija cannot move forward without Serbia. We strongly desire that the talks continue in good faith and with good intentions, taking into account, among other things, that it is important to keep the dynamics of the European integration of Serbia and of the Western Balkans as a whole in order to ensure progress and stability of the entire region in the long term".*[1594]

[1589] B92. 5.9.2012. '"Recognition of Kosovo Not EU Condition".'
[1590] Republic of Serbia. 25 September 2012. 'Address before the United Nations General Assembly by H.E.Mr. Tomislav Nikolić.'
[1591] B92. 28.8.2012. 'President: EU Is Priority but Not at All Costs.'
[1592] EUobserver. 14.6.2012. 'Nikolic: EU Does Not Demand Kosovo Recognition.'
[1593] See, for instance, B92. 18.10.2012. 'Dačić to Discuss Kosovo Dialogue in Brussels.'
[1594] Republic of Serbia. 25 September 2012. 'Address before the United Nations General Assembly by H.E.Mr. Tomislav Nikolić.'

With no major political opponent to the negotiation process[1595], the ruling coalition is under less domestic pressure than the previous government. This gives the governing coalition a certain margin of manoeuvre, since it is not easily accusable of treason. Despite its less favourable dispositions *vis-à-vis* an EU accession vs. Kosovo recognition arbitrage, the ruling coalition can thus allow itself to follow a more pragmatic approach, focusing for instance on the well-being of the Serbs (in Serbia and Kosovo) rather than opposing Kosovo's independence. Meanwhile, in order to avoid losing ground in the electorate, the ruling coalition argues that every step made towards the EU (in the form of an agreement normalising Belgrade's relations with Pristina) is not a step away from Kosovo. With regards to the agreement on Kosovo's representation, Serbian Prime Minister thus assured that

> *"I underline that they are without a doubt status-neutral and accord with resolution 1244 (1999). As a point of fact, the participation of the Pristina authorities as a non-state actor is restricted to meetings in regional fora".*[1596]

While the precedent government had permanently to demonstrate its dedication to the defence of Kosovo, the present government, interestingly, focuses on less symbolical issues, e.g. gaining legislative and executive rights for Kosovo Serbs, where some progress can be achieved.

3.4.3.2.3. Exogenous dispositions fostering/impairing dispute settlement

Domestic politics, it has been seen, does not predispose Serbia and Macedonia's political leaders in favour of dispute settlement. Their dedication to European integration usually looses its strategic character, when the EU addresses issues related to good neighbourly relations with Kosovo (for Serbia) or Greece (for Macedonia). And their concerns for collective security often give precedence to individualistic attempts at achieving relative, rather than positional gains. In the absence of consistent reference to European approaches to dispute settlement, compliance has then more explanatory power than adherence. This is not to say that no disposition fostering adherence, rather than compliance, with European approaches ever emerged. A closer look at the structure of the interactions within the negotiating framework suggests that socialisation and persuasion may have played a role, albeit limited, in inflecting Macedonia and Serbia's approaches to, respectively, the naming and the Kosovo issue, in one way or another.

It is clear, indeed, that the structure of Serbia's interaction framework is more amenable to have a socialising effect on Serbia's representatives than the structure of Macedonia's interaction framework. Macedonia's representatives usually do not meet face to face with the representatives of Greece to discuss the naming issue. Their meetings are mostly brief informal encounters, taking place "out of courtesy" on the sidelines of international Conferences or Summits[1597]. Instead of meeting face to face

[1595] Most of the parties agreed on the government's 2012 Kosovo platform. The Church, North Kosovo politicians and the electorate, however, remain wary of any agreement reached by the government.
[1596] Republic of Serbia. 21 August 2012. 'Address before the United Nations General Assembly by Prime Minister H.E.Mr. Ivica Dacic.'
[1597] For instance, Macedonian President Ivanov met Greek Prime Minister Papaendreou in December 2009 on the sidelines of the Climate Change Conference in Copenhagen, in May 2010 on the sidelines of the EU-Latin America Summit in Madrid, in September 2010 on the sidelines of the 65th UN General Assembly plenary meeting in New York, in December 2010 on the sidelines of the OSCE

at regular intervals, the UN Special Envoy Matthew Nimetz travels to Skopje and Athens successively in order to mediate the dispute and also meets the representatives of Macedonia and Greece in New York. In Skopje, channels of communications between the Greek Liaison Office and the government of Macedonia have shrunk, according to an official from Greece, especially since the VMRO-DPMNE governs the country. As reported by the same official:

> *"I have asked repeatedly to be received by the Macedonia's [sic.] Foreign Minister, but he declined every time. Of course, FYROM's government accepts to meet me, because Greece is FYROM's first investor. But they receive us informally, at the party, at the Presidency, etc…"*[1598]

The absence of permanent, face to face form of communication between Macedonia and Greece on the naming issue certainly precludes direct socialisation. Physically and communicatively apart, the parties do not directly exchange views, nor do they develop an intersubjective understanding of what a collective way of settling a disputes could be.

The situation is drastically different in Serbia's case, at least since the establishment of the EU-facilitated dialogue between Belgrade and Pristina. Between March 2011 and March 2012, Serbia's representatives have met their Kosovo counterparts at regular intervals in Brussels, at nine occasions, and conducted face to face negotiation in the presence of the EU's mediator and EEAS Counsellor Robert Cooper. After an eight-month interruption due to the elections in Serbia, the dialogue resumed in October 2012, at the prime-ministerial level and under the mediation of the EU's High Representative Catherine Ashton herself. Between October 2012 and March 2013, Serbian Prime Minister Dačić met his Kosovo counterpart Thaçi at six occasions, i.e. once every month in Brussels[1599].

Of course the fact that the parties met face to face was no guarantee of success. In 2006, Serbia and Kosovo participated in similar meetings, under the mediation of Martti Ahtisaari, but the negotiations ended up in a deadlock. But these face to face meetings under the aegis of the EU, whether symbolic or substantive, are instrumental in building confidence between the parties, and beyond that, other intersubjective understandings, including on good neighbourliness or constructiveness. Being amenable to socialisation (without prejudice to compliance), the interaction format of the EU-facilitated dialogue between Belgrade and Pristina may have, in other word, also contributed to some extent to inflect Serbia's understandings in dispute settlement. Taking into account the case of Macedonia, it is questionable that Serbia's representatives could have achieved the intersubjective understanding of what "constructive cooperation" means without these intense interactions with both Kosovo and EU representatives.

Summit in Astana. Likewise, Prime Minister Gruevski met his Greek counterpart in June 2011 in Brussels after Papandreou attended the European Council and Gruevski attended the EPP Summit, and in September 2012 at the sidelines on the sidelines of a UNGA meeting in New York. Athens News Agency. 23.9.2010. 'Greek Pm Papandreou Meets Fyrom President Ivanov, Attends 65th UN General Assembly Opening Session.'

[1598] Interview with an Official from the Liaison Office of the Hellenic Republic in Skopje. Skopje, 01/11/2011

[1599] See European Union External Action. 'News'. [accessed 7.3.2013].

Compliance can also be facilitated through persuasion. When the EU frames its expectations in dispute settlement matters in such way that these resonate with the causal and principled beliefs of national governments, then local actors are more amenable to adhere to the EU's approaches and adopt them as their own. This has been the case, to some extent, in 2008, when the EU and Serbia discussed the deployment of the EULEX throughout Kosovo. As it first launched the EULEX, in February 2008, the EU mandated the mission with the task of "assist[ing] Kosovo authorities, judicial authorities and law enforcement agencies in their progress towards sustainability and accountability"[1600]. Beyond this operational mandate, the deployment of the EULEX and the reconfiguration of the UNMIK were to "guarantee stability in the Balkans"[1601]. Meanwhile, in the United Nations, the representatives of Serbia, who blocked the deployment of the mission for want of mandate of the UN Security Council, kept on cautioning with great affection that Kosovo's security situation was teetering on the brink of collapse. They dramatised that the Serbs living in Kosovo where victim of

> *"segregation […] force[d] to live in darkness and in constant fear for their lives".*[1602]

And therefore called the international security presence in Kosovo, as well as the UN, pursuant UNSC resolution 1244, to

> *"demonstrate particular sensitivity toward the Kosovo Serb community".*[1603]

Notwithstanding the strong affection which underpinned these statements, there were clear complementarities between Serbia's concerns for the security of the Serbs in Kosovo and the mandate of the EU-led rule of law mission. But these complementarities had not been brought forwards in the initial plans of EULEX deployment. In an attempt to relax the deadlock, which Serbia and the EU faced in the UN in 2008, the EU started to adapt its discourse, emphasising that the EULEX deployment would help rebuild security in the North, and above all, benefit to all communities. In October 2008, the Chief of the EULEX Yves de Kermabon thus explained that if the Serbian government

> *"wants to stop smuggling and corruption in northern Kosovo, it needs to get rid once and for all of these fanatics who are still controlling a part of the population".*[1604]

And, in a similar vein, also in October 2008, the Council started to insist in its declarations that

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[1600] Council of the European Union. 16 February 2008. 'Kosovo: Council Establishes an EU Rule of Law Mission, Appoints an EU Special Representative '.
[1601] Council of the European Union. 18 July 2008. 'Summary of Intervention of Javier Solana, EU High Representative for the Common Foreign and Security Policy before the Meeting of International Organisations Active on the Ground in Kosovo (EU,Nato,UN,Osce).'
[1602] Republic of Serbia. 18 February 2008. 'Address before the United Nations Security Council by H.E.Mr. Boris Tadić.'
[1603] Republic of Serbia. 14 February 2008. 'Address before the United Nations Security Council by H.E.Mr. Vuk Jeremic.'
[1604] B92. 17.10.2008. 'Eulex: EU-Belgrade Agreement Soon.'

> *"the deployment of the European Union Rule of Law Mission (EULEX) throughout Kosovo is of benefit to all the communities in Kosovo".*[1605]

This emphasis on producing benefits for "all the communities in Kosovo", "regardless of their ethnic origin", quickly became a leitmotiv in the official jargon of the EU[1606]. Of course, the EU did not exclusively target the Serbs with its new emphasis. But it addressed a strong signal to Belgrade, since its concern for "all the communities in Kosovo" better resonated with Serbian causal belief that international actions had to be undertaken in order to protect the Serbs in Kosovo, and with its principled belief that Kosovo Serbs suffered from insecurity. By reframing its discourse in more explicitly inclusive terms, the EU certainly facilitated the agreement it reached with Serbia in November 2008 on the deployment of the EULEX. Persuaded of the appropriateness of the agreement, Serbian Foreign Minister Jeremić explained that one of its largest achievements was that

> *"it creates the conditions to protect the well-being of Serbs and other gravely endangered communities in Kosovo".* [1607]

But persuasion did not occur as a one-way transaction. In the course of the negotiations, Serbia also succeeded in inflecting the EU's position on the deployment of the EULEX in Kosovo. The result of this inflection, beyond the physical deployment of the EU-led mission, was the construction, under the aegis of the UN Secretary General, of an intersubjective understanding framing the deployment of the EULEX under the authority of the UN. However fragile, ambiguous and internally inconsistent, the emergence of this negotiated understanding lifted Serbia's opposition to the deployment of the EULEX, and predisposed Serbian actors to take a more acceptant stance towards EULEX operations in North Kosovo.

In its Joint Action of 4 February 2008, the Council did not place the EULEX under the authority of the United Nations[1608]. This was not because the EU intended to shun the Security Council, but simply because the initial plan for the deployment of the EULEX had been developed in the framework of the Ahtisaari process, which however, could not be endorsed by the Security Council owing to Serbia's rejection. Of course, placing the EULEX under the authority of the UN, pursuant UNSC resolution 1244, significantly constrained the latitude left to the EU in defining the mandate of its rule of law mission. For instance, it implied taking over the KFOR's commitment status-neutrality –a commitment the EU would better have eluded, since most of its member states had expressly recognised Kosovo's independence.

Despite their contentious viewpoints, Serbian representatives made it clear, from the beginning, that there was room for an agreement, and that Serbia was not

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[1605] Council of the European Union. 22 October 2008. 'Joint Press Statement by the United States of America and the European Unionon Us Participation in the Eulex Mission in Kosovo.'
[1606] Council of the European Union. 5 December 2008. 'Javier Solana, EU High Representative for the CFSP Announces the Start of Eulex Kosovo.'; Council of the European Union. 18-19 May 2009. 'Conclusions of the 2943rd Council Meeting.'
[1607] Republic of Serbia. 26 November 2008. 'Address before the United Nations Security Council by H.E.Mr. Vuk Jeremic.'
[1608] Council of the European Union. 4 February 2008. 'Council Joint Action on the European Union Rule of Law Mission in Kosovo, Eulex Kosovo.'

fundamentally against the EULEX. Serbian Foreign Minister Jeremić thus stated in March 2008,

> *"it is not that the EU is unwelcome in our southern province. For we welcome, as a matter of principle, any demonstration of Europe's deepening commitment to our country, including Kosovo. But there has to be a clear mandate for any such commitment –and this can only be achieved by getting the approval of the Security Council".*[1609]

In November 2008, the EU eventually accepted Serbia's set of conditions[1610]. Belgrade celebrated this diplomatic victory, arguing that this inflection had been central in its decision to lift its opposition to the EULEX deployment. According to Serbian Foreign Minister Jeremić

> *"what has always been a crucial condition for our acceptance of reconfiguration is a clear and binding commitment by the European Union—confirmed in the Security Council—to be fully status neutral, and completely anchor its presence in Kosovo under the authority of the United Nations, in conformity with resolution 1244 (1999)".*[1611]

Negotiations had been lengthy and "difficult"[1612], but their outcome was a framework (however dysfunctional it would prove), to which Serbia had adhered, i.e. which resonated with both its causal understandings (i.e. the deployment of the EULEX does not prejudge of Kosovo's status) and principled beliefs (the status of Kosovo is determined by UNSC resolution 1244). This adherence to the negotiations' outcome had been facilitated by the fact that the EU had directly engaged in negotiations, with the active participation of EU non-recognising member states like Spain[1613]. It was not an outcome imposed through mere conditionality, but something, as reported by a government official, achieved through

> *"dialogue, exchange, as a two-side process, on an equal footing[…], which makes that we cannot be always treated as small kids. Rather we want to be perceived as an equal partner in achieving a mutually acceptable solution".*[1614]

Of course, such a negotiated agreement was not optimal, and it came with concessions that proved detrimental to the functioning of the EULEX in the field. But, for Serbia, it laid the foundation of a more horizontal relationship with the EU[1615]. Through negotiations, Serbia succeeded to upload its national preference on the EU level –a

[1609] Republic of Serbia. 11 March 2008. 'Address before the United Nations Security Council by H.E.Mr. Vuk Jeremic.'
[1610] the EULEX would have to seek the UNSC approval; the EULEX would remain status neutral; and the EULEX would not be seen as implementing the Ahtisaari plan.
[1611] Republic of Serbia. 26 November 2008. 'Address before the United Nations Security Council by H.E.Mr. Vuk Jeremic.'
[1612] Ibid.
[1613] Interview with an Official from the Embassy of the Republic of Austria to Serbia. Belgrade, 13/09/2011
[1614] Interview with an Official from the European Integration Office, Government of the Republic of Serbia. Belgrade, 14/09/2011
[1615] Interview with an Official from Ministry of Foreign Affairs of the Republic of Serbia, Directorate General for the European Union. Belgrade, 12/09/2011

relatively rare occurrence, according to the literature. This achievement, usually reserved to EU member states, implied that some important aspects of the EU's approach to Kosovo (with respect to the EULEX in general and to the reference to UNSC resolution 1244 in particular) were to bear the imprint of Serbian preferences – an achievement that understandingly fostered later dispositions towards adherence.

When, on the other side, the EU frames its expectations in such a way that they antagonise one of the parties to the dispute, then, one cannot expect conditionality to turn into persuasion. Unlike Serbia in 2008, Macedonia could never seriously engage dialogue with the EU in order to negotiate the conditionality framework, to which it was subject in dispute settlement matters. Greece kept the upper-hand, despite Macedonia's protests, as illustrated by Macedonian President Ivanov's declaration following the decision of the Council to postpone for the fourth time the opening of EU accession negotiations in December 2012:

> *"I am personally disappointed with the outcome of this year's Summit in Brussels. […] It seems that the old, worn-out Balkan manners, Balkan interests, aspirations and divisions still persist and are imposed on the outcomes of the European Union summits".*[1616]

The fact that the EU's approach to Macedonia's naming issue, overall, is framed by the position of Greece, projected at the EU level with the solidarity-based consent of EU member, leaves to Macedonia's officials little room for engaging dialogue with the EU on its naming dispute. There is also little chance that the EU's conditions in that matter resonate with Macedonia's understandings, since the terms of these conditions are perceived as dictated by the other party to the dispute, Greece.

3.4.3.3. Intentional analysis

The actual settlement of bilateral dispute cannot ensue through structural forces and dispositional preferences. It requires the agency of the actors involved in the negotiating process. Of course, the motives underpinning this agency often bear the seal of structural forces and dispositional preferences, and the former may often be inferred from the latter. But a more cautious analysis of these motives and intentions may sometimes reveal important but overlooked causes and reasons for action.

Macedonia, for instance, has dedicated much effort in trying to level the asymmetrical playing field in which it pursued its negotiations, rather than considering possible inflections for its position. It did so by looking for external supports, ready to take side. Within the EU, Macedonia continues to plead its case at the bilateral level, seeking Germany's support for instance[1617]. At the EU level, it also called for a more active engagement of European institutions, but primarily in order to tame Greece. As stated by Macedonian Foreign Minister Milošoski,

> *"We do not feel that the EU should replace the ongoing process within the UN, but we think that a greater attention could increase the level of motivation of both the Republic of Macedonia and Greece […], because we*

[1616] Republic of Macedonia. 18 December 2012. 'Annual Address by the President H.E.Mr. Gjorgje Ivanov in the National Assembly of Macedonia'. [accessed 15.2.2013].
[1617] BBC News. 25.2.2012. 'Gruevski: "I Seek the Support of the Chancellor" '

> *are under the impression ¨that there is a lack of true substantial motivation to overcome the dispute in the Hellenic Republic […]".*[1618]

In the absence of clearer involvement of the EU, the support of the US, received in 2004, has been no negligible achievement. In the past ten years, Macedonia has taken good care of its relations with the US, hoping that Washington will increase its pressure Athens[1619]. For instance, it introduced, with this intention, an exception to the jurisdiction of the ICC, applicable to US citizens arrested in Macedonia, which does not comply with the EU's acquis[1620].

More generally, convinced of being well within their rights, Macedonian leaders conduct the negotiations on the naming issue with the intention of prevailing by reason, not necessarily finding a negotiated compromise. They, incidentally, often speak of the naming issue as "irrational" or "absurd", and complain of Greece's "unreasonable" and "irrational" stance[1621]. Since their intention is to prevail, they are tempted to discard the proposals made by the UN Envoy Matthew Nimetz altogether (as does Greece), instead of specifying the conditions which they would deem acceptable. Only few contributions have been made in that sense, e.g. the possibility of bringing the case before the ICJ[1622]. For many Macedonians, finally, there is simply no dispute with Greece, which can be solved through negotiations and compromise, since it is "impossible for a state/nation to have a dispute over its own name and self-identification"[1623]. What politicians can at best achieve is to explain Greece how absurd its claims are. Of course, such premises can only cast doubt on Macedonian's motivation to engage in the negotiation process.

Serbia's intentions admit some similarities here. Serbia also seeks to secure the support of third parties against Kosovo's independence –most notably Russia. But whereas Macedonia genuinely strove for obtaining the support of the US against Greece, Serbia rather plays its Russian card as a negotiating chip, i.e. a tactical threat. Before becoming Prime Minister, Ivica Dačić thus cautioned the EU that

> *"if the EU and America fail to understand our position and are always taking the side of ethnic Albanians, it is to be expected that a political option will come to power that might turn to Russia".*[1624]

But most of these warnings, as well as those aimed at reviving the Non-Aligned Movement went unheeded or became dead letter[1625]. For Serbian governments, since 2008, all committed themselves to support the integration of their country in the EU,

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[1618] Dnevnik. 11.11.2010. 'Europe Should Help About the Name, Too: Interview with Antonio Milososki, Foreign Minister and Chairman of Council of Europe, by Hristo Ivanovski.'
[1619] See for instance MIC. 'Obama Promises Ivanov He Will Talk to Papandreou About Naming Issue'. [accessed 13.12.2012].
[1620] Interview with an Official from the Secretariat for European Integration, Government of the Republic of Macedonia. Skopje, 01/11/2011
[1621] Republic of Macedonia. 9-11 November 2012. 'Address by the President H.E.Mr. Gjorgje Ivanov at the International Conference "Leaving Europe's Waiting Room"'. [accessed 15.2.2013].
[1622] Balkan Insight. 11.11.2009. 'Macedonia Suggests Croatia-Slovenia Model.'
[1623] Vankovska, B. 2010. 'David Vs. Goliath: The Macedonian Position(S) in the Socalled 'Name Dispute' with Greece.' *Südosteuropa: Zeitschrift für Politik und Gesellschaft* vol.58 (3).
[1624] B92. 15.2.2012. '"Next Government Might Turn to Russia".'
[1625] Interview with an Official from the Embassy of the Republic of Austria to Serbia. Belgrade, 13/09/2011

including by intensifying their dialogue with Pristina's authorities. As stated by Prime Minister Dačić,

> *"our aim is to get a date for the beginning of negotiations with the EU. We cannot fight if we are outside the process, and common sense tells us the EU is our logical choice".*[1626]

This unambiguous commitment does not imply that Serbia would be ready to give up Kosovo, if the EU posited it as condition. But it shows the motivation with which Serbian elites engage in the Belgrade-Pristina's dialogue –a motivation pegged to concrete goals, which does not elude the possibility of negotiating a compromise. Of course, the form that this compromise shall take remains undetermined. But Serbian officials already carried out a series of comparative surveys in the EU in order to identify possible models for an eventual agreement, or at least, learn from their experience[1627]. These concern, for instance, Northern Ireland's "double sovereignty", South Tyrol's autonomous status in Italy or the "two Germanys" system of 1972, or in any case, a model that, according to then-President Tadić,

> *"should be European, in the sense that it would ensure peace and solve the everyday problems of the people".*[1628]

Unlike Macedonia, Serbia's engagement in the Kosovo negotiation process is motivated by intentions often directly connected to European integration. Such intentions certainly increase the leverage of the EU in fostering changes in Serbia's foreign policy approaches through compliance, socialisation or persuasion.

3.4.4. Summary of the findings

Serbia and Macedonia both have unresolved disputes with their neighbours. But none of them has had as critical implications as the "naming issue" between Macedonia and Greece and the "Kosovo issue" between Belgrade and Pristina. The naming issue is responsible for the derailment in 2008 of Macedonia's European and Euro-Atlantic perspectives. In order to resolve the naming dispute, Macedonia and Greece did not resort to the EU. They have conducted several rounds of negotiations in the past 15 years under the auspices of the United Nations. None of them, however, has proven fruitful. Instead of inflecting its foreign policy towards approaches more amenable to dispute settlement, Macedonia has maintained its dubious antiquisation policy at home and become more assertive abroad. Greece, meanwhile, has upheld its "no solution, no invitation" policy and continues to hamper Macedonia's membership in international organisations, at the risk of breaching international law.

Although it still stands firm for a solution envisaging "anything but independence" and has enshrined its "no-independence position" in the Constitution in 2006, Serbia, by contrast, has witnessed major changes in its approach to the Kosovo issue. The retaliatory measures it implemented after Kosovo's declaration of independence in February 2007 did not hold water for a very long time. In order to avoid its self-

[1626] EurActiv. 11.1.2013. 'Serbia Redefines Its Kosovo Policy.'
[1627] Interview with an Official from the Ministry of Foreign Affairs of Serbia, Directorate for Neighbouring and South-East European Countries. Belgrade, 15/09/2011
[1628] EurActiv. 21.12.2011. 'Serbia Looks to Irish 'Dual' Model for Kosovo.'

ostracisation, Belgrade lifted them a few months after their introduction, and transferred its struggle in the realm of international law. The ICJ, however, did not deliver an opinion that responded to its expectations, and instead of allowing it to revive the UN talks on the status of Kosovo in 2010, Serbia had to settle for a new round of negotiations, facilitated by the EU, on technical matters only. Serbia's approach to the Kosovo issue has changed in at least three respects. First, regarding the deployment of the EULEX mission in Kosovo, Serbia's position shifted in 2009 from sheer hostility to negotiated acceptance and calculated support. In 2007, Serbia used to oppose the deployment of the EULEX, which it considered as an instrument to implement the Ahtisaari plan. Today, it views the EULEX as a possible guarantor of the *status quo*, and a means to undermine the international status of Kosovo. Second, in the field of customs and border management, Serbia has demonstrated a growing acceptance of the idea of physical separation with Kosovo, and the *de facto* abandonment of the idea of partition. In the framework of the EU-facilitated dialogue, Serbia has concluded several agreements, which allow the transformation of the poorly-manned checkpoints along the administrative line into proper border posts with competences in personal control and customs. These make the prospect of Kosovo's territorial partition less likely, and overall, lay the foundation stone of state-to-state relations. Regarding Kosovo's representation in international *fora*, finally, Serbia signed an agreement with Pristina under the aegis of the EU, which marks a watershed in Serbia's policy towards Kosovo. First, it signals that Belgrade henceforth accepts that Kosovo should no longer be represented by the UNMIK, at least in some *fora*. Second, it paves the way of the further changes, since provisions in the agreement may be subject to extensive interpretations. And third, it places Serbia under the constraining scrutiny of the EU with regards the implementation of the agreement.

Settling neighbourly dispute first and foremost responds to an imperative of international law. It is a normative principle related to others (e.g. non-use of force, self-determination, sovereign equality), promoted by the UN Charter (e.g. through the use of negotiations, mediation, arbitration) and applicable, whenever possible, in the framework of regional arrangements (in the sense of Chapter VIII). In Europe, dispute settlement may take place within several regional frameworks –e.g. the Council of Europe, the OSCE and Nato. All of them offer specific norms and ways of doing things. But none can be conclusively invoked in the case of the naming issue and the Kosovo issue. Although the EU has not declared itself a regional arrangement in the sense of Chapter VIII of the UN Charter, it can be considered as one in many respects. The EU, in particular, promotes the settlement of neighbourly disputes as part of its political dialogue with non-EU states. It readily connects it to its good neighbourliness principle –a principle that has gradually entered the grey area of the EU's political criteria and is now projected through conditionality. Therewith, the EU has become a proactive facilitator, a dedicated amplifier of UN prescriptions under Chapter VIII, and through its conditionality policy, possibly, an influent (f)actor. It is, arguably, from the use of this European framework for dispute settlement that Europeanisation can be inferred in Serbia and Macedonia.

Compliance, according to this study, has played a major role in the reorientation of Serbia's foreign policy approach towards Kosovo. This is because the EU has set up a very specific type of conditionality regime with Serbia, which significantly differs from Macedonia's. And also because conditionality, *en l'état*, is not applicable to the

other party to the naming issue, Greece (owing to its status of member of the EU). Key differences between the two conditionality regimes may in fact explain why Serbia's achievements in dispute settlement matters have been so contrastingly high, whereas Macedonia's record remains disappointing.

First, there is the fact that the EU's conditionality regime towards Serbia is impregnated by the reminiscence of an earlier community of views. In 2007, the EU collectively supported the Ahtisaari plan for Kosovo's supervised independence. The plan failed, but not without leaving traces in the EU's institutional memory. Despite the current disunity of EU member states, and despite the EU's reluctant commitment to "status-neutrality", the Ahtisaari plan continues to frame the EU's approach to Serbia's Kosovo issue. More importantly, it provides a normative (albeit unsaid) teleology to the EU's conditionality regime towards Serbia. Towards Macedonia, by contrast, there is no sign of such reminiscence of a community of views. The EU, in the past, never adopted a collective, prescriptive position regarding the settlement of the naming issue, and it never ventured explaining what the "negotiated and mutually acceptable" solution should look like.

Second, there is the fact that the EU's conditionality regime towards Macedonia is based on the EU's solidarity principle with Greece, even though this contradicts the international principle of sovereign equality. This EU solidarity principle has gained impetus since 2008 and the economic crisis. Wary of the political instability in Greece, most EU member states now refrain from questioning Greece's hardliner position against Macedonia, or even seek to trade their support in the naming issue in exchange of economic reforms. Besides, few member states have ever expressed a consistent interest in the question, except, of course, Greece. And this relative disinterest, understandingly, has not translated into a reinforcement of the role of the EU in the dispute settlement process. On the opposite, it has opened avenues for Greece's instrumental use of the EU in order to pressure Skopje, pursuant its "no solution, no invitation" policy. In fact, the other member states may not all support Greece's firm stance, but they do not obstruct it out of solidarity, despite the adverse recommendations of the European Commission and European Parliament. This configuration, all in all, is far from optimal, for the asymmetry in negotiating power, which Greece derives from its membership in the EU, undermines the external legitimacy of the EU's conditionality dialogue (not least because of the issue of sovereign equality). If EU negative conditions are found to stem from Greece, *contra* the Commission and the Parliament, then failing to meet them is not as much a gesture of objection addressed to the EU collectively as to Greece specifically. That is why this configuration, as a matter of principle, carries flaws that arguably undermine the effectiveness of conditionality.

The EU's conditionality regime towards Serbia, third, also critically differs from Macedonia because of the constructive engagement of EU member states. It is indeed remarkable that many (if not most of) EU member states have expressed a thorough interest for the Kosovo issue. Of course, this common interest does not imply a community of view. But it means nonetheless that EU member states actively engage in the international debate on the Kosovo issue. Unlike Macedonia, there is among EU member states, nothing close to the solidarity principle regarding the Kosovo issue, supposing the passive endorsement of the national position of one member state. And for good reason: the Kosovo issue does not involve a particular EU member state

directly. This fact gives both recognisers and non-recognisers a certain margin of manoeuvre to create space at the EU level for the exercise a richer EU conditionality regime towards Serbia. Despite (or perhaps because of) the considerable differences in the views EU member states hold, the fact that most of them engage in the debate on the Kosovo issue also makes EU conditionality more legitimate externally. Unlike Macedonia, which could argue that the hand of Greece stands behind the EU's conditionality regime, Serbia cannot question the collective character of the conditions posed by the EU in dispute settlement matters.

Macedonia's incompliance, fifth, can be analysed in the light of EU obligations lacking specificity. The insistence with which the Commission and the Council hint at the UN-mediated negotiation process, despite its lack of results, shows how the EU conceives of its conditionality regime with Macedonia. In dispute settlement matters, the EU merely conveys international obligations and therewith reinforces the compellingness of the UN. It leaves few imprints of its own, which would alter the substance or the format of the negotiation process, but considerably amplifies the resonance of UN obligations, by conditioning the opening of EU accession negotiations with the outcome of an UN-mediated process. However, since EU conditionality primarily targets the outcome of UN-mediated talks, it falls short of effectively preventing the deterioration of the negotiating climate stemming from Macedonia's provocative actions against Greece.

This characteristic of the EU's conditionality dialogue, sixth, can be contrasted with Serbia's qualified compliance with rather specific obligations. Until Kosovo's declaration of independence the EU's conditionality dialogue with Serbia was quite similar to Macedonia. It also limited itself to the promotion of dispute settlement in general terms, insisting on the obligation for Serbia to comply with UNSC resolution 1244. But following the failure of the Ahtisaari process, the EU reframed its conditionality regime, ceased to insist on UNSC resolution 1244, and increasingly supported dialogue between Belgrade and Pristina for its own sake. It soon established a conditional link between Serbia's candidacy in the EU and its acceptance of the EULEX, posited the signature of a police cooperation agreement with the EULEX as requirement for Serbia to qualify for visa liberalisation and ultimately, fractionated the Kosovo dispute into a series of technical, albeit status-sensitive, issues of lower intensity, which it gradually brought on the negotiation table, under its mediation. This departure from the international framework originally set up by the UN and this fractioning of the EU conditionality logic is a major difference to the EU's approach to the naming issue. The EU accordingly used its conditionality approach to inflect Serbia's position in the field of customs and border management. It started to address the issue by linking it to the mandate of the EULEX, which could not be effectively exercised in North Kosovo without Serbia's cooperation. Both issues were settled in 2011 under the auspices of the EU, just before the Commission released its opinion regarding Serbia's application for EU membership. A few months after, the other agreement on Kosovo's representation was reached in the same way, just before the Council released its decision to grant Serbia the candidate status. For every step, the EU, backed by some member states (e.g. Germany), made it clear that it expected Serbia to inflect its position and reach an agreement in order to progress towards the EU.

If structural forces did play an essential role in dispute settlement matters, a closer look at Serbia and Macedonia's dispositions shows, first, that domestic politics hardly facilitated any achievement in the area. In Serbia and in Macedonia, there has been no shift in the way the naming issue and the Kosovo issue are securitised. They continue to be given precedence, swiftly elude the strategic character of European integration and, often, are also used for electoral purposes. In Macedonia, national interests have generally been reframed in a way that is compatible with European approaches. The naming issue, however, is a sensitive exception. Under the VMRO-DPMNE government, the naming issue has been used in a nation-building perspective that does not resonate with European norms, objectives and approaches. In Serbia, EU accession has remained important throughout the past ten years, but not more important, domestically, as Serbia's commitment to the defence of Kosovo, regardless of the government in exercise. That is why Serbian leaders usually urge the EU not to push Serbia to choose between EU accession and Kosovo. The use of blunt conditionality since 2011 has left in this regard a bitter taste in the electorate –the taste of being blackmailed by the EU, which fuelled Serbia's growing Euroscepticism. The situation changed slightly with the electoral victory of nationalist forces in 2012. With no major political opponent to the negotiation process, the new ruling coalition is under less domestic pressure than the previous government. Despite its less favourable predispositions *vis-à-vis* an EU accession vs. Kosovo recognition arbitrage, the ruling coalition may allow itself to follow a more pragmatic approach.

If domestic politics, it has been seen, did not predispose Serbia and Macedonia's political leaders in favour of dispute settlement, these have nonetheless been amenable, to a limited extent, to socialisation. The face-to-face meetings staged by the EU in its mediation between Belgrade and Pristina may have been a valuable contribution, and not only to confidence-building. The regular meetings have allowed the formation of mutual understandings, e.g. regarding the EU's expectations and the definition of key concepts such as normalisation. These mutual understandings are still missing in Macedonia and Greece's systems of beliefs, and the absence of direct involvement of the EU in the negotiation process on the naming issue may thus help understanding this lack of inclination in Skopje.

Persuasion also played a certain role in the case of Serbia. When the EU frames its expectations in dispute settlement matters in such way that these resonate with the causal and principled beliefs of national governments, then local actors prove more amenable to adhere to the EU's approaches and adopt them as their own. This has been the case, to some extent, in 2008, when the EU and Serbia discussed the deployment of the EULEX throughout Kosovo. By reframing its discourse so as to target all the inhabitants of Kosovo (and not only Kosovo Albanians), the EU facilitated the agreement it reached with Serbia in November 2008 on the deployment of the rule of law mission. But persuasion did not occur as a one-way transaction. In the course of the negotiations, Serbia also succeeded in inflecting the EU's position on the deployment of the EULEX in Kosovo, by convincing the EU to place the EULEX under the authority of the UN. When, on the other side, the EU frames its expectations in such a way that they antagonise one of the parties to the dispute, then, one cannot expect conditionality to turn into persuasion. Unlike Serbia in 2008, Macedonia could never seriously engage dialogue with the EU in order to negotiate the conditionality framework, to which it was subject in dispute settlement matters.

The EU, therefore, failed to extend its understanding of a "constructive approach" to good neighbourly relations to Macedonia.

At the intentional level, finally, on should note that Macedonian leaders are usually convinced of being well within their rights. Therefore, they approach negotiations on the naming issue with the intention of prevailing by reason, not necessarily finding a negotiated compromise. Serbian leaders, by contrast, have engaged in the EU-facilitated dialogue with motives directly connected to European integration. They have pegged to concrete goals, and do not elude the possibility of negotiating a compromise. Of course, they also seek to secure the support of third parties against Kosovo's independence –most notably Russia. But whereas Macedonia genuinely strove for obtaining the support of the US against Greece, Serbia rather plays its Russian card as a negotiating chip. Such intentions certainly increase the leverage of the EU in fostering changes in Serbia's foreign policy approaches through compliance, socialisation or persuasion.

3.5. Changes in Serbia and Macedonia's systems of arms export controls

This section examines some aspects of the instrument and output dimensions of Serbia and Macedonia's foreign policy. It explores, more specifically, Serbia and Macedonia's changing regimes of arms export controls, infers Europeanisation from the role of the EU in amplifying international norms in the field, and enquires into the structural, dispositional and intentional forces that led to Serbia and Macedonia's 1) gradual adoption of EU legislations in the field; 2) growing participation in international arms embargoes; and 3) more transparent reporting in arms export. It should be kept in mind, here, that Serbia and Macedonia's systems of arms export controls differ in an essential manner –their international relevance. Unlike Macedonia, which barely exports arms, Serbia is an historical producer in the field. The analysis will take into account this important difference.

3.5.1. Descriptive analysis

3.5.1.1. Relevance of arms export controls in foreign policy

Arms control played a major role during the Cold War. In a bi-polar world, the US and the Soviet Union controlled the proliferation of weapons technology within their own sphere of influence[1629]. Their goal was to provide their allies with the amount of security-related equipment they needed, whilst preventing the divulgation of advanced technologies to the enemy. Cooperative systems of arms control, defined as "a process by which states develop a common instrument that can be applied in order to address mutually agreed security problems"[1630], only emerged after the end of the Cold War. More inclusive, they aimed at breaking the security dilemma by means of international agreements on restrictions imposed on the production, stockpiling and

[1629] Ivry, D. 1999. 'Transition from Balance of Power to Cooperative System.' In *A Future Arms Control Agenda*, eds. Anthony, I. and Rotfeld, A. D.
[1630] Anthony, I. 1999. 'Arms Export Controls.' In *A Future Arms Control Agenda*, eds. Anthony, I. and Rotfeld, A. D.

proliferation of weapons[1631]. An important component in these cooperative systems is the control of arms export, i.e. the control of cross-border movements of security-related items, including their transit, trans-shipment and brokering[1632]. It is widely recognised that free, unregulated trade in arms can have "negative externalities on national security"[1633]. Failures to effectively control the export of military equipment are known to contribute to their proliferation, to undermine international security and to weaken democratic governance.

Systems of arms export controls are an interesting field of exploration for foreign policy analysts. They have a military, defence policy-related, an economic, industry-related, but also a political, foreign policy-related, dimension. They typically involve several ministries, including the MFA, which plays an important role, for instance in the issuance of arms trade licenses. These systems build on a set of criteria determining the conditions under which export licenses are delivered. These criteria give a glimpse of the normative framework informing foreign policy decisions. In Europe, the criteria upon which many states (members or not of the EU) rely to regulate their trade in arms, are determined in accordance with the EU's 1998 Code of Conduct on Arms Exports[1634] and its successor, the EU's 2008 common position defining common rules governing control exports of military technology and equipment[1635].

Systems of arms export controls are interesting for another reason. They have practical, foreign-policy oriented applications, allowing states to signal concerns about specific targets. By controlling arms export, and possibly denying the permission for a particular export to take place, states may help "placing limits on the capabilities available to other states" [1636]. Arms export controls, for instance, contribute to the effective enforcement of arms embargoes. Systems of arms export controls, finally, can be designed to guarantee a certain level of accountability in foreign policy matters. Through the involvement of the parliament, which passes the legislations required to operate arms export controls, and through the publication of reports on trade in arms, systems of arms export controls can help consolidating democratic governance in a field that usually escape peoples' scrutiny.

3.5.1.2. Gradual adoption of EU legislations in arms export controls

[1631] Several factors have contributed to the emergence of these cooperative systems of arms control, e.g. the proliferation of weapons of mass destruction falling in the arsenal of unpredictable states; the growing importance qualitative, as opposed to quantitative threats in international security; the decline in democratic countries of defence spending; the outbreak of internal conflicts, as in Yugoslavia; and the institutional fragmentation of European security, which marked an important step with establishment of the CFSP and ESDP.
[1632] Holtom, P. and Micic, I. 2012. 'European Union Arms Export Control Outreach Activities in Eastern and South Eastern Europe.' *SIPRI Non-Proliferation Papers* vol.14.
[1633] Levine, P. L. and Smith, R. 2000. 'The Arms Trade Game: From Laissez-Faire to a Common Defence Policy.' *Oxford Economic Papers* vol.52 (2).
[1634] Council of the European Union. 5 June 1998. 'European Union Code of Conduct on Arms Exports.'
[1635] Council of the European Union. 8 December 2008. 'Council Common Position Defining Rules Governing Control of Exports of Military Technology and Equipment.'
[1636] Anthony, I. 1999. 'Arms Export Controls.' In *A Future Arms Control Agenda*, eds. Anthony, I. and Rotfeld, A. D.

Over the past fifteen years, Serbia and Macedonia have modified their national legislations so as to gradually adopt international best practices in the field of arms and dual-use items export controls. In Europe, one of the key instigators in this area has been the EU[1637]. Already in 1998, through its Code of Conduct on Arms Exports, the EU endeavoured to set "high common standards" in the management of conventional arms[1638]. In 2000, it created a Community regime regulating the export of dual-use items[1639]; in 2003, it took further action to control arms brokering[1640], in 2008, it revised and upgraded its 1998 Code of conduct on arms exports through a new legislation deepening and widening its scope of application[1641]; and in 2009, it did the same for the export of dual-use items[1642]. This EU framework has participated in the constitution of a European armament policy which is not restricted to EU member states. As seen in Table 20, Serbia and Macedonia have gradually, albeit unevenly, aligned themselves with the EU's legislation in this area.

Table 20: Serbia and Macedonia's alignment with EU frameworks in arms export controls

EU	**Macedonia**	**Serbia**
1998 Code of conduct[1643]	November 2004	February/March 2005* November 2008
2000 Council regulation (dual-use items)[1644]	September 2005	February / March 2005*
2003 Common position (arms brokering)[1645]	June 2005	February 2005*
2008 Common position (arms exports)[1646]	July 2010	no alignment
2009 Council regulation (dual-use items)[1647]	End of 2010	no alignment

* partial alignment

3.5.1.2.1. Adoption of the EU's Code of conduct on arms exports

Macedonia and Serbia first aligned their legislative frameworks with the EU's 1998 Code of conduct on arms exports (hereafter 1998 Code). The 1998 Code includes a

[1637] This section only deals with the licit trade in conventional arms and dual-use items. It does not cover the specific fight against illicit trade in small arms and light weapons, which the EU, together with the OSCE and the UN, supports, and which Serbia and Macedonia have also incorporated in their domestic agenda. Nor does it cover the EU's specific fight against the proliferation of weapons of mass destruction and terrorism and its support for legally binding international or regional arms trade treaty.
[1638] Council of the European Union. 5 June 1998. 'European Union Code of Conduct on Arms Exports.'
[1639] Council of the European Union. 22 June 2000. 'Council Regulation Setting up a Community Regime for the Control of Exports of Dual-Use Items and Technology.'
[1640] Council of the European Union. 23 June 2003. 'Council Common Position on the Control of Arms Brokering.'
[1641] Council of the European Union. 8 December 2008. 'Council Common Position Defining Rules Governing Control of Exports of Military Technology and Equipment.'
[1642] Council of the European Union. 5 May 2009. 'Council Regulation Setting up a Community Regime for the Control of Exports, Transfer, Brokering and Transit of Dual-Use Items.'
[1643] Council of the European Union. 5 June 1998. 'European Union Code of Conduct on Arms Exports.'
[1644] Council of the European Union. 22 June 2000. 'Council Regulation Setting up a Community Regime for the Control of Exports of Dual-Use Items and Technology.'
[1645] Council of the European Union. 23 June 2003. 'Council Common Position on the Control of Arms Brokering.'
[1646] Council of the European Union. 8 December 2008. 'Council Common Position Defining Rules Governing Control of Exports of Military Technology and Equipment.'
[1647] Council of the European Union. 5 May 2009. 'Council Regulation Setting up a Community Regime for the Control of Exports, Transfer, Brokering and Transit of Dual-Use Items.'

list of eight criteria, which EU member states agreed on observing when they make decisions on authorising the export of arms and military equipment. Four of these criteria contain *sine qua non* obligations, i.e. no export licence shall be approved and no equipment shall be transferred if (1) the intended transfer breaches international obligations[1648]; (2) the intended recipient is known for its serious violations of human rights and might use the exported arms for the purpose of internal repression; (3) the export provokes or prolongs armed conflicts or aggravates existing tensions; and (4) the intended recipient might use the exported arms to attack its neighbours. The 1998 Code further lists four criteria, which should merely be taken into account, i.e. (5) the individual position of friendly and allied countries towards the intended recipient; (6) the nature of the alliances of the intended recipient as well at its attitude towards terrorism; (7) the possibility that the equipment exported might be diverted within the intended recipient's country or re-exported; and (8) the compatibility of the military technology and equipment exported with the resources made available for socio-economic development in the intended recipient's country.

These eight criteria were devised as minimum standards in the management of conventional arms exports, but they are also applicable to dual-use items, "where there are grounds for believing that end-users […] will be armed forces or internal security forces"[1649]. In order to clearly delineate the scope of application of the 1998 Code, a common list of military equipment (hereafter EU Military List) was established (supplemented by a common list for dual-use items)[1650]. Regularly updated by the Council Working Group on Conventional Arms Exports (COARM), the list details 22 categories of armament subject to the 1998 Code. In addition to establishing a criteria-based licensing regime of arms export controls and defining their scope of application, the EU's 1998 Code also established consultation and notification mechanisms for export license denials and committed EU member states to transparently exchange information, in particular through the production and publication of annual reports.

Politically binding, the 1998 Code, as well as the Military List, aimed to "reinforce cooperation and to promote convergence in the field of conventional arms exports"[1651]. In order to avoid the circumvention of UN, EU or OSCE embargoes on arms exports and limit illicit arms transfers, the Council extended the applicability of the 1998 Code of Conduct to brokering activities, which henceforth would be subject to

[1648] in particular if it breaches EU member states' commitment to enforce UN, OSCE and EU arms embargoes.
[1649] Council of the European Union. 5 June 1998. 'European Union Code of Conduct on Arms Exports.'
[1650] The first EU Military List was adopted on 13 June 2000 and the first Dual-Use List was adopted on 22 June 2000 See Council of the European Union. 13 June 2000. 'Council Declaration Issued on the Occasion of the Adoption of the Common List of Military Equipment Covered by the European Union Code of Conduct on Arms Export.'; Council of the European Union. 22 June 2000. 'Council Regulation Setting up a Community Regime for the Control of Exports of Dual-Use Items and Technology.'
[1651] Council of the European Union. 5 June 1998. 'European Union Code of Conduct on Arms Exports.'

criteria-based licensing[1652]. In 2008, the EU's 1998 Code was replaced by a new legislation deepening and widening its scope of application[1653].

Legally binding[1654], the 2008 Common Position extended to non-physical exports the obligations pertaining to criteria-based licensing (e.g. to brokering activities, transit, transhipment and intangible transfers of technology) and insisted on vetting arms exports' end-user prior to granting the license[1655]. It also toughened the *sine qua non* criterion banning arms export to countries violating human rights, by adding an explicit reference to violations of humanitarian law, increasing its indispensability and easing its applicability[1656].

Although both the EU's 1998 Code and 2008 Common Position were designed by and for EU member states, they in fact contemplated broader horizons. The EU's Code, for instance, foresaw that EU member states shall "use their best endeavours to encourage other arms exporting states to subscribe to [its] principles"[1657]. An indeed, a few years after, both Serbia and Macedonia inserted references to the 1998 Code in their national legislations. On 1st November 2004, the government of Macedonia issued a formal "decision on unilateral acceptance of the principles and criteria of the EU Code of conduct on arms exports"[1658]; in June 2005, it adhered to the Common Position on the control of arms brokering[1659]; in December 2006, it incorporated the EU's Military List in its legislative body[1660]; and in July 2010, it adopted an "Information on acceptance" of the EU's 2008 Common Position"[1661]. Macedonia thus secured the formal harmonisation of its legal framework with the EU in a relatively short time. It did so unilaterally, by simply declaring the acceptance of the whole body of EU rules and practices.

Serbia took a more circumvolutory path. It did not straightforwardly align itself with EU rules and practices, but built up its own legislation, gradually reducing the gaps between national and EU norms. On 17 February 2005, the Serbian Parliament passed a Law on foreign trade in weapons, which harmonised Serbian national list of

[1652] Council of the European Union. 23 June 2003. 'Council Common Position on the Control of Arms Brokering.'
[1653] Council of the European Union. 8 December 2008. 'Council Common Position Defining Rules Governing Control of Exports of Military Technology and Equipment.'
[1654] The 2008 Common Position is legally binding according to art. 29 TEU. However, the difference with the politically binding 1998's Code is not obvious, since the ECJ has no jurisdiction over CFSP issues. See Michel, Q. and Tsukanova, M. July 2011. 'The European Union Export Control Regime of Arms: Comment of the Legislation: Article-by-Article.'
[1655] Bromley, M. 2012. 'The Review of the EU Common Position on Arms Exports: Prospects for Strenghtening Controls.' In Non-Proliferation Papers, vol.7.
[1656] Michel, Q. and Tsukanova, M. July 2011. 'The European Union Export Control Regime of Arms: Comment of the Legislation: Article-by-Article.'
[1657] Operative provisions, art. 11. Council of the European Union. 5 June 1998. 'European Union Code of Conduct on Arms Exports.'
[1658] Government of the Republic of Macedonia. June 2006. 'Annual Arms Export Report 2005.'
[1659] Government of the Republic of Macedonia. March 2006. 'National Programme for the Adoption of the Acquis Communautaire.'; South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons. 2009. 'Regional Report on Arms Export in 2007.'
[1660] Republic of Macedonia. 2010. 'Information on the National Legislation Concerning the Transfer of Arms, Military Equipment and Dual·Use-Goods and Technologies.'
[1661] Government of the Republic of Macedonia. April 2010. 'Monthly Progress Brief on the European Integration of the Republic of Macedonia for April 2010.'

controlled goods with the EU's Military List[1662]. This law also established an arms export control system which acknowledged the EU's 1998 Code, while, however, retaining legal precedence[1663]. It covered brokering activities, without, however, making reference to the EU's 2003 Common position on arms brokering or adopting the EU's definition of brokering. Shortly after, on 17 March 2005, the Council of Ministers of Serbia and Montenegro issued a decree "incorporating the principles and criteria" of the EU's 1998 Code[1664]. But, again, this decree was not tantamount to Macedonia's unilateral full acceptance of the EU's 1998 Code. It differed from the EU's 1998 code in substantive terms, relaxing two of the *sine qua non* criteria posited by the EU[1665]. Serbia's decree did not expressly ban arms exports to countries subject to EU sanctions, e.g. EU arms embargoes (criterion 1) and it introduced an exception to export limitations for humanitarian reasons, when "internal measures [are] undertaken for the purpose of fighting terrorism or other forms of criminal activities" (criterion 2)[1666]. In order to further its alignment, the government of Serbia eventually adopted on 20 November 2008 a "decision on accepting the criteria from the EU Code of conduct on arms export"[1667]. But in the meantime, the Council was finalising its 2008 Common Position, toughening the wording of its second criteria (on human rights), i.e. the criteria which Serbia at first relaxed in 2005, when it partly aligned with the EU's 1998 Code. This toughening of the EU's concerns for human rights did not allow Serbia to align itself straightforwardly with the EU's new legislation. In 2012, it still did not count among thirds countries that "have officially aligned themselves with the criteria and principles of Common Position 2008/944/CFSP"[1668] or have adopted the EU's approach to control arms brokering activities.

3.5.1.2.2. Adoption of the EU's legislation setting up a Community regime for the control of exports of dual-use items

Because they are no military equipment per se but yet, can be used for both civil and military purposes, dual-use items are subject to a particular regime in the EU. Established in 2000[1669], replaced in 2009[1670] and recurrently amended, the EU's Community regime for the control of exports of dual-use items provides that no such item shall leave the EU customs territory without an export authorisation. In order to define the scope of application of the Community regime, the Council devised a

[1662] Art. 3 Parliament of Serbia and Montenegro. 17 February 2005. 'Law on Foreign Trade in Weaponry, Military Equipment and Dual-Use Goods.'
[1663] Art. 21(3), Ibid.
[1664] The decree on criteria for issuing licenses for the export of weapons, military equipment and dual-use goods (Official Gazette of Serbia and Montenegro, no.7/2005), cit. in Government of the Republic of Serbia. October 2008. 'National Programme for Integration with the European Union.'
[1665] The decree also adds new factors to take into account, e.g. the protection of domestic armed forces (criterion 5) and the political relations between the trading partners.
[1666] Council of Ministers of the State Union of Serbia and Macedonia. 17 March 2005. 'Decree on Criteria for Issuing Licenses for the Export of Weapons, Military Equipment and Dual-Use Goods.'
[1667] South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons. 2011b. 'Regional Report on Arms Export in 2009.' p. 71.
[1668] These countries are Bosnia and Herzegovina, Canada, Croatia, Macedonia, Iceland, Montenegro and Norway. See Council of the European Union. 14 December 2012. 'Fourteenth Annual Report According to Article 8(2) of Council Common Position 2008/944/CFSP.' p. 1.
[1669] Council of the European Union. 22 June 2000. 'Council Regulation Setting up a Community Regime for the Control of Exports of Dual-Use Items and Technology.'
[1670] Council of the European Union. 5 May 2009. 'Council Regulation Setting up a Community Regime for the Control of Exports, Transfer, Brokering and Transit of Dual-Use Items.'

regularly updated, non-exhaustive list of dual-use items subject to export authorisation (the so-called Dual-Use List). The member states kept their prerogatives on decisions to issue such authorisations, but the EU introduced certain requirements and conditions in order to establish a minimum standard in the management of export controls and to foster convergence. For instance, a member state cannot grant an export authorisation without having clarifying who the end-user is; it shall ascertain that the intended export does not violate international obligations, and more generally, must give consideration to the eight criteria set up in the EU's 1998 Code and 2008 Common Position on arms control[1671].

Again, Macedonia swiftly adopted the EU's acquis in dual-use items export controls. The National Assembly passed a law in September 2005[1672], which harmonised Macedonian legislations with the 2000 Council regulation and its amendments[1673]. The law established a Commission to oversee the implementation of dual-use export controls[1674], and tasked the government to adopt the EU's Dual-Use List[1675]. This was done by December 2005. The List in use is a verbatim translation of the EU's Dual-Use List[1676]. In subsequent years, Macedonia kept updating its legislation so as to entirely transpose the modifications introduced in the EU's Community regime and Dual-Use List[1677]. By the end of 2010, it transposed the 2009 Council regulation replacing and upgrading the EU's Common regime for the control of dual-use items exports[1678]. Macedonia faced some implementation problems at first, due to limited administrative capacities[1679], insufficient inter-agency coordination and a persistent lack of transparency in the area[1680], but capacity-building in the field have eventually removed these flaws from Macedonia's agenda[1681].

[1671] Art. 8c and 12c of respectively Council of the European Union. 22 June 2000. 'Council Regulation Setting up a Community Regime for the Control of Exports of Dual-Use Items and Technology.'; Council of the European Union. 5 May 2009. 'Council Regulation Setting up a Community Regime for the Control of Exports, Transfer, Brokering and Transit of Dual-Use Items.'

[1672] Assembly of the Republic of Macedonia. 19 September 2005. 'Law for Controlling Export of Goods and Technologies with Dual Use.'

[1673] Government of the Republic of Macedonia. May 2007. 'Annual Arms Export Report 2006.'

[1674] Government of the Republic of Macedonia. April 2007. 'National Programme for the Adoption of the Acquis Communautaire.' p. 309.

[1675] Art. 5 Saferworld. October 2007a. 'Measuring Up? Arms Transfer Controls in Fyr Macedonia.' p. 11.

[1676] South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons. 2006. 'Analysis of National Legislation on Arms Exports and Transfers in the Western Balkans.' p. 56.

[1677] European Commission. 10 October 2012a. 'The Former Yugoslav Republic of Macedonia 2012 Progress Report.'

[1678] Government of the Republic of Macedonia. 28 December 2010. 'Национална Програма За Усвојување На Правото На Европската Унија.' p. 378.

[1679] European Commission. 14 October 2009b. 'The Former Yugoslav Republic of Macedonia 2009 Progress Report.'

[1680] Just as for arms export controls, Macedonia used to operate three different systems of controls of dual-use items export, each guided by its own set of rules and managed by its own ministry (MoD, MoI and MoE in cooperation with the MFA). The domestic transposition of the EU's regime for dual-use items export controls implied an administrative re-organisation of the control system, an operative emphasis on inter-agency coordination and more transparency in the flow of information (e.g. through standardisation). See South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons. 2006. 'Analysis of National Legislation on Arms Exports and Transfers in the Western Balkans.' p. 55.

[1681] European Commission. 10 October 2012a. 'The Former Yugoslav Republic of Macedonia 2012 Progress Report.'

Serbia's legal framework for the control of dual-use items exports, being the same as for arms exports, only transposed parts of the EU's acquis. Adopted respectively in February and March 2005, the Law on foreign trade in weapons, military equipment and dual-Use goods and the Decree on criteria for issuing licenses for the export of weapons, military equipment and dual-use goods designate dual-use items as controlled goods[1682], and make their export subject to criteria-based authorisation. But in the absence of direct reference to the 2000 Council regulation setting up the Community regime, some important flaws and legal discrepancies remained unaddressed[1683]. Unlike Macedonia, Serbia did not rush to try to solve these issues. It did not adopt the EU's Dual-Use List before 2010[1684], but established instead in 2008 a Special Working Group tasked with the identification of dual-use goods[1685]. Macedonia had also established such a body in 2005, but since it had adopted the EU's Dual-Use List, its Commission rather dealt with implementation issues. Until the adoption of the EU's Dual-Use List in 2010, Serbia's Special Working Group, by contrast, redundantly parallelled, rather than followed-up, the work of COARM. For want of the necessary capacities (especially experts), Serbia fell short of developing its control regime[1686]. In 2010, it then adopted the EU's Dual-Use List and eventually envisioned the alignment of its legal framework with the 2000 Council regulation (although the Community regime is now ruled by the 2009 Council regulation)[1687]. But the permanence of shortages in Serbia's administrative capacities, the lack of properly trained staff still undermines the country's implementation of its (albeit harmonised) control regime[1688].

3.5.1.3. Participation in international arms embargoes

One of the purposes of cooperative systems of arms export controls is the effective enforcement of arms embargoes, an important instrument of states' national foreign policies. By prohibiting the transfer of arms and related equipment to specific countries, and possibly extending the prohibition to dual-use items exports and brokering activities, states can signal their disapproval collectively in order to coerce other states to change their behaviour. They can help constraining the flow of military equipment to conflict areas and hinder escalation. Or they can help limiting the resources available for the purpose of internal repression. Arms embargoes can, in other words, both be used against those regimes which jeopardise international or regional security, or against governments importing arms to commit serious violations of human rights. Arms embargoes usually target state actors, but in some cases, they may also apply to non-state actors (e.g. Al Qaeda); they can be used alone, or be

[1682] Art. 3 Parliament of Serbia and Montenegro. 17 February 2005. 'Law on Foreign Trade in Weaponry, Military Equipment and Dual-Use Goods.'
[1683] For instance, the Serbian 2005 legislation was weak on transposing "catch-all" clauses, i.e. procedures to place dual-use goods not listed in the Dual-Use List under the export control regime. See Saferworld. October 2007b. 'Measuring Up? Arms Transfer Controls in Serbia.'
[1684] Republic of Serbia. 2010. 'Annual Report on the Transfers of Controlled Goods in 2010.'
[1685] Government of the Republic of Serbia. December 2009. 'National Programme for Integration with the European Union.'
[1686] Government of the Republic of Serbia. October 2008. 'National Programme for Integration with the European Union.' p. 818.
[1687] Government of the Republic of Serbia. December 2009. 'National Programme for Integration with the European Union.'
[1688] European Commission. 10 October 2012b. 'Serbia 2012 Progress Report.'

combined with other sanctions, e.g. restrictions on admission (visa or travel ban) and economic and financial sanctions (e.g. embargo on diamonds imports, freezing of accounts). Arms embargoes are usually imposed by the United Nations, based on a resolution of the Security Council acting under Chapter VII, but not only. In 1992, for instance, the OSCE imposed an embargo on arms deliveries to forces engaged in the Nagorno-Karabakh conflict (Azerbaijan/Armenia)[1689].

In recent years, the EU also imposed an increasing number of sanctions, whether on an autonomous basis or in response to UNSC resolutions[1690]. Despite this and paradoxically, its member states remained meanwhile the third largest arms exporter worldwide, just behind the US and Russia[1691]. These sanctions were decided in the framework of the CFSP, usually through the adoption of a Common position[1692]. In order to ascertain a consistent imposition of its sanctions, the Council drafted in 2003 a set of guidelines applying to restrictive measures in general and arms embargoes in particular[1693]. Updated in 2005[1694], the document provides technical guidance. It defines sanctions, states their objective, lists the possible exemptions and reviews specific issues related to competences and jurisdictions. Another document, adopted in 2004, provides a policy framework for the use of EU sanctions[1695]. These two sets of documents institutionalise the EU's sanctions policy, and have direct implications in terms of arms export controls. The EU's 1998 Code of conduct, after all, provides that no arms export license shall be issued (bar limited exceptions), if the country of destination is targeted by UN, OSCE or EU mandated arms embargoes. The same applies to dual-use items and brokering activities. The spectrum of the items, the transfer of which is prohibited, depends on the scope of the restrictive measure imposed by the EU. Imposed on "arms, munitions and military equipment", the embargo is considered of "full scope"; no item on listed on the EU's Military List may be exported and special authorisations are required for dual-use items. Imposed on "arms and munitions", it is considered as less than full scope, and it is then only applicable to specific items of the EU's control list[1696]. Though decided at the EU level, the enforcement of these sanctions falls under the competence of EU member states.

[1689] The OSCE arms embargo received the support of the UN Security Council, but unlike many other embargoes, it is not binding under the UN Charter.
[1690] In addition to implementing UN-mandated arms embargoes, the EU thus imposed between 1998 and 2012 30 embargoes on arms in its autonomous capacity. 19 of them are still in force (e.g. on China, Belarus, Burma and Syria). See SIPRI. 'Arms Embargoes Database'. [accessed 26.03.2013].
[1691] Together, the member states of the EU accounted in 2011 for one fourth of world's arms exports, just behind Russia (28%) and the US (31%). The EU's largest arms exporters are France, Germany and the UK. See SIPRI. 'Sipri Arms Transfers Database'. [accessed 27.8.2013].
[1692] The legal basis depends of the nature of the sanctions and the targets covered by them. Restrictive measures are usually based on art. 215 TFEU (ex 301 TEC). But since arms and military equipment are excluded from the scope of application of the EU's commercial policy, a different legal basis applies, which places embargoes on arms under the responsibility of EU member states. Arms embargoes are therefore implemented by EU member states, pursuant art. 296 of the TEU.
[1693] Council of the European Union. 2 December 2005b. 'Guidelines on Implementation and Evaluation of Restrictive Measures (Sanctions) in the Framework of the EU Common Foreign and Security Policy '.
[1694] Ibid.
[1695] Council of the European Union. 2 December 2005a. 'Basic Principles on the Use of Restrictive Measures (Sanctions) '.
[1696] Anthony, I. 2002. 'Sanctions Applied by the European Union and the United Nations.' In *Sipri Yearbook 2002: Armaments, Disarmament and International Security*, ed. SIPRI. p. 212.

The EU's decisions to enforce arms embargoes concern mostly EU member states, but not only. Since December 2003, Macedonia, upon invitation of the Council, readily joins the EU's common positions imposing sanctions, including on arms transfers. In 2004, for instance, it aligned itself with the EU's embargo on arms, ammunition and military equipment against Sudan[1697]. Decisions on alignment were at first taken on an *ad hoc* basis by the Macedonian government. The competent ministries were responsible for applying the government's decision, but they did not rely on specific guidelines, e.g. for their assessment of the risks associated with the proposed exports or for the proper coordination of their action[1698]. The control lists they had at their disposal in order to conform to the EU's common positions were not the same as the EU's Lists (until 2007 for military items and 2010 for dual-use items). The result, then, was an unequal, sometimes even incoherent, enforcement of the EU's common positions. The lack of administrative resources and the incapacity to coordinate restrictive measures worsened Macedonia's record, even though this pitfall was not fundamentally problematic considering the negligibility of Macedonia's arms exports.

In August 2004, the Macedonian government therefore decided to strengthen the coordinative role of the MFA. It was tasked with the elaboration of draft decisions, taking into account the competences of the respective ministries[1699]. In order to consolidate the legal basis underlying the transposition of EU common positions, the MFA initiated in 2005 a procedure for drafting a Law on international restrictive measures. The draft law, submitted to Brussels for comment[1700], defined international restrictive measures, provided the procedures for their implementation, delineated the competences of each agency, explained the way they should coordinate their actions, laid down monitoring mechanisms and detailed how data should be collected and exchanged[1701]. The law, adopted in March 2007 was to apply to all sanctions passed by UN under Chapter VII of the UN Charter (legally binding), to "legal acts of the European Union", whether autonomous or not, and to legal acts passed by other international organisations, of which Macedonia is a member (e.g. the OSCE)[1702]. It increased the inter-agency coordination of arms export controls, improved the capacity of the competent authorities to identify and collectively acting on concerns, and as a matter of fact, rightly transposed the EU's *acquis* in the area. Following the adoption of the law, one person was designated in the MFA's Unit for CFSP to monitor the implementation of restrictive measures[1703]. In 2010, a body was additionally set up to specifically address cross-agency coordination issues and help

[1697] Republic of Macedonia. 2005. 'Answers of the Republic of Macedonia to the EU Questionnaire Delivered by the European Commission.'
[1698] South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons. 2006. 'Analysis of National Legislation on Arms Exports and Transfers in the Western Balkans.'
[1699] Government of the Republic of Macedonia. June 2006. 'Annual Arms Export Report 2005.'
[1700] South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons. 2006. 'Analysis of National Legislation on Arms Exports and Transfers in the Western Balkans.' p. 58.
[1701] Government of the Republic of Macedonia. May 2007. 'Annual Arms Export Report 2006.'
[1702] Art. 2, Assembly of the Republic of Macedonia. 2007. 'Law on International Restrictive Measures.'
[1703] Government of the Republic of Macedonia. March 2008. 'National Programme for the Adoption of the Acquis Communautaire.'

monitoring the implementation of restrictive measures[1704]. A decision was also taken to establish, within the MFA, a Register collecting the government's decisions on the introduction of international restrictive measures. After ten years of reforms, Macedonia's record in this area has come close to the best practices promoted by the EU. Its administrative capacities have been strengthened, its legislative framework has been adjusted and the EU's common positions are now systematically implemented by national authorities. The remaining weaknesses concern the coordination of their action and the application of restrictive measures to brokering activities. But considering the small amount of arms transferred annually by Macedonia, these weaknesses are not essential to the effective enforcement of collective sanctions.

Serbia, on the other side, has not introduced any specific legislation relating to the implementation of restrictive measures. In the absence of specific legislation, the government has upheld a relatively free hand in the conduct of its arms transfer policy with states otherwise targeted by international sanctions. Until recently, Serbia's participation in international sanctions against third countries was subject to the sole appreciation of the MFA, which was responsible for gathering information, and the government, which took the decision on an *ad hoc* basis. These decisions expectedly took into account the importance of the armament industry in Serbia, Belgrade's relationship with Russia and some of its most disputed allies, as well as Serbia's participation in the non-aligned movement. Only in 2005 did Serbia establish an obligation to control its arms exports so as to enforce international restrictive measures[1705]. But the obligation, reportedly, did not apply to EU arms embargoes – only to restrictive measures imposed by the UN or recommended by the OSCE –and not without exceptions to the rule. For instance, in 2007, the Serbian government authorised the export of SALW to Armenia[1706], despite the recommendation of the MFA, which pointed at the OSCE embargo on the Nagorno-Karabakh region, and notwithstanding the 2005 decree obliging the government to respect its international commitments.

Although Serbia's legislation does not specifically applies to sanctions adopted autonomously by the EU (i.e. without mandate of the UN Security Council), Serbia's state authorities reportedly take into account the EU's restrictive measures in their policy process. According to an MFA official, Serbia observes most of the EU's common positions[1707]; yet

[1704] It consists of representatives of the Ministry of Interior, the Ministry of Economy, the Ministry of Foreign Affairs, the Ministry of Defence and the Ministry of Finance. Government of the Republic of Macedonia. 2012. 'National Programme for the Adoption of the Acquis Communautaire.'
[1705] Criterion One, Council of Ministers of the State Union of Serbia and Macedonia. 17 March 2005. 'Decree on Criteria for Issuing Licenses for the Export of Weapons, Military Equipment and Dual-Use Goods.'
[1706] The export was US$ 2.55 million worth. See Saferworld. October 2007b. 'Measuring Up? Arms Transfer Controls in Serbia.'
[1707] Interview with an Official from Ministry of Foreign Affairs of the Republic of Serbia, Directorate General for the European Union. Belgrade, 12/09/2011

"no precise evidence exists concerning the number of restrictive measures introduced by the European Union, which the Republic of Serbia has implemented".[1708]

In some cases, Serbia was found being exporting arms to countries upon which the EU had autonomously imposed an embargo for human rights reasons. Until 2007, the military in Rangoon was one of Serbia's main buyers of arms and military equipment[1709], despite an EU common position prohibiting arms transfers to Myanmar[1710]. Serbia had yet adopted the 2005 EU-inspired decree positing human rights as one of the criteria that shall guide arms exports. But the government did not align itself with the EU on that matter and refused to terminate the licenses issued prior to the decree. It only applied tougher restrictions on arms transfers to the license proposals submitted after the 2005 decree[1711]. In 2007, Serbia also exported a few machineguns to the Democratic Republic of Congo[1712], despite the EU's arms embargo[1713], and it exported military equipment in 2009 to Vietnam through China[1714], which is also under EU embargo[1715].

In 2005, the MFA nonetheless initiated a revision of Serbian legislation in the area. The plan was to draft a Law on international restrictive measures adopting "the standards and practices of the European Union and reinforcing transparency measures", based on "the experiences of those countries which have already adopted this Law [e.g. Macedonia in 2007], and in accordance with the EU's [2004] Basic Principles on the Use of Restrictive Measures"[1716]. This project, however, did not materialise. In 2012, there was still no specific legislation regulating on restrictive measures, no rules prescribing the alignment with EU common positions in case of arms embargoes, no administrative structures specifically dedicated to the implementation of international sanctions, and a lack of inter-agency coordination in the enforcement of current restrictions[1717].

3.5.1.4. More transparent reporting in arms export

Arms have long been traded under the veil of secrecy. In order to ensure the effective implementation of controlling measures, avoid the circumvention of restrictions,

[1708] Republic of Serbia. 2011. 'Answers of the Republic of Serbia to the EU Questionnaire Delivered by the European Commission.'
[1709] It was the second country of destination in terms of arms licenses and the first partner in terms of actual transfers, with actual exports worth US$ 13.3 million. Republic of Serbia. 2009. 'Annual Report on the Realization of Foreign Trade Transfers of Controlled Goods for 2007.'
[1710] Council of the European Union. 28 October 1996. 'Common Position Defined by the Council on the Basis of Article J.2 of the Treaty on European Union, on Burma/Myanmar '.
[1711] Saferworld. October 2007b. 'Measuring Up? Arms Transfer Controls in Serbia.'
[1712] Republic of Serbia. 2009. 'Annual Report on the Realization of Foreign Trade Transfers of Controlled Goods for 2007.'
[1713] Council of the European Union. 21 October 2002. 'Common Position on the Supply of Certain Equipment into the Democratic Republic of Congo.'
[1714] Republic of Serbia. June 2011. 'Annual Report on the Transfers of Controlled Goods in 2009.'
[1715] European Council. 27 June 1989. 'Council of Ministers Declaration on China.'
[1716] Republic of Serbia. 2011. 'Answers of the Republic of Serbia to the EU Questionnaire Delivered by the European Commission.'
[1717] European Commission. 12 October 2011a. 'Analytical Report for the Opinion on Serbia's Application for Membership of the European Union.'; European Commission. 10 October 2012b. 'Serbia 2012 Progress Report.'

consolidate cooperative approaches at the international level and guarantee some form of accountability, a minimum of transparency is required. Without transparency, governments are given a free hand in arms trade –they may secretively export arms regardless of their end-users' intentions; violate international obligations without other governments' knowing; and they may surreptitiously flout the promises they made to their electorate without risking political sanctions. The same goes for dual-use items, which can be used, for instance, to engineer weapons of mass destruction (WMD). National parliaments and NGOs have therefore been the first, in Europe, to call governments to produce reports on arms exports and demand greater oversight in the field, with some remarkable success already in the 1980s[1718]. Their call gradually gained ground in the EU, because no control arms regime can be effective without the exchange of data on controls among the participant to the regime.

That is why the 1998 Code of conduct on arms export created specific obligations for EU member states to collect, exchange and report information on arms exports[1719]. This obligation was extended to the export of dual-use items in 2000[1720] and arms brokering activities in 2003[1721]. It was designed to ensure peer-pressure and dissuade EU governments from accepting contracts, for which, for instance, the license had been denied by another member state. Many member states of the EU started to issue their first national reports on arms export controls in the end of the 1990s. Most of these national reports were made publicly accessible, but the amount and quality of their data were very variable, and generally lower than in those reports produced in non-EU Europe[1722]. Parts of the data were soon compiled into an annually published EU arms report, in accordance with the EU's prescriptions negotiated in the COARM. The scope of these prescriptions evolved with the EU's legal framework[1723].

Initially intended to be confidential, the EU's annual arms report became public "following pressure from the European Parliament, non-governmental organizations and the 1999 Finnish Presidency" [1724]. These EU arms reports now include information about the quantity and financial value of both arms export licenses and actual arms exports, about arms export denials, and brokering licences[1725]. Data on arms export licenses give indication of compliance with national arms export criteria. They enable to know whether a government has authorised the export of a particular arms to a particular country. Data on actual arms exports inform other states on the evolution of third states' stockpiling of weaponry, and help them pre-empting destabilising effects by adapting their own arms export policy. Data on arms export denials inform other states on the inappropriateness of a particular transaction in the

[1718] For instance, Sweden was the first European countries to publish a report on its arms export in 1984. Italy is also legally bound, since 1990, to submit an annual report to the Parliament. See Weber, H. and Bromley, M. March 2011. 'National Reports on Arms Exports.' In SIPRI Fact Sheet.
[1719] Operative provision, point 8, Council of the European Union. 5 June 1998. 'European Union Code of Conduct on Arms Exports.'
[1720] Art. 15, Council of the European Union. 22 June 2000. 'Council Regulation Setting up a Community Regime for the Control of Exports of Dual-Use Items and Technology.'
[1721] Art. 5, Council of the European Union. 23 June 2003. 'Council Common Position on the Control of Arms Brokering.'
[1722] Weber, H. and Bromley, M. March 2011. 'National Reports on Arms Exports.' In SIPRI Fact Sheet.
[1723] Data on arms brokering activities, for instance, were included in the EU arms reports following the 2008 common position.
[1724] Bromley, M. 2012. 'The Review of the EU Common Position on Arms Exports: Prospects for Strenghtening Controls.' In Non-Proliferation Papers, vol.7.
[1725] Weber, H. and Bromley, M. March 2011. 'National Reports on Arms Exports.' In SIPRI Fact Sheet.

light of the criteria previously agreed upon. It hinders the circumvention of collective restrictions through door-to-door sourcing, and informs other states on the criterion of which the transaction fell short. Data on arms brokering, finally, give indication on the deals concluded by operators as intermediary, and help implementing arms embargoes. In order to ascertain a common and more specific understanding of the information reported, the EU obligation provides that these four types of data should be disaggregated in the 22 categories of the EU Military List, and also presented by intended destination. In order to preserve the anonymity of the buyers, arms reports often fail to present disaggregated data. These data are essential to give indication enabling informed decision and allow real scrutiny.

This practice of transparent reporting on arms export controls has been adopted by Macedonia and Serbia shortly after their respective alignment with the EU's 1998 Code on arms export, i.e. in 2004 and 2005. Before that, arms export controls were a matter lying in the hands of the government and military and no data were released. The EU's 1998 Code marked a watershed in this respect. Macedonia's unilateral alignment in 2004 and Serbia's new Law on foreign trade in weapons in 2005 brought the two countries closer to the EU's practice. On paper, Macedonia's alignment implied that it should provide the same type of data as EU member states, so that other EU governments may scrutinise Macedonia's commitment. In practice, it implied the transmission and publication of these data. Serbia had more latitude in this respect, since it did not formally align itself with the 1998 Code. Its reporting policy was determined by the 2005 Law on foreign trade in weapons and dual-use items. On paper, the government was obliged to produce and adopt an annual report providing information on issued, denied and revoked licenses, and to inform the Parliament[1726]. In practice, however, despite less stringent commitments, Serbia proved much more amenable to publish information on its arms exports than Macedonia. The difference can be felt in both in the quantity and quality of information published.

In June 2006, Macedonia published its first report[1727] (covering 2005), followed in May 2007 by a second report[1728] covering the 2006 period. These publications constituted an important step forwards, but the initiative suddenly came to an end[1729]. No national arms report has been published ever since –which raises questions on the government's will to assert its accountability in that field[1730]. Of course, Macedonia is no large exporter. In 2005 and 2006 its arms transfers boiled down to a few rifles, ammunitions and mortars exported to Bulgaria, the US, Serbia Montenegro, Israel,

[1726] Art. 28(3), Parliament of Serbia and Montenegro. 17 February 2005. 'Law on Foreign Trade in Weaponry, Military Equipment and Dual-Use Goods.'
[1727] Government of the Republic of Macedonia. June 2006. 'Annual Arms Export Report 2005.'
[1728] Government of the Republic of Macedonia. May 2007. 'Annual Arms Export Report 2006.'
[1729] Official data on Macedonia's arms exports can still be found (up to 2010) through the EU-supported South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC), but they only present the number and value of licenses issued, broken down by country of destination and when applicable items according to the EU's Military List. They do not include information on actual exports, brokering activities, and essentially, denials. See for instance, for 2009, South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons. 2011b. 'Regional Report on Arms Export in 2009.'
[1730] According to Macedonia's government, a third national arms report has been elaborated and communicated to the European Commission and Council of the EU. This information could not be verified, and no information leaked to support it. Even if such a third report exists, it has not been made public, which indeed casts doubt on the government's accountability. See Government of the Republic of Serbia. December 2009. 'National Programme for Integration with the European Union.'

Albania and a few others; a dozen of arms transiting from or to Greece; and one dual-use item dispatched to Lithuania in 2005[1731]. But the negligibility of these transactions does not justify the fact that Macedonia, despite its initial commitment, has ceased to publish its annual arms reports.

Serbia, on the other side, published its first report in November 2007 (covering the 2005-2006 period[1732]), and then, it issued four other annual reports covering the 2007-2010 period. Although the reports are published with a considerable time-lag (the last report, covering 2010, was published in July 2012), it is much easier to keep track of Serbia's arms export's policy than Macedonia. Of course, Serbia's arms exports are by no means comparable to Macedonia's. Serbia has inherited Yugoslavia's industrial capacities and it is well integrated in the global arms market. In the past few years, Serbia issued more than 350 arms and dual-use items export licenses per year for a value of around 800 million dollar in 2010 alone[1733]. The size of the exports certainly justifies the need for more accountability in the sector.

Serbia and Macedonia also communicated different types of information in their reports. In its 2005 and 2006 reports, Macedonia published information on the number of licenses issued for arms export and on actual exports (including transit), but it did not give their financial valuation and did not categorise the data according to EU (or Macedonia's) Military List. More importantly, the reports contained no information at all on export denials and brokering activities (but they included detailed information on dual-use items transfers). Serbia's arms reports, by contrast contained all these missing information from 2005 to 2010. For instance, in 2009, Serbia rejected 6 applications for arms export licenses, for a total amount of 18 million dollar. One of the applications concerned 50.000 M92 sub-machine guns (belonging to the 1st category of the EU's Military List), priced 13,3 million dollar. The applicant and end-user was the Libyan military, and the denial was grounded on "incomplete documentation" (e.g. lack of end-user certificate)[1734]. Meanwhile, no EU member state published so detailed information on denials[1735]. Serbia's arms reports also include some basic aggregated information on brokering activities (since 2007), as well as extensive information on dual-use items transfers. All in all, it is remarkable that, despite its lack of legal approximation with the EU's CFSP acquis in arms export controls, Serbia demonstrates a more transparent approach to reporting than Macedonia: it keeps publishing arms reports since 2007.

3.5.2. Inferring Europeanisation

Trade in arms has always been closely associated with states' prerogatives for national security. That is why governments, wary of losing ground, have often welcomed cooperative approaches to arms export controls with great caution. They feared that international obligations in this field would constrain the pursuit of their

[1731] Government of the Republic of Macedonia. June 2006. 'Annual Arms Export Report 2005.'; Government of the Republic of Macedonia. May 2007. 'Annual Arms Export Report 2006.'
[1732] Republic of Serbia. 2007. 'Annual Report on the Realization of Foreign Trade Transfers of Controlled Goods for 2005 and 2006.'
[1733] Republic of Serbia. 2012. 'Annual Report on the Transfers of Controlled Goods in 2010.'
[1734] Republic of Serbia. June 2011. 'Annual Report on the Transfers of Controlled Goods in 2009.'
[1735] Denmark, Germany, the Netherlands, Romania and Spain published extensive information on denials, but they did not specify the end-user or the reason for denial. See Weber, H. and Bromley, M. March 2011. 'National Reports on Arms Exports.' In SIPRI Fact Sheet. p. 5.

arms export policy and be a hindrance to the use of one of their most cherished foreign policy instruments. This is not to say that no norm at all ever emerged at the international level in this area.

3.5.2.1. The EU outreach framework

At first fully exempted from the scope of application of the European treaties[1736], arms export controls entered the EU's CFSP acquis in the end of the 1990s. The rules introduced by the EU were designed by and for EU member states, but not only. On paper, the 1998 Code provided that

> *"the Member States will use their best endeavours to encourage other arms exporting states to subscribe to the principles of the Code of Conduct".*[1737]

But in practice, they demonstrated little interest in diffusing EU best practices. In the early 2000s, the COARM barely discussed this issue in its meetings, and only a few seminars were funded by the EU in order to promote the adoption of EU legislations in non-EU Europe[1738]. The interest for associating non-EU states only grew in the mid 2000s. A comparison between the 1998 Code and 2008 Common illustrates this shift. Whereas the former only stated an objective, the latter additionally substantiated how EU member states shall promote EU best practices in arms export controls:

> *"Member States shall use their best endeavours to encourage other States which export military technology or equipment to apply the criteria of this Common Position. They shall regularly exchange experiences with those third states applying the criteria on their military technology and equipment export control policies and on the application of the criteria".*[1739]

In order to foster this exchange of experience, the EU initiated different types of activities. It first continued (and intensified) the outreach activities it had previously launched to inform other states on EU practices, principles and standards in arms export controls, e.g. through the organisation of seminars or workshops raising awareness[1740]. Second, it deepened its engagement by creating an institutionalised framework within which the EU would help third countries implementing particular practices or attaining EU standards. For that purpose, the EU adopted in 2008 a joint action[1741], replaced in 2009[1742], indicating different ways of assisting third countries, e.g. by helping them drafting and implementing legislation, training their staff, and

[1736] Art. 223.b., Treaty of Rome. 25 March 1957.
[1737] Art. 11., operative provisions, Council of the European Union. 5 June 1998. 'European Union Code of Conduct on Arms Exports.'
[1738] Holtom, P. and Micic, I. 2012. 'European Union Arms Export Control Outreach Activities in Eastern and South Eastern Europe.' *SIPRI Non-Proliferation Papers* vol.14.
[1739] Art. 11., Council of the European Union. 8 December 2008. 'Council Common Position Defining Rules Governing Control of Exports of Military Technology and Equipment.'
[1740] Holtom, P. and Micic, I. 2012. 'European Union Arms Export Control Outreach Activities in Eastern and South Eastern Europe.' *SIPRI Non-Proliferation Papers* vol.14. p. 2.
[1741] Council of the European Union. 17 March 2008. 'Council Joint Action on Support for EU Activities in Order to Promote the Control of Arms Exports and the Principles and Criteria of the EU Code of Conduct on Arms Exports among Third Countries.'
[1742] Council of the European Union. 22 December 2009. 'Council Decision on Support for EU Activities in Order to Promote the Control of Arms Exports and the Principles and Criteria of Common Position 2008/944/CFSP among Third Countries.'

elaborating national reports on arms exports. The German Federal Office of Economic and Export Control (BAFA) was designated in 2009 as the body responsible for the technical implementation of the assistance projects. More recently, the EU finally sought created room for a more active participation from third countries by associating them to its arms export control system. In 2011, it launched the idea of an information exchange mechanism that would allow EU member states and third countries aligning with EU common positions (e.g. on arms embargoes) to exchange relevant information on arms export controls[1743]. In 2012, the EU, thus allowed Serbia to participate in its political dialogue on arms export controls[1744].

These instruments (outreach, assistance and association) are all designed with the purpose of promoting the criteria and principles of the EU's arms export controls policy among third countries. But to what extent can we consider that these criteria and principles are genuinely EU criteria and principles? These have not been created *ex nihilo* by the EU. They emerged in an international and regional context, in which the idea of controlling arms exports had already taken root; i.e. in a context in which there were already existing schemes of inter-governmental cooperation and in which states, like Serbia and Macedonia, and international actors, like the EU were already jointly partaking. It would be misleading, therefore, to assume that these EU norms, which Serbia and Macedonia have adopted at different degrees, have been created, genuinely, "by the EU". They are the focal reflection of international and regional norms too. What bears the genuine mark of the "EU", then, is not so much the normative substance of the messages diffused by the EU. It is the EU's emphasis on their observance, which amplifies and enhances the transformative potential of international and regional signals and fosters their diffusion.

3.5.2.2. EU norms vs. international treaty obligations

Arms export controls remain a policy field where international cooperation is indispensable, but international norms are rare. There is, as a matter of fact, a multitude of arms export policies worldwide –some being restrictive and transparent, others being lax and secretive. But there is no international principle of law demanding the harmonisation of states' criteria-based regimes, and no international treaty setting international standards of transparency in arms export policy. There are yet a few international obligations and regional initiatives informing both the EU and Serbia and Macedonia's arms export policies.

There is first an obligation stemming from the Charter of the United Nations, which stipulates that

> *"all Members shall give the United Nations every assistance in any action it takes in accordance with the present Charter, and shall refrain from giving*

[1743] Council of the European Union. 30 December 2011. 'Thirteen Annual Report According to Article 8(2) of Council Common Position 2008/944/CFSP.'
[1744] These meetings enable the exchange of information on export policies to specific destinations, compliance and control issues. Before 2009, they were known as COARM-Troika meetings. The EU holds political dialogue meetings only with Norway, Russia, Ukraine, Canada and the US, and since 2012 Serbia. Council of the European Union. 14 December 2012. 'Fourteenth Annual Report According to Article 8(2) of Council Common Position 2008/944/CFSP.'

assistance to any state against which the United Nations is taking preventive or enforcement action".[1745]

This obligation first implies that EU member states, as well as Serbia and Macedonia, shall be capable of controlling their arms exports. Otherwise they would not be able to "refrain from giving assistance" to states against which the UN enforces an arms embargo. The second aspect of this obligation is more explicit. It commits UN member states to support UN actions, including, more specifically, when the UN decrees sanctions (e.g. arms embargoes). This UN obligation has been expressly adopted by the EU as *sine qua non* criterion for delivering arms export licences[1746]. But it is not *per se* an EU norm. Serbia and Macedonia, *qua* UN member states, were already bound to respect this obligation under the UN Charter. The EU's 1998 Code and third countries' alignment with it, therefore, did not bring anything substantively new in this respect. The legal obligation they contain pre-existed their inclusion in the EU's framework[1747]. They reflect the fact that the EU has always considered the UN as "the prime sanctioning actor" in international security[1748].

Beside the few alterations in the scope of the obligation imposed by the UN[1749], the EU does not leave much substantive imprint in this area. But the inclusion of international obligations in the realm of the CFSP, and their translation into EU law, makes these commitments more compelling. In order to assure a unified interpretation of UN sanctions, the EU usually incorporates the resolutions passed by the UN Security Council into the EU law in the form of a Council's common position[1750]. Failures to enforce UN sanctions, then, entail a breach of EU law –a breach against which the EU may act with more determination and less hindrance than the UN Security Council.

The EU applies the same logic with other international obligations. Its 1998 Code lists series of international treaties, the observance of which shall guide governments' decisions on arms export licensing[1751]. Any violation of these legally binding agreements is due to have negative implications imposed on the violators, through the agency of the UN Security Council, of course, acting under international law, but also (and above all) through the more purposive agency of the EU.

[1745] Art. 2 (5), United Nations. 1945. 'Charter of the United Nations.'

[1746] Criterion one of the EU's 1998 Code is entitled: "Respect for the international commitments of Member States, in particular the sanctions decreed by the UN Security Council". It further states: "an export licence should be refused if approval would be inconsistent with, inter alia: (a)the international obligations of Member States and their commitments to enforce UN, OSCE and EU arms embargoes". Council of the European Union. 5 June 1998. 'European Union Code of Conduct on Arms Exports.'

[1747] The situation was/is different for non members of the UN, e.g. the Federal Republic of Germany until 1973 or Kosovo today, because the EU (through the Treaty of Rome for the former and through its SAp for the latter) actually introduced obligations which would not [have] exist[ed] outside the EU's framework.

[1748] Kreutz, J. 2005. 'Hard Measures by a Soft Power? Sanctions Policy of the European Union 1981-2004.' vol.45.

[1749] For instance, the EU decreed an arms embargo against Sudan (1669-2001), while other measures were taken by the UN. Ibid.

[1750] Point 3.1.3, Council of the European Union. 29 April 2009. ' User's Guide to Council Common Position 2008/944/CFSP Defining Common Rules Governing the Control of Exports of Military Technology and Equipment.'

[1751] The Treaty on the non-proliferation of nuclear weapons (NPT), the biological ad toxin weapons convention (BTWC) and the Chemical weapons convention (CWC).

3.5.2.3. EU norms vs. international humanitarian customary law obligations

The same logic applies to the EU's promotion of human rights and international humanitarian law. The EU's 1998 Code posits as *sine qua non* criterion that human rights shall be respected in the country of final destination[1752]. The 2008 Common Position additionally commands that arms export licenses shall be denied when there is a "clear risk […] of serious violations of international humanitarian law"[1753]. These obligations are no EU obligation *per se*. They are principles of international customary law creating *erga omnes* obligations, the resonance of which, however, has been amplified by the EU's collective system of arms export controls. Arms exports arguably enter the scope of application of the Geneva Convention, which commit states

> *"to undertake to respect and to ensure respect for the present Convention in all circumstances".*[1754]

This commitment suggests that the parties, which fail to prohibit the export of arms in countries flouting human rights and international humanitarian law, also fail to observe their obligation under international law. It is here a matter of customary law, for which a non-restrictive interpretation is prescribed: the prohibition of arms transfers, the use of which is *per se* contrary to humanitarian rules, shall also apply to transfers among states that are not involved in an armed conflict[1755]. This principle shall also apply to arms transfers intended to flout human rights. As emphasised by the Parliamentary Assembly of the Council of Europe:

> *"many arms exports may be used for the violation of human rights over which the exporting country has no control, except to refuse to export arms which could be used for domestic repression".*[1756]

The existence of this international principle of customary law shall not devaluate the EU's initiative in promoting its diffusion. The EU did not "create" from scratch its "number-two" (humanitarian) criterion. But its re-utterance by the Council, and its designation as *sine qua non* criterion in the EU's system of arms export controls, is of great value. It strengthens the compellingness of international obligations in the field, as well as the epistemic credibility of the other actors involved in this area. The EU, in its User's Guide accompanying the 1998 Code, for instance, does not define the term of "serious violations" in an unambiguous manner. It does not provide a list of offences, nor does it specify the point from which characterised violations become "serious". Rather than substituting itself to exiting definitions and characterisations, the EU calls for acknowledging their epistemic validity. The User's Guide provides

[1752] Criterion 2, Council of the European Union. 5 June 1998. 'European Union Code of Conduct on Arms Exports.'
[1753] Council of the European Union. 8 December 2008. 'Council Common Position Defining Rules Governing Control of Exports of Military Technology and Equipment.'
[1754] Art. 1, Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War. 12 August 1949.
[1755] Brehm, M. 2005. 'Conventional Arms Transfers in the Light of Humanitarian and Human Rights Law.' Doctoral thesis.
[1756] Point 5, Parliamentary Assembly of the Council of Europe. 27 December 1989. 'Arms Sales and Human Rights.'

the following: when regional bodies (e.g. the UN, the Council of Europe, the OSCE, the EU) raise serious concerns over violations human rights; when the situation in the country of export shows signs of "grave breach" of humanitarian law, as defined by the Geneva Convention[1757]; or when there are signs of "crimes against humanity", as defined by the Rome Statute[1758], then the participants to the 1998 Code shall deny the issuance of arms export licenses[1759]. What matters most for the EU here is not to construct and diffuse its own definitions –it is to amplify the diffusion of already existing norms.

Where the EU action also makes a difference is in its adoption of sanctions outside the framework of UN decisions, usually following concerns over human rights. Although the EU readily admits its preference for enticing change through incentives rather than sanctions, it recognised, already in 2001, that negative measures "may be appropriate" when third countries demonstrate no genuine commitment to dialogue and consultation[1760]. But here again, EU autonomous sanctions shall not be seen in isolation of their international normative context. As explained in the EU's policy framework,

> *"the Council is committed to using sanctions as part of an integrated, comprehensive policy approach which […] could even involve, as a last resort, the use of coercive measures in accordance with the UN Charter".*[1761]

EU sanctions may not always aim to implement UNSC resolutions, but even when they are imposed on an autonomous basis, i.e. without UN mandate, they respond to violations of international principles (including human rights) also enshrined in the UN Charter. Thus, the EU's emphasis on human rights and humanitarian law in arms export controls is an amplification of these principles, rather than sheer creation.

3.5.2.4. EU norms vs. international best practices

The EU applies a similar logic in transparency matters, where international norms are not as binding, legally, as treaty obligations or international customary law. By creating an obligation to report on arms transfers, the 1998 Code of conduct is certainly progressive. Before, the only regimes that existed in transparency matters were based on voluntary participation. In 1991, the United Nations established such a regime through the creation of a Register of Conventional Arms (UNROCA) under

[1757] Art. 147 defines grave breaches of humanitarian law as acts "committed against persons or property protected by the present Convention: wilful killing, torture or inhuman treatment, including biological experiments, wilfully causing great suffering or serious injury to body or health, unlawful deportation or transfer or unlawful confinement of a protected person, compelling a protected person to serve in the forces of a hostile Power, or wilfully depriving a protected person of the rights of fair and regular trial prescribed in the present Convention, taking of hostages and extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly". Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War. 12 August 1949.
[1758] Art. 7, Rome Statute of the International Criminal Court. 17 July 1998.
[1759] Michel, Q. and Tsukanova, M. July 2011. 'The European Union Export Control Regime of Arms: Comment of the Legislation: Article-by-Article.'
[1760] European Commission. 8 May 2001. 'The European Union's Role in Promoting Human Rights and Democratisation in Third Countries.' p. 8.
[1761] Council of the European Union. 2 December 2005a. 'Basic Principles on the Use of Restrictive Measures (Sanctions) '.

the aegis of the United Nations Office for Disarmament Affairs (UNODA). Its aim, like the EU's 1998, was to

> *"prevent the excessive and destabilizing accumulation of arms, including conventional arms, in order to promote stability and strengthen regional or international peace and security".*[1762]

The UN Register, of course, was not designed to be as exhaustive as its EU counterparts (i.e. the national and EU arms reports elaborated in accordance with the EU's Code of conduct). It only contains data on arms export volumes, does not cover all types of military equipment[1763], and it does not cover brokering activities. But the creation of the UNROCA in the early 1990s arguably raised the international interest for transparency matters in arms trade. Most of EU member states participate in this Register, as well as Macedonia (but not Serbia).

In addition to the UNROCA, the UNODA harbours since 2002 another voluntary platform, aiming at fostering

> *"the exchange of national legislation, regulations and procedures on the transfer of arms, military equipment and dual-use goods and technology, [so as to] contribute to mutual understanding and confidence among Member States".*[1764]

Both Serbia and Macedonia (as well as most of EU member states) participate in the platform. The promotion of transparency in armament, then, is not the preserve of the EU.

Sometimes, the EU "imports" the practices established by other regional settings, and adopts them, "where appropriate", as its own, in accordance with its own principles[1765]. Its 2000 Community regime for the control of export of dual-use items, for instance, emerged in an international context, which already promoted the control of dual-use items exports. A key instrument in this area was the Wassenaar Arrangement (WA), established in 1995 in order to promote "transparency and greater responsibility with regard to transfers of conventional arms and dual-use goods and technologies"[1766]. Politically binding, the WA begets the elaboration of a "List of Dual-Use Goods and Technology", for which WA countries shall maintain effective export controls[1767]. This WA Dual-Use List is based on a set of criteria, the validity of which the EU implicitly acknowledges by incorporating the items listed by the WA into its own Dual-Use List[1768]. Although Serbia and Macedonia are not participating

[1762] United Nations General Assembly. 6 December 1991. 'Resolution on Transparency in Armaments.'
[1763] Only the most lethal ones are included in the Register (battle tanks, armoured combat vehicles, large-calibre artillery systems, combat aircraft, attack helicopters, warships and missiles and missile launcher). Small arms and light weapons have just entered the Register recently. Other items, as well as technology and dual-use goods a are not included.
[1764] United Nations General Assembly. 30 December 2002a. 'Resolution on National Legislation on Transfer of Arms, Military Equipment and Dual-Use Goods and Technology '.
[1765] Operative provisions, art. 5. Council of the European Union. 5 June 1998. 'European Union Code of Conduct on Arms Exports.'
[1766] Wassenaar Arrangement. 12 July 1996. 'Press Statement.'
[1767] WA countries include most but not all EU member states (e.g. Cyprus)
[1768] See for instance Point 6.§2., Council of the European Union. 14 December 2012. 'Fourteenth Annual Report According to Article 8(2) of Council Common Position 2008/944/CFSP.'

in the WA, their alignment with the EU's 2000 Common regulation then necessarily brings them closer to the WA. No wonder then that both countries, since their alignment in 2005 with the EU's 2000 Common regulation, now strive for joining the WA[1769].

It is in this context that the Europeanisation of Serbia and Macedonia's arms control policy shall be understood. The EU certainly matters in the promotion of progressive norms in the area. But its contribution should not be overestimated. Most of the norms, which the EU seeks to diffuse, have populated the international domain for many years. The contribution of the EU, then, is not one of a norm-shaper. It rather boils down to amplifying their signal and inflating their compellingness.

3.5.3. Argumentative analysis

3.5.3.1. Structural analysis

The criteria, principles and practices constituting the EU's system of arms export controls are part of the EU's CFSP acquis. They convey obligations of a political and legal nature, applicable to all EU member states engaged in the transfer of arms and dual-use items: they command the adoption of certain standards, in the issuance of export licenses and in transparent reporting, and the effective enforcement of collective sanctions, whether decreed autonomously by the EU or deriving from UN resolutions. Though only applicable to EU member states, these obligations have become a matter of concern for would-be member states as well. This is little surprising, since the EU has included arms export controls in its conditionality dialogue with prospective member states.

Legalistically speaking, EU obligations in the area remain limited. Serbia and Macedonia, being non-EU states, are not bound by EU law, unlike actual EU member states[1770]. But the realisation of their EU accession prospect certainly depends on the harmonisation of their national legislation, including in the field of arms export controls. As EU candidate states, Serbia and Macedonia are explicitly "required to apply the EU regime" in dual-use items export controls[1771]. They shall similarly adopt the criteria and principles promulgated in the 1998 Code of conduct on arms exports, and make sure to "apply, monitor and control the implementation of EU sanctions and restrictive measures"[1772], just as EU member states do. It is, in fact in this area that the EU's conditionality approach towards Serbia and Macedonia has been the most

[1769] Macedonia started to express its interest for the WA in 2006 and formally asked to be associated to the WA in 2011 (through the WA Outreach programme). Serbia formally applied for WA membership in 2008.
[1770] Their Stabilisation and Association Agreement specifically excluded the "production of, or trade in, arms, munitions or war materials" from the scope of the treaty, "provided that such measures do not impair the conditions of competition in respect of products not intended for specifically military purposes". Art. 116 Stabilisation and Association Agreement between the European Communities and their Member States of the one part and the former Yugoslav Republic of Macedonia of the other part. 26 March 2001. Art. 127 Stabilisation and Association Agreement between the European Communities and their Member States of the one part and the Republic of Serbia of the other part. 22 January 2008.
[1771] European Commission. 'Dual Use'. [accessed 15.2.2013].
[1772] European Commission. 7 June 2004. 'Main Administrative Structures Required for Implementation of the Acquis.' p. 87.

demanding. In its questionnaire addressed to Serbia (in 2010)[1773] and Macedonia (in 2004) [1774], the Commission specifically requested detailed information on the applicants' sanctions policy. Among the questions asked (31.C.), the Commission enquired into the applicants' trade in arms with countries against which the EU maintains arms embargoes, and their administrative and legal capacities to implement international sanctions. These questions give clear indication of the EU's expectations in harmonisation matters.

3.5.3.1.1. Macedonia: straightforward harmonisation through compliance

Macedonia started to acknowledge the EU's expectations in this area already in 2004, in the context of its application to EU membership. It has ever since maintained an intense conditionality dialogue with the EU, in all the dimensions relevant to arms export controls, especially sanctions policy. In 2006, Macedonia, for the first time, acknowledged its duty, as EU candidate state, to "harmonise its national practices with EU legislation concerning CFSP" in the area[1775]. This duty had roots in the political dialogue the EU had set up with Macedonia already in 1997. One of its objectives was to

> *"bringing about mutual understanding and increasing convergence on international issues, and in particular on those matters likely to have substantial effects on one of the other Party".*[1776]

Arms export controls, obviously, were one of those matters. But in the absence of conditionality dialogue on this specific issue[1777], Macedonia did not consider harmonising its legislation until it started to prepare its application for EU membership[1778]. CFSP issues had mostly been left aside in Macedonia's SAp, but it was definitely included in the accession process[1779]. Macedonia then waited until 2004 to unilaterally accept the EU's 1998 Code of conduct on arms exports. As declared by the government itself:

> *"As part of the process of gradual adoption and introduction of the CFSP acquis into the national legislation, the Government of the Republic of Macedonia at its session of 1 November 2004 adopted the Decision on Unilateral Acceptance of the European Code of Conduct on Arms Exports of 8 June 1998. Although the Code is a politically-binding instrument and Macedonia is not a member of the EU, the Government has ever since*

[1773] European Commission. 2010e. 'Questionnaire Delivered by the European Commission to the Republic of Serbia.'
[1774] European Commission. 2004. 'Questionnaire Delivered by the European Commission to the Republic of Macedonia.'
[1775] Government of the Republic of Macedonia. June 2006. 'Annual Arms Export Report 2005.'
[1776] Point 1.4., Council of the European Union. 29 April 1997c. 'Joint Declaration on Political Dialogue between the EU and the Former Yugoslav Republic of Macedonia.'
[1777] The EU's SAA annual reports, which reviewed Macedonia's progress until 2004, do not include CFSP issues.
[1778] Macedonia formally applied for EU membership in March 2004.
[1779] The Commission, for instance, explicitly asked Macedonia in October 2004 if it had "legislation in place […] in line with the EU Code of Conduct on Arms Exports" and if it had "plans to modify the existing legislation". See Chapter 27 Common foreign and security policy, question number 7, Republic of Macedonia. 2005. 'Answers of the Republic of Macedonia to the EU Questionnaire Delivered by the European Commission.' p. 33/53.

evaluated all requests for authorization of exports of weapons and military equipment in line with the criteria established by the Code".[1780]

The same logic guided Macedonia's alignment with the EU's 2008 Common position on arms export –a logic commanding timely "compliance" and "harmonisation" with the new rules promulgated by the EU in the area[1781]. Effectively bound, through conditionality, to "increasing convergence on international issues"[1782], Macedonia could neither procrastinate nor tergiversate. It had to keep pace with the changes affecting the EU's legislation in the area, in order to realise its EU accession prospects.

The same applied to Macedonia's adoption of EU criteria, principles and practices in the field of dual-use items export controls. As the government was drafting its 2005 Law on dual-use items in line with the EU's 2000 Council regulation setting up a Community regime in the area, it gave the following rationale:

"Since the country is in the process of association to the European Union, there is also a need for full harmonization of the national legislation with the corpus of international instruments in this field".[1783]

Macedonia had been dialoguing with the EU on political issues since 1997, but in the absence of a more specific conditionality approach on the issue, no attention had been paid to harmonising the legislation so far. As the Commission submitted its Questionnaire to the government of Macedonia in October 2004, however, the situation changed. Foreign policy issues ceased to be excluded from the EU's scrutiny, and the Commission started to be specifically interested in Macedonia's system of dual-use items export controls[1784]. From this point on, compliance with EU norms became meaningful. In 2008, Macedonia likewise justified the updating of its legislation on dual-use items export controls by the necessity to keep harmonising its national legislations with the EU's changing Community regime[1785].

A very similar logic of compliance sheds light on Macedonia's unstable commitment to transparent reporting. In 2006, for the first time, Macedonia acknowledged its duty to publish national reports, stating the following:

"Macedonia unilaterally accepted the European Code of Conduct on Arms Exports in November 2004. As such, it is obliged to explain the practical conduct of its arms export control policy to its partners and make sure that it

[1780] Government of the Republic of Macedonia. June 2006. 'Annual Arms Export Report 2005.'
[1781] Government of the Republic of Macedonia. 2012. 'National Programme for the Adoption of the Acquis Communautaire.' p. 332.
[1782] Point 1.4., Council of the European Union. 29 April 1997c. 'Joint Declaration on Political Dialogue between the EU and the Former Yugoslav Republic of Macedonia.'
[1783] Republic of Macedonia. May 2003. ' Report of the Republic of Macedonia on the Implementation of the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.'
[1784] The Commission explicitly asked Macedonia in October 2004 whether it participated or intended to participate in the different international regimes concerning, *inter alia*, dual-use technology. See Chapter 27 Common foreign and security policy, question number 4, Republic of Macedonia. 2005. 'Answers of the Republic of Macedonia to the EU Questionnaire Delivered by the European Commission.' p. 26/53.
[1785] Government of the Republic of Macedonia. March 2008. 'National Programme for the Adoption of the Acquis Communautaire.'

is responsible and reliable, to share accurate information in a timely manner and cooperate on the matter in the spirit of transparency and good will"[1786].

Macedonia's sudden interest for transparent reporting directly followed up on its adoption of the EU's 1998 Code. Macedonia also complied the following year with the EU's practice, but it then relaxed its commitment, without the EU raising eyebrows[1787]. In the absence of conditionality dialogue on this specific issue[1788], compliance with the provision of the 1998 Code on transparent reporting did not last long. This shortcoming shows the importance, for compliance to be achieved, of sustaining a conditionality approach that is constant and specific.

A very good illustration of this requirement is provided in the field of international sanctions, where the weight of EU normative structures is more significant than in other dimensions of arms export controls. EU conditionality, in this field, is not limited to ensuring that EU candidate states harmonise their legislation. It applies throughout the policy process, with en emphasis on the actual and effective implementation of EU sanctions. The harmonisation of Macedonia's sanctions policy should, again, be understood in the framework of the EU-Macedonia political dialogue aiming at "increasing convergence on international issues"[1789]. But in the absence of conditionality dialogue on this specific issue[1790], Macedonia did much pay attention to harmonising its legislation and systematically implementing EU sanctions. The watershed, again, came with the Commission's questionnaire submitted in 2004, which raised a series of questions on Macedonia's capacity of, and efficiency in, implementing EU sanctions[1791]. In 2005, the Commission went further in the expression of conditionality, noting that Macedonia "will need to adjust its administrative capacity to EU standards" and "clarify its legal framework"[1792]. The government responded to that purpose by initiating a procedure for drafting a law on international restrictive measures[1793], guaranteeing the effective implementation of EU sanctions "pursuant to the EU standards"[1794]. The EU's insistence to increase the legal capacity and the efficiency of Macedonia's sanctions policy[1795] led Skopje to actually treat the issue as "short-term priority"[1796], and the law was indeed passed in March 2007, i.e. less than two years after the EU shared its first concerns.

[1786] Government of the Republic of Macedonia. June 2006. 'Annual Arms Export Report 2005.' p. 2.
[1787] No mention is made in EU documents relating to Macedonia's European integration to the absence of published arms export reports since 2007.
[1788] The fact that Macedonia has failed to publish arms report since 2007 has not ever been critically addressed the Commission. The negligible amounts of armament traded by Macedonia may explain this permissiveness.
[1789] Point 1.4., Council of the European Union. 29 April 1997c. 'Joint Declaration on Political Dialogue between the EU and the Former Yugoslav Republic of Macedonia.'
[1790] The SAp did not include sanctions policy in its conditionality framework.
[1791] See Chapter 27 Common foreign and security policy, question number 8 and 9, Republic of Macedonia. 2005. 'Answers of the Republic of Macedonia to the EU Questionnaire Delivered by the European Commission.' p. 37/53-38/53.
[1792] European Commission. 9 November 2005a. 'Analytical Report for the Opinion on the Application from the Former Yugoslav Republic of Macedonia for EU Membership.'
[1793] Government of the Republic of Macedonia. June 2006. 'Annual Arms Export Report 2005.'
[1794] Government of the Republic of Macedonia. March 2006. 'National Programme for the Adoption of the Acquis Communautaire.'
[1795] European Commission. 8 November 2006a. 'The Former Yugoslav Republic of Macedonia 2006 Progress Report.'
[1796] Point 3.31.2., Government of the Republic of Macedonia. April 2007. 'National Programme for the Adoption of the Acquis Communautaire.'

With the adoption of the law, the structural weight of EU norms did not disappear. It shifted towards making sure that Macedonia would effectively "implement the legislation for enforcement of the common position in the field of international restrictive measures"[1797]. The Commission advocated in 2008 "further coordination between the competent authorities" [1798], and Macedonia, a few months after, responded by the creation for this purpose of a working group within the MFA in charge of reviewing the implementation of EU and international sanctions[1799]. In 2011, the Commission accordingly praised Macedonia's readiness to follow its instructions[1800]. Conditionality certainly lies at the crux of Macedonia's convergence in sanctions policy. And the role of the Commission therein, as a major source of structural forces, cannot be underestimated. But its regular engagement was also supported by the Council, which enshrined in Macedonia's accession partnership the obligation to "implement the legislation for enforcement of the common position in the field of international restrictive measures"[1801], and by the European Parliament, which for instance in 2011 reminded "Macedonia of its obligation to adhere to the CFSP Common Positions, especially those referring to restrictive measures"[1802]. The emphasis those EU institutions put on compliance with this obligation is paramount. It is the only obligation stated under Chapter 31 in Macedonia's accession partnership[1803], and it is presented as major achievement in most of Macedonian government's national programmes for integration in the EU[1804].

All in all, the conditionality dialogue, which Macedonia maintained with the EU, shows that Macedonian authorities have been very receptive to EU recommendations; that compliance with EU criteria, principles and practices played an important role in adjusting Macedonia's arms export policy to EU standards; and that conditionality proved most effective when it was specific and consistent. The significance of compliance as a mechanism of Europeanisation is far from negligible, even in the subjective perceptions of Macedonian officials. As stated by one of them in the MFA, responsible for the implementation of restrictive measures,

> *"on some issues, we are simply asked to do something, or not to do specific things, and to align ourselves, if we want to do so. This is something which is*

[1797] Council of the European Union. 18 February 2008b. 'Council Decision on the Principles, Priorities and Conditions Contained in the Accession Partnership with the Former Yugoslav Republic of Macedonia.'
[1798] European Commission. 5 November 2008c. 'The Former Yugoslav Republic of Macedonia 2008 Progress Report.'
[1799] European Commission. 9 November 2010b. 'The Former Yugoslav Republic of Macedonia 2010 Progress Report.'
[1800] European Commission. 12 October 2011c. 'Enlargement Strategy and Main Challenges 2011-2012.'
[1801] Council of the European Union. 18 February 2008b. 'Council Decision on the Principles, Priorities and Conditions Contained in the Accession Partnership with the Former Yugoslav Republic of Macedonia.'
[1802] European Parliament. 7 April 2011. 'European Parliament Resolution on the 2010 Progress Report on the Former Yugoslav Republic of Macedonia.'
[1803] Council of the European Union. 18 February 2008b. 'Council Decision on the Principles, Priorities and Conditions Contained in the Accession Partnership with the Former Yugoslav Republic of Macedonia.'
[1804] See for instance Government of the Republic of Serbia. December 2009. 'National Programme for Integration with the European Union.'

> *more one-sided process. We have not been invited to discuss specifically the content of the instruments, it's more a take-it-or-leave-it approach"* [1805].

This "take-it-or-leave-it approach", characterising the EU's conditionality dialogue with Macedonia in this field, arguably also explains Macedonia's predilection for fast-track, direct, unreflexive harmonisation. Rather than seeking to negotiate the adaptation of their domestic rules to EU standards, Macedonian authorities have been prone to adopt EU legislations as a whole, importing them directly in their legislative body as if they had been conceived within their own regulatory system. They have also been prone to literally translate their content exhaustively, rather than re-writing it on the basis of what existed before. They have finally been prone to comply with EU recommendations, as if they stemmed from their own governance structures, and abstained from questioning their appropriateness. This approach, facilitated by the intensity of the EU's conditionality dialogue in most dimensions, arguably paved the way of Macedonia's fast-track harmonisation. But it notably differed from Serbia.

3.5.3.1.2. Serbia: (partial) harmonisation without compliance

Arms export controls have long been ignored by the EU's conditionality dialogue with Serbia. Until 2011, the EU made no mention of purported obligations in the area, despite its regular communications on Serbia's adoption of the CSFP acquis. Of course, Belgrade also committed itself to "increasing convergence on international issues" through political dialogue with the EU, but it did so much later than Macedonia, in September 2003[1806]. And this commitment was very general: it could hardly be used as a basis for the exercise of conditionality in the field of arms export controls. Until Serbia prepared its submission to become an EU candidate, harmonisation in the field took mostly place outside of the EU's conditionality scrutiny. The partial alignment with the EU's 1998 Code of conduct on arm exports and Council regulation on dual-use items in 2005, the initiation of the legal process concerning the adoption of the law on restrictive measures, also in 2005, and the publication of detailed arms reports from 2007, then, cannot be explained through mere compliance. Serbia had expressed a general objective in 2003 regarding "increasing convergence"; but it was not specifically obliged to follow up on it in this specific area. In fact, the Commission's progress reports bear no marks of Serbia's (non) compliance with EU criteria, principles and practices in arms export controls. The only recommendation formally expressed by the EU in this area comes after 2011, when Serbia responded to the Commission's questionnaire and became EU candidate state. It acknowledged the fact that "Serbia implements United Nations Security Council restrictive measures", but noted, however, that

> *"there is no system for tracking its implementation of EU restrictive measures. Serbia needs to establish a consistent approach and consolidated data in this connection"* [1807].

[1805] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, CFSP Unit. Skopje, 07/03/2011

[1806] Council of the European Union. 17 September 2003. 'Joint Declaration on Political Dialogue between the EU and Serbia and Montenegro.'

[1807] European Commission. 12 October 2011a. 'Analytical Report for the Opinion on Serbia's Application for Membership of the European Union.'

This recommendation, for the first time, addressed a specific issue: Serbia's failure since 2005 to pass a law on restrictive measures, which would "bring the existing legislation in line with EU standards and practices" [1808]. Apart from this, there is little substance, even today, in the EU's conditionality dialogue with Serbia in arms export controls, even though occasionally and "on important issues typically related to human rights", EU member states did launch diplomatic demarches to ascertain Serbia's effective enforcement of EU collective sanctions, with some success (against Myanmar in 2007)[1809].

Compliance can then hardly explain the changes observed in Serbia's arms export controls policy. Still, the idea of complying with EU standards is sometimes suggested as a rationale in Serbian official documents. But this idea is advocated unilaterally, not in response to EU demands or conditions, which shatters the validity of the claim. In 2007, for instance, Serbia argued that its first arms report was intended to

> *"providing an overview of export and import control of weapons, military equipment and dual-use goods in line with recommendations, standards and codes of conduct of the European Union".*[1810]

But Serbia had not accepted the EU's 1998 Code by giving it legal precedence over national legislation. The publication of its first arms report, thus, primarily responded to obligations under domestic law. In spring 2008, Serbia had not fully aligned itself or unconditionally accepted the EU's 1998 Code. But this lack of approximation was not considered as an issue, since Serbia was not bound to do so under EU conditionality. The Serbia's SAA excluded "trade in arms, munitions and war materials […]" from its scope of application[1811], and the Commission was still refraining from reviewing Serbia's progress in this area. Yet, in October 2008, the government stated that Serbia was "making efforts to harmonise its activities and legislation with the standards of the EU in the field of arms control"[1812], and indeed, in November 2008, it adhered to the EU's Code of conduct. Compliance, here again, cannot conclusively explain Serbia's behaviour, even though it is sometimes implicitly exposed as rationale by Serbian governmental actors, as a sign of their commitment to European integration.

3.5.3.2. Dispositional analysis

Serbia and Macedonia first considered aligning their respective systems of arms export controls with the EU in the mid-2000s[1813]. At that time, they did not participate

[1808] Ministry of Foreign Affairs of the Republic of Serbia. 'Arms Control, Non-Proliferation of Weapons of Mass Destruction, Export Controls And Other Activities'. [accessed 6.4.2013].
[1809] Interview with an Official from the Delegation of the European Union to the Republic of Serbia, Political Section. Belgrade, 16/09/2011
[1810] Republic of Serbia. 2007. 'Annual Report on the Realization of Foreign Trade Transfers of Controlled Goods for 2005 and 2006.' p. 1.
[1811] Art. 127 b., Stabilisation and Association Agreement between the European Communities and their Member States of the one part and the Republic of Serbia of the other part. 22 January 2008.
[1812] Government of the Republic of Serbia. October 2008. 'National Programme for Integration with the European Union.'
[1813] Macedonia declared its unilateral acceptance of the EU's 1998 Code on 1st November 2004. Serbia adopted two legal acts, bringing its national legislation close to the Code, in February and March 2005.

in COARM meetings (not even as observers), and they did not discuss issues related to arms export controls with the EU in a structured manner. None of them had acquired the insider's understanding of the cooperative approach other member states, convening regularly in Brussels, had developed over years. Since they were not involved in the process of shaping the EU's arms export control system, they were, in a word, less socialised with EU practices and criteria. This is not to say that Serbia and Macedonia were bluntly "discovering" these norms; that their socialisation would have to start from scratch.

Serbia and Macedonia had, to start with, already practiced harmonisation in other policy fields. They were participating in the SAp and were familiar with EU principles. Most importantly, they had committed themselves to EU integration. The reform of their national system of arms export controls, thus, did not take place in a normative vacuum. It ensued as part of a dynamic, running for years, which sustained general dispositions in favour of European integration. And there is indeed a correspondence between the dynamic of EU integration in the Western Balkans and some of the major steps accomplished by Serbia and Macedonia with respect to the adoption of key EU legislations in the area.

3.5.3.2.1. Macedonia's unequivocal adherence to CFSP principles

Shortly before it had initiated its reform in arms export controls (in November 2004)[1814], Macedonia had formally applied for EU membership (in March 2004). Its application was being reviewed in Brussels precisely at the same time that the reform gained impetus. In October 2004, the Commission transmitted to Skopje its questionnaire (which included a few questions on arms export controls); in January 2005, Macedonia finalised its answers to the questionnaire; in November 2005, it received a positive recommendation from the Commission, and in December 2005, it was granted the status of EU candidate. The EU dynamic, at this point of the accession process, did not pay much attention to CFSP issues. But in spite of this, there is little doubt that the general atmosphere that prevailed at that time predisposed the would-be candidate of Macedonia to demonstrate its readiness to extensively adopt EU norms. After all, Macedonia laid the foundation of its unilateral participation in the EU's system of arms export controls precisely at the same time that it was taking a major institutional step towards the EU.

Conditionality, it has been seen, certainly played an important role in guiding the concrete steps in the reform process. But contextual forces, stimulated by the dynamic of European integration, also mattered. They fuelled dispositions incidentally facilitating the reform process, most notably, by associating Macedonia's adherence to EU norms with its endogenous support for the CFSP. As explained by the government on the eve of Macedonia's being granting the candidate status,

[1814] Unilateral acceptance of the EU's Code of conduct in November 2004, alignment with the Common position on arms brokering in June 2005 and the Council's regulation on dual-use items in September 2005, incorporation of the EU's control lists in its national system of arms control in December 2005 for dual-use items and December 2006 for arms, initiation of a procedure in 2005, which ended up with the adoption of a law on restrictive measures in line with the EU's sanctions policy in March 2007, and publication of its first arms export report in June 2006.

> *"The Republic of Macedonia has begun to undertake the required activities to be ready and able to support the relevant specific policies of the Union in the field of CFSP and ESDP. Falling within this framework, for example, is the unilateral acceptance of the European Code of Conduct on Arms Exports (01.11.2004)".*[1815]

As Macedonia was coming closer to the EU, it advocated more support for the CFSP –and this, according to the Macedonian government, implied the harmonisation of Macedonia's system of arms export controls. This rationale for harmonisation had deeper roots than conditionality. It presumed that Macedonia shared with the EU the principled belief that strengthening the CFSP and ESDP were appropriate actions for would-be member states; and that EU criteria and practices in arms export controls echoed EU principles, to which Macedonia had already adhered in the course of its decade-long experience with the EU. It presumed, moreover, that Macedonia shared with the EU the causal belief that aligning itself with the EU's Code of conduct on arms export, for instance, would indeed strengthen the EU's CFSP externally, e.g. in the effective implementation of EU sanctions. A clear illustration of this belief was given by the government of Macedonia, which prior to the 2007 Law on restrictive measures, declared:

> *"Guided by the commitment to support the Common Foreign and Security Policy [Macedonia has] adopted and adhered to the Common Positions, Declarations, and Demarches of the European Union including those imposing sanctions and arms embargoes".*[1816]

Harmonisation, then, was also intended to share the EU's responsibility in the area and to contribute to the CFSP. It was seen as appropriate, considering Macedonia's outspoken intention to join the EU, and not merely as instrumentally necessary, following the EU's exercise of conditionality.

3.5.3.2.2. Serbia's more equivocal adherence to CSFP principles

In Serbia, the EU dynamic has also affected the propensity to advance harmonisation in arms export controls. Belgrade took a first major, albeit partial step towards the harmonisation of its arms export policy in 2005. It adopted decrees bringing Serbian legislation partially in line with the EU's 1998 Code of conduct on arms export and the 2000 Council regulation on dual-use items; it adopted the EU Military List (but not the Dual-Use List), and initiated a procedure to clarify the legal framework of its sanctions policy (to no avail). A second step was taken after a two-to-three year halt, in 2007-2008. Serbia published its first arms report with a one-year delay[1817] (in November 2007), and the government declared its full acceptance of the EU's Code of conduct (in November 2008). Harmonisation then came to a halt. Shortly before it took its first step, the Serbian government, interestingly, was engaged in preparing the opening of SAA negotiations –a milestone on the road to EU accession. In October

[1815] Republic of Macedonia. September 2005. 'Answers of to Additional Questions Referring to the Economic Criteria and the Chapters of the Acquis.'
[1816] Republic of Macedonia. May 2005. 'Report of the Republic of Macedonia on the Implementation of the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.'
[1817] No report was published in 2006 to cover the 2005 period. But the report published in 2007 covered both 2005 and 2006.

2004, the Council had welcomed the Commission's intention to launch a feasibility report[1818]; in April 2005, the Commission gave a positive assessment to the opening of SAA negotiations[1819]; and in October 2005, the EU accordingly launched its SAA negotiations with Serbia. Because it implied a renewed emphasis on harmonisation, this momentum certainly placed the 2005 reform under favourable auspices. The EU dynamic created a context in which Serbian actors could demonstrate their disposition to EU integration by intensifying their efforts at harmonising Serbian rules and practices, including in policy fields that were not directly covered by the SAA, i.e. arms export controls. Rather than waiting for the EU's exercise of conditionality, Serbia launched the reform knowing that "EU believes that it is necessary to apply the EU Code of Conduct in the field of arms export"[1820]. Its anticipation of the reform demonstrated that

> *"Serbia is aware that the best way to promote the interests of its citizens is an active approach, initiative and creativity in the area of foreign and security policy, which will also contribute to the EU's efforts for strengthening its global position".*[1821]

This statement reminds Macedonia's argument that would-be member states should contribute to the CFSP by taking decisive actions supportive of the EU's arms export controls policy. It was nonetheless tempered by another strategic priority, setting limits to Serbia's support of the CFSP: the defence of its national interests –e.g. in connection to the Kosovo issue and its international allies. Serbia's national security strategy clearly framed the limits of harmonisation, when it stated in 2009:

> *"Taking into account the interest of preserving its own territorial integrity and sovereignty, the Republic of Serbia will largely harmonize its foreign and security policy with the positions and activities of the EU in all the major issues of global, European and regional character".*[1822]

This conditional commitment to supporting the CFSP was no novelty. It was already there, impregnating the dispositional context in which the reform of Serbia's arms export controls system took place. In 2005, the national strategy for accession to the European Union provided

> *"[…] along with preserving and promoting of national interests […] Serbia will tend to align its foreign policy as much as possible with the principles of the Common Foreign and Security Policy of the EU (CFSP)".*[1823]

Serbia, in other words, did not see the CSFP as paramount for its foreign policy. It reserved the right to deviate from its general orientation, when alignment is deemed to

[1818] Council of the European Union. 11 October 2004. 'Press Release of the 2609th Gaerc Meeting.' p. 23.
[1819] European Commission. 12 April 2005. 'Communication from the Commission on the Preparedness of Serbia and Montenegro to Negotiate a Stabilisation and Association Agreement with the European Union '.
[1820] Government of the Republic of Serbia. May 2005. 'National Strategy of Serbia for the Serbia and Montenegro's Accession to the European Union.' p. 24.
[1821] Ibid. p. 47.
[1822] Republic of Serbia. October 2009. 'National Security Strategy of the Republic of Serbia.'
[1823] Government of the Republic of Serbia. May 2005. 'National Strategy of Serbia for the Serbia and Montenegro's Accession to the European Union.'

jeopardise the pursuit of its national interests. This more equivocal doctrine helps understanding why Serbia was not disposed on the onset of the 2005 reform to unilaterally declare its full, unconditional acceptance of EU criteria on arms export controls.

Besides, in a context of political cohabitation, the reform in Serbia could hardly end up with the full, one-off alignment of Serbian rules and practices with the EU. The election of the reformist, pro-EU candidate Boris Tadić at the Presidency of Serbia in June 2004 certainly fuelled the EU dynamic in 2004 and Serbia's overall dispositions to harmonisation. But it took place a few months after the formation of a new government, in March 2004, headed by a more Euro-sceptical, more pro-Russian figure, Vojislav Koštunica. Whereas President Tadić put EU affairs very high on Serbia's agenda, Prime Minister Koštunica became increasingly wary of EU integration[1824]. The 2005 law and decree on arms export controls incidentally reflect these internal tensions: they do not proclaim the unilateral acceptance of EU criteria, principles and practices. They reproduce most of the verbatim of the EU legislation, but do not create a direct link subordinating domestic legislations to EU law. They also relax some of the EU's criteria, possibly to accommodate Serbia's special relationship with NAM countries and Russia[1825]. The end product of the 2005 reform is harmonisation with Serbian characteristics.

The second step in Serbia's reform process started by the end of 2007, just after SAA negotiations resumed. SAA negotiations had been interrupted in May 2006 due to insufficient progress on Serbia's cooperation with the ICTY. No wonder that little efforts were consented between May 2006 and June 2007 to bring Serbia's system of arms export controls more in line with the EU: the dynamic of European integration had lost momentum. The re-election of President Tadić in February 2008 and the victory of his party campaigning "For a European Serbia" in the parliamentary elections of May 2008 re-launched the European integration dynamic, and the formation of a pro-EU government lifted key obstacles in the executive. In November 2008, the new government accordingly declared its acceptance of the EU's 1998 Code of conduct. The EU momentum, however, did not last long. Serbia's diplomacy soon turned away its attention towards the Kosovo issue. With Serbia's dual commitment to safeguarding Kosovo on the one side and progressing on European integration, internal tensions rose again in Serbia, which weakened the upholding of the EU dynamic. These ups-and-downs in Serbian politics do not explain Serbia's hesitant harmonisation. But they certainly help understanding why the pace of the arms export policy reform in Serbia has been unsteady, and why it has not been completed yet[1826].

3.5.3.2.3. European vs. international norms: adherence to what?

[1824] International Crisis Group. 22.7.2004. 'Serbia's Changing Political Landscape.' In Europe Briefing.
[1825] Relaxing the EU human rights criterion (e.g. by creating exceptions for violations of human rights in response to terrorism) and relaxing the commitment to enforce international sanctions (e.g. by omitting to include EU autonomous sanctions in the scope of application of the decree) gave more latitude to the Serbian government to deal with questionable situations (e.g. Myanmar on human rights and Armenia/Azerbaijan on the Nagorno-Karabakh conflict).
[1826] Serbia has not adjusted its legislation with the EU's state-of-the-art legislation in the field, namely the 2009 Council regulation on dual-use items and the 2008 Common position in arms exports.

Serbia and Macedonia's reforms however, also built on another normative context. Serbia and Macedonia, it has been argued, were not "discovering" EU criteria and practices. They had already encountered a softer version of them in the realm of international law (see section 3.5.2). This encounter was valuable, since it implied that Serbia and Macedonia had foreknowledge of EU norms; that the norms they would adopt could resonate with their own system of belief. Harmonisation, then, would not only build on the European integration dynamic. It would also build on the international context.

This disposition can easily be identified in Macedonia's official statements. Often, the rationale given by governmental officials to their country's alignment with EU criteria, principles and practices, exceeds the realm of European integration and casts its lens over the international system. The government of Macedonia, for instance, argued in 2006 that, independently of its EU accession prospects, it was its

> *"strong belief that the promotion of responsible export control and arms transfers strengthens global and especially regional security".*[1827]

This belief could easily find an expression in the straightforward adoption of EU *nec plus ultra* norms. Their adopting would not only serve the country's accession prospects; it would be a meaningful "contribution to the non-proliferation of WMD and fight against terrorism" [1828]. Because the norms diffused by the EU are not, in substance, different from international norms (despite their amplification), adopting them, according to Macedonian officials, amounted to "strengthening international peace and fulfilling the country's obligations stemming from international treaties"[1829]. This collusion of EU-related objectives (supporting the CFSP) and global concerns (about strengthening international security) is most visible in Macedonia's arms reports addressed to the UN. In those reports, Macedonia systematically responds to concerns over the "effective implementation of arms embargoes decided by the UN Security Council in accordance with the UN Charter" by detailing its commitment to EU criteria, principles and practices[1830]. One might argue that Macedonia's answers are off topic, since the UN does not recognise the EU's system of arms export controls as one of its instruments. But because the scope of EU restrictive measures include UN sanctions without being restricted to them, emphasising the enforcement of the former signals a broader commitment to international security. For Macedonia, adopting EU norms, in other words, is a means to demonstrate one's willingness to

> "*be identified in the international system as active contributors in the security sphere. Not only by the EU and its member states, but by all the international community".*[1831]

[1827] Government of the Republic of Macedonia. June 2006. 'Annual Arms Export Report 2005.' p. 2.
[1828] Ibid.
[1829] Ibid.
[1830] Republic of Macedonia. 31 March 2008. '2008 Report on Implementation of the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.'
[1831] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, CFSP Unit. Skopje, 07/03/2011

Europeanisation, for Macedonia, is way of assuming international responsibilities, not as future member of the EU, of course, but also as present member of the international community.

Serbia is not different in this respect, save the relative salience of its dispositions towards the international community. Its commitment to international obligations as rationale for the adoption of EU norms stands at the forefront of its line of arguments. Concerning the adoption of its 2005 law and decree, which copied most of the provisions of the EU's Code of conduct on arms export, Serbia argued that the reform, first of all, "provided for the harmonization of the national legislation with the international regulations and standards in this area"[1832]. In the UN, Serbia also stressed its commitment to international law as key rationale for the reforms, rather than its dedication to EU integration. For instance, in 2011, a representative declared

> *"strongly convinced that international cooperation is the key to the progress in resolving the issues on the agenda of the conventional arms control, my country joined a large number of international instruments in this area and has taken extensive legislative, regulatory and practical measures at the national level for the implementation of the obligations that it has assumed".*[1833]

Unlike Macedonia, which readily, explicitly and thoroughly evokes its acceptance EU norms as a proof of its commitment to international law, Serbia demonstrates more reserve. Where appropriate, it mentions its acceptance of EU criteria, principles and practices, but not as a testimony for respectability. When it presents it legislative framework, for instance, Serbia insists on its adherence to international law, its observance of UN obligations, OSCE documents, and only then EU positions and regulations[1834]. The vast majority of Serbian documents on arms export controls, including the 2005 decrees, follow this ordering. International norms are, and remain paramount for Serbia. As explained by a member of the governing coalition in Serbia,

> *"adaptation is something that […] we also would have to do without the EU. It is not only because of the EU that we […] improve things here".*[1835]

Because they are supportive of international security, Serbia is inclined to adhere to EU criteria and practices. But it would be misleading to believe that Serbia's dispositions draw the country closer to the EU notwithstanding the international context, because it is precisely this international context and its interaction with the EU which disposes Serbia to harmonisation. This disposition helps understanding why Serbia has mostly been reluctant to create a direct link between EU law and its domestic legislation: Europeanisation, for Serbia, is a derivative of the country's adherence to international norms.

3.5.3.3. Intentional analysis

[1832] Republic of Serbia. 2012. 'Annual Report on the Transfers of Controlled Goods in 2010.'
[1833] Republic of Serbia. 18 October 2011. 'Statement by Ms. Danijela Cubrilo, Second Secretary, 66th Session of UN General Assemby, First Committee, Thematic Debate on Conventional Weapons.'
[1834] Republic of Serbia. 13 May 2010. 'Strategy on Small Arms and Light Weapons Control in the Republic of Serbia for the Period 2010-2015.'
[1835] Interview with an Official from the Delegation of the Parliament of Serbia in the Parliamentary Assembly of the Council of Europe. Belgrade, 12/09/2011

At the intentional level, the reform of Serbia and Macedonia's systems of arms export controls was facilitated by the EU's outreach and assistance activities in the Western Balkans. These activities have promoted the exchange of experience in the area, and therewith enabled Serbia and Macedonia's actors to learn how to materialise their dispositions and conform to EU conditions.

3.5.3.3.1. Ideational factors enabling harmonisation –gaining (free) knowledge

Serbia and Macedonia's actors in the field, often, lacked the technical expertise and administrative resources necessary to enforce arms export controls in general, and to participate in complex, well-institutionalised cooperative systems of arms export controls in particular. They gained more specific knowledge of the EU's scheme from 2004, after the COARM despatched letters to the authorities of Serbia and Montenegro and Macedonia, reminding them of the contents of the Code and

> *"enquiring to what extent their national rules and legislation mirrored the requirements of the Code, and whether they were interested in discussing the practical implementation of the Code with the European Union".* [1836]

Belgrade and Skopje welcomed the EU's outreach initiative, and reportedly "expressed interest in discussing the practical implementation of the Code with the European Union" [1837]. Both countries had just aligned, or were about to align themselves (at least partly) with the EU's Code.

In order facilitate access to information-sharing, the EU and its member states organised a series of COARM outreach seminars convening representatives from all Western Balkan states[1838]. These seminars were generally organised by the member state holding the EU rotating Presidency of the Council, or sometimes by another member state (e.g. Romania in 2005, Bulgaria and Hungary in 2006), possibly in cooperation with the third countries (e.g. Austria and the US in 2010). Through these seminars, the EU exchanged general information on a series of issues, concerning namely the implementation of the Code, the interpretation of EU criteria, the transposition of EU acquis, the control of arms brokering activities and the establishment of transparent reporting procedures. In addition to informing them, the EU set up channels of informal communication with Serbia and Macedonia. Those received in April 2006 a list of officials in EU member states and EU institutions designated as "points of contact" in order to respond to questions arising in daily licensing procedures[1839]. In 2007, the Council Secretariat finally provided translations of the User's Guide accompanying the 1998 Code in order to clarify its content. These initiatives did not target specifically Serbia and Macedonia, but they helped bridging the informational gaps that could have hindered their inclination to adopt EU rules and practices.

[1836] Council of the European Union. 23 December 2005. 'Seventh Annual Report According to Article 8(2) of Council Common Position 2008/944/CFSP.' p. 2.
[1837] Ibid.
[1838] See Council of the European Union. 16 October 2006. 'Eighth Annual Report According to Operative Provision 8 of the European Union Code of Conduct on Arms Export.' p. 2. and all the following reports.
[1839] Ibid.

Serbia and Macedonia also gained practical assistance from the EU and its member states. When it aligned itself in November 2004 with the EU's Code of conduct on arms exports, Macedonia had little expertise and few resources available in the area. The issuance of a declaration on the unilateral acceptance of the Code was then most economical: it required little legal advice concerning the transposition of the Code while guaranteeing its full legal effect. Considering the negligibility of its arms exports, Macedonia only dealt with implementation issues *post hoc*. It participated in a COARM outreach seminar organised in Skopje by the Romanian government in February 2005, which dealt with political and legal issues[1840], and organised training seminars for its representatives from relevant ministries (MFA, MoD, Ministry of Interior, Ministry of Economy and customs administration)[1841]. These also attended a series of workshops organised by the Regional Arms Control Verification and Implementation Assistance Centre (RACVIAC)[1842]. These workshops and activities responded to Macedonia's call for "improving [its] understanding of the EU's Code"[1843]. In 2010, the country upgraded the scope of application of its arms export controls so as to conform to the EU's Common position replacing the 1998 Code. As explained in an information note, the upgrade was motivated by the fact that

> *"in this manner, the brokering of trade in, and transit of weapons in military equipment and the related non-material technologies will be better regulated".*[1844]

An exchange of staff, organised by Portugal, Poland and the Czech Republic in 2011 and 2012 enabled Macedonian officials to benefit from EU member states' experience and learn from their practices in implementing the 2008 Common position[1845].

The situation was slightly different for the adoption of the 2005 Law on dual-use items, which transposed the 2000 Council regulation. Before drafting the law, Macedonia explored various solutions in force in European countries (UK, Italy, Germany, the Czech Republic and Slovenia, but also Croatia and Switzerland)[1846]. These countries were "used as references" in the preparation of the law, taking into account that the transposition should be "adjusted to the specifics of our legal and political system" [1847]. In May 2006, shortly after the adoption of the law, Macedonia organised an outreach meeting for industrial partners potentially affected by the law in

[1840] Ibid.
[1841] Government of the Republic of Macedonia. May 2007. 'Annual Arms Export Report 2006.'
[1842] A project launched in the framework of the Stability Pact for Southeast Europe. In 2007, one of these workshop was specifically designed to improve Western Balkan states' understanding of the EU's 1998 Code. See Republic of Macedonia. 31 March 2008. '2008 Report on Implementation of the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.'
[1843] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, CFSP Unit. Skopje, 07/03/2011
[1844] Republic of Macedonia. 2010. 'Information on the National Legislation Concerning the Transfer of Arms, Military Equipment and Dual·Use-Goods and Technologies.'
[1845] Council of the European Union. 30 December 2011. 'Thirteen Annual Report According to Article 8(2) of Council Common Position 2008/944/CFSP.'
[1846] Republic of Macedonia. May 2003. ' Report of the Republic of Macedonia on the Implementation of the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.'
[1847] Ibid.

order to answer questions arising from implementation issues[1848]. Further meetings were organised on *post hoc* basis to address implementation issues.

Macedonia's request for EU assistance was most comprehensive in the field of international sanctions. In 2005, Macedonia's MFA initiated a procedure for drafting a Law on International Restrictive Measures. As explained by a MP,

> *"the Law on Restrictions was seen as more technical. It aligned, not with acquis, but with certain elements of the CFSP. […] There was not one recipe, so we compared with several member states and countries from the region."*[1849]

In addition to this legal prospection, Macedonia requested the assistance of the EU. It appealed for the organisation of a TAIEX seminar[1850], and asked the Commission to review (and comment) the first draft of the Law in the first half of 2006[1851]. As explained by a MFA official,

> *"we have asked for the expertise and guidance of the European Commission and we have asked specifically for TAIEX instruments for European actors in this fields to help us in Skopje with this legislation. We have also sent draft legislation to the European Commission and to the Council not for approval, but more for friendly advice".*[1852]

A few months after, the Law of restrictive measures was adopted. It satisfied Macedonia's key intent to bring its legislation regulating sanctions in full conformity with EU dispositions. In order to deal with implementation issues, Macedonia later requested to organise another TAIEX seminar, open to all Western Balkan states[1853]. The lack of domestic expertise, e.g. regarding the human rights situation in countries willing to purchase arms, and the limited resources it had at its disposal to effectively control the few arms it exported could hardly be addressed without capitalising on others' experiences. The TAIEX regional seminar, intended for ministries, institutions and state administrative bodies in charge of the implementation of international restrictive measures, eventually took place in Skopje in December 2011[1854].

Serbia, unlike Macedonia, did not issue a declaration on the unilateral acceptance of the EU's Code of conduct. Instead, it designed a new legislation, very much inspired from the Code, and which incorporated most of EU norms. This path was less economical in terms of legal expertise, but it could be envisioned, since Serbia had both the will and the capabilities to tailor its arms export controls reform in a more

[1848] Government of the Republic of Macedonia. June 2006. 'Annual Arms Export Report 2005.'
[1849] Interview with a Member of the Assembly of the Republic of Macedonia and National Council for European Integration. Skopje, 07/03/2011
[1850] Government of the Republic of Macedonia. June 2006. 'Annual Arms Export Report 2005.'
[1851] South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons. 2006. 'Analysis of National Legislation on Arms Exports and Transfers in the Western Balkans.' p. 58.
[1852] Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, CFSP Unit. Skopje, 07/03/2011
[1853] Government of the Republic of Macedonia. February 2010. 'Monthly Progress Brief on the European Integration of the Republic of Macedonia for January 2010.'
[1854] Government of the Republic of Macedonia. 2012. 'National Programme for the Adoption of the Acquis Communautaire.'

autonomous fashion. Its will echoes its inclination to support the EU's CFSP, "taking into account the interest of preserving its own territorial integrity and sovereignty"[1855]. As for its capabilities, some were already available in the different ministries (since Serbia already operated arms export controls before 2005), while others were received from the EU and other partners, in the form of legal assistance. Serbia accordingly prepared its 2005 legislation on arms export controls with the aim, along the safeguard of Serbia's national interests, to

> *"modernize the existing solutions and readjust to new developments in the regulatory frameworks of the EU and other relevant international organizations".*[1856]

In order to identify which readjustments were necessary, Serbian authorities consulted the representatives of several governmental agencies, e.g. from the United Kingdom and the United States. They organised working visits, short training sessions and theme discussions and received at these occasions several "suggestions for the improvement of the draft text and its harmonization with EU laws"[1857]. Following the adoption of the law in February/March 2005, Serbia then also took part in *post hoc* assistance activities. The UK hosted a visit of officials from Serbia and Montenegro in order to address issues related to the implementation of the Code of Conduct and licensing procedures[1858]. Poland reiterated this experience, when it organised a bilateral meeting in May 2006 dealing with inter-agency co-operation issues in arms export controls and with the obligations associated with EU membership and participation in the Wassenaar Arrangement[1859]. It accordingly started to issue annual arms reports, noting that their publication "has increased the transparency of Serbia's arms exports while also improving the government's ability to monitor arms imports and exports"[1860]. In 2009, Serbia finally received the assistance of the government of the United States[1861]. In 2008 and 2009, Serbia thus participated to 20 training activities[1862].

3.5.3.3.2. Material factors constraining harmonisation –bearing the cost of reform

[1855] Republic of Serbia. October 2009. 'National Security Strategy of the Republic of Serbia.'
[1856] Republic of Serbia. 18 October 2011. 'Statement by Ms. Danijela Cubrilo, Second Secretary, 66th Session of UN General Assemby, First Committee, Thematic Debate on Conventional Weapons.'
[1857] State Union of Serbia and Montenegro. 2004. 'Report of Serbia and Montenegro on the Implementation of the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.'
[1858] Council of the European Union. 16 October 2006. 'Eighth Annual Report According to Operative Provision 8 of the European Union Code of Conduct on Arms Export.' p. 346.
[1859] Council of the European Union. 26 October 2007. 'Ninth Annual Report According to Operative Provision 8 of the European Union Code of Conduct on Arms Export.' p. 329.
[1860] South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons. 2011a. 'The Development of National and Regional Reports on Arms Exports in the EU and South Eastern Europe.'
[1861] Through its EXBS (Export Control and Related Border Security) programme. The EXBS is a US-funded project, which seeks to prevent the proliferation of weapons of mass destruction and advanced conventional weapons by helping to build effective national export control systems. United States Department of State. 'The Exbs Program'. [accessed 26.03.2012].
[1862] Amongst which courses, workshops, trainings and regional courses. Government of the Republic of Serbia. December 2009. 'National Programme for Integration with the European Union.' p. 262.

Among the factors, which may constrain the adoption of more stringent rules in arms export controls, one should finally evoke the actual cost of the reform. The harmonisation of Macedonia's legislation had little economic implications. After all, Macedonia is a very small producer and exporter of conventional weapons[1863]. Its arms exports and transfers of dual-use items were, and still are, negligible. Adopting more stringent norms in the field, then, was unlikely to have any negative impact on Macedonian economy. It was, for this reason, "more or less cost-free"[1864].

In Serbia, by contrast, the weight of the arms industry in the economy was relatively much higher. Belgrade has a long history of cooperation with NAM countries in the field of armament. Before its dissolution, it was one of the key exporters of military equipment to third world countries, including to non-democratic countries like Burma. And many manufacturers were located in today's Serbia. Denying arms export licenses to such regimes, thus, is not totally cost-free for Belgrade. Politically, first, it implies a departure from practices established a long time ago, with the risk of disruption good relations. Serbia's violation of EU arms embargo against Myanmar in 2007 should be understood in this historical context. As explained by an official, the military in Myanmar is "dependent on our logistical support"[1865]. Economically then, with the adoption of EU criteria and practices, Serbian arms industries incurred financial shortfalls. More stringent norms for arms export controls may indeed result in fewer recipients authorised and fewer arms export contracts concluded. In order to pressure the government to authorise the export of arms to Armenia (despite an OSCE embargo due to the Nagorno-Karabakh conflict and despite the recommendation of the MFA), the labour unions of the Zastava Oruzje arms manufacturer organised in 2007 high-profile protests, with outstanding success[1866].

3.5.4. Summary of the findings

Through the adoption of the EU legislation in the field of arms export controls, sanctions policy and transparent reporting, Serbia and Macedonia have given up some of their national prerogatives. Decisions that used to be made at the national level are now increasingly influenced by decisions taken at the EU level. Before the adoption of the EU legislation in that area, Serbia and Macedonia's arms export regime were not conceived as relying on criteria-based evaluations. Arms could be transferred under the veil of secrecy and end up (knowingly or not) in the hands of questionable end-users. The military was responsible for the controls and the regime guaranteed little accountability. With the (partial) adoption of the EU's legislation in the area, arms export controls in Serbia and Macedonia have been regulated. The civilian authorities, amongst which the MFA, have come to play a central role, as well as inter-agency coordination, in regulating arms exports. Normative criteria, elaborated at the EU level as a reflection of international norms, have been introduced in the realm of domestic law, as a means to assess the appropriateness of arms exports.

[1863] It was, until recently, not producing arms domestically. See Government of the Republic of Macedonia. June 2006. 'Annual Arms Export Report 2005.' Its only manufacturer "Suvenir", was not allowed to export its production until 2010. See MINA. 7.7.2010. '230 Employees in Samokov Get Their Jobs Back.'
[1864] Interview with an Official from Delegation of the European Union to the Former Yugoslav Republic of Macedonia. Skopje, 01/11/2011
[1865] cit. in BIRN. 3.10.2007. 'Serbia's Arms Exports to Myanmar (Burma) "Legal".'
[1866] Saferworld. October 2007b. 'Measuring Up? Arms Transfer Controls in Serbia.'

Decisions taken at the EU level to impose restrictive measures, whether autonomously or not, on potential arms buyers have come to be recognised as equally binding as UN sanctions. And transparency in armament, once given little attention, has been adopted as best practice.

Of course these developments have not affected Serbia and Macedonia in a perfectly symmetric manner. Both started to reform their arms export policy and harmonise their legislation with the EU in the mid-2000s. But with notable differences. Macedonia, on the one side, fully and swiftly aligned itself with the EU's Code of conduct. It proceeded by simply declaring its acceptance of the whole body of EU rules and practices or adopting laws fully in line with the EU's acquis (concerning the exports of dual-use items or the enforcement of restrictive measures). Serbia, on the other side, took a more circumvolutory path. It partially transposed EU norms, but did not seek to create a direct link between EU and domestic law. It preferred re-funding its system of arms export controls, taking into account the EU's regime, without acknowledging the precedence of the EU's system. More importantly, it deviated from EU standards in two respects: the binding force of EU sanctions and the EU's concern over violations of human rights. Only later did it seek to gradually reduce the normative discrepancy between its criteria and the EU's –and with mixed results: its criteria for export licensing have not been upgraded (e.g. with respect to violation of humanitarian law) and the government, in the absence of specific law on restrictive measures, has upheld a relatively free hand in the conduct of its arms transfer policy with states otherwise targeted by international sanctions (in particular by the EU). Interestingly, however, Serbia has proved much more amenable to publishing information on its arms exports than Macedonia. The difference can be felt in both the quantity and quality of the information published.

Inferring Europeanisation from the adoption of EU rules, principles and practices is tempting. After all, the EU's interest for associating non-EU states in its arms export policy blossomed in the mid 2000s. At that time, the EU had conceived of different types of instruments (outreach, assistance and association) in order to promote in non-EU Europe the adoption of its criteria, principles and practices of arms export controls. The EU (and its instruments) certainly mattered in the promotion of progressive norms in the area (although this progress should be nuanced in light of the performance of the member states of the EU as arms exporters). But their contribution should not be overestimated. Most of the norms, which the EU sought to diffuse, have populated international relations for a long time. They often strongly resemble international norms, and the genuine contribution of the EU, then, is not substantive in nature. Speaking of Europeanisation, in this context of international diffusion, would be misleading. The EU's genuine contribution, in fact is to amplify the compellingness of existing norms.

The EU, first of all, amplifies international treaty obligations pertaining to arms export controls, by integrating them in the realm of EU law. In an EU context, failures to enforce UN sanctions, for instance, entail a breach of EU law –a breach against which the EU may act with more political weight than the UN Security Council. The EU, second, amplifies the compellingness obligations deriving from international customary law in the field of human rights and humanitarian law, and it reinforces the epistemic credibility of specialised institutions involved in this area. In an EU context, failures to demonstrate restraint in arms exports, when human rights are seriously

compromised in the country of the intended recipient, for instance, entail a breach of EU law –a breach that cannot be sanctioned otherwise. Third, the EU amplifies the exemplarity of international best practices, such as transparent reporting in arms export controls. Sometimes, it "imports" the standards and practices established by other regional settings, e.g. the Wassenaar Arrangement.

Notwithstanding this caveat, the analysis of the EU's conditionality dialogue with Macedonia shows that Macedonian authorities have been very receptive to EU recommendations; that compliance with EU criteria, principles and practices has helped re-shaping and harmonising Macedonia's system of arms control, and that conditionality has proved most effective when it was constant and specific. The EU's "take-it-or-leave-it approach" characterising this conditionality dialogue with Macedonia, arguably also explains Macedonia's predilection for fast-track, straightforward harmonisation. A major difference between Serbia and Macedonia's conditionality approaches is that arms export controls have long been ignored by the EU's conditionality dialogue with Serbia. Until 2011, the EU made no mention of purported obligations in the area, despite its regular communications on Serbia's adoption of the CSFP acquis. Compliance, as a result, cannot conclusively explain the partial harmonisation of Serbia's system of arms export controls.

The analysis of Serbia and Macedonia's dispositions sheds supplementary light on the forces that drove harmonisation. Macedonia's reform started precisely as the European integration dynamic gained momentum, i.e. shortly after the country applied for EU membership. Through the reform, Macedonia could demonstrate its straightforward commitment to EU integration, its unconditional support for the CFSP, and therewith show it already shared key EU principled and causal understandings. Macedonia also viewed in the reform a guarantee for its international respectability, since the criteria and practices it adopted were paragon. These dispositions, as well as the negligible cost of the reform (considering the negligibility of Macedonia arms exports), help understanding why the reform in Macedonia has been so swift, and why it has been carried out so as to bind Macedonia's system so closely to the EU. In Serbia, the reform process, it has been seen, has been more hesitant. The more equivocal commitment of Serbia to support the CFSP along its national interests, as well as the ups-and-downs in the EU-Serbia relationship did not dispose the Serbian government to consistently and unconditionally profess harmonisation and anticipate alignment. Political divisions concerning Serbia's most strategic interest have not enabled Serbia to uphold its EU momentum without discontinuity and have incidentally affected the impetus of the reform in arms control exports. The reform process, however, has been facilitated by the pre-adherence of Serbia to international norms, with which EU criteria and practices are believed to resonate. Whereas Europeanisation, for Macedonia, is a way of demonstrating one's readiness to assume international responsibilities, for Serbia, it is a derivative of the country's adherence to international norms.

At the intentional level, finally, the reform of Serbia and Macedonia's systems of arms export controls was indeed facilitated by the EU's outreach and assistance activities in the Western Balkans. These activities have promoted the exchange of experience in the area, and therewith enabled Serbia and Macedonia's actors to learn how to materialise their dispositions and conform to EU conditions, where appropriate. Serbia and Macedonia's participation in EU outreach initiatives have helped bridging

the informational gaps that could have otherwise hindered their inclination to adopt EU rules and practices. Their requests for assistance, which focussed on implementation issues, have helped them reshaping their system of arms export controls. A notable difference between the two countries, however, can be observed. Considering its lack of domestic resources, whenever possible, Macedonia opted for the most economical method of alignment: the adoption of a declaration of unilateral acceptance (which did not require EU assistance). Serbia, by contrast, opted for tailoring a new law regulating its system of arms export controls (which required EU assistance). The relative significance of the armament industry in Serbia, both in a historical and economic perspective, however, remained a factor constraining the adoption of more stringent criteria.

4. Conclusion

Twenty years of Europeanisation studies have not produced a single coherent field of research. Perhaps Europeanisation research is not meant to become one. What unites Europeanisation researchers, after all, is a shared interest for a phenomenon they cannot consensually define, and a joint commitment to explain a heterogeneous series of social phenomena. No wonder that knowledge on Europeanisation has not been so much cumulative. Instead of reflecting on Europeanisation, many researchers primarily reflect on their object of research (e.g. europeanised politics, polity or policy). Sometimes, they simply use the label as a catch-all word, as if its meaning was already set once and for all; as if it did not require more reflexive thoughts. Or they use it as an umbrella, to signal a thematic affiliation. Too little attention, overall, is paid to what Europeanisation is, and what it entails.

That is why more reflection on Europeanisation is required. The literature review, in this thesis has shown that the conceptual debate over the meaning of Europeanisation is far from settled. Thousands of scientific contributions populate the field, and yet Europeanisation remains too contested to serve as organising concept[1867]. Those who claim that Europeanisation is a "model-building, not a definitional challenge"[1868] overlook the necessity to reflect on concepts before engaging in empirical and theoretical work. This reflection has been a common thread in this thesis, and it will guide this conclusion too.

4.1. Conceptual refinement

Concept formation in this thesis has been primarily driven by the *definiendum*. Instead of positing a definition of Europeanisation right at the beginning, the author chose to problematise the conceptual delineation of the phenomenon he aimed at researching. His claim was that conceptual refinement should build on empirical findings. The author then adopted a large, poorly bounded definition of Europeanisation as working basis. He defined Europeanisation in section 2.1.2 as "a process of institutional change induced by a variety of actors interacting across different levels of governance within a European interaction structure". By means of this definition, the author delved into a range of empirical phenomena in social life, which could be designated as instances of Europeanisation. Their properties will now help the author re-conceptualising Europeanisation in a hopefully refined way.

4.1.1. Shifting paradigms: the *definiendum*

4.1.1.1. Departing from EU integration perspectives

The leading narrative usually underpinning the conceptualisation of Europeanisation is informed by EU integration studies. It roughly equates "Europe" with the EU. For one, the labels of "Europe" and "EU" are often used indiscriminately in the European/EU integration literature, especially in their adjectival form. The confusion is more than semantic. It is one conflating the geo-political space of "Europe" with

[1867] Kassim, H. 2000. 'Conclusion.' In *The National Co-Ordination of EU Policy: The Domestic Level*, eds. Kassim, H., et al. p. 235-238.
[1868] Olsen, J. P. 2007. *Europe in Search of Political Order: An Institutional Perspective*. chap. 3.

the political object of "the EU". And yet, in many strands of the literature, Europeanisation continues to be seen as the "logical outgrowth" of EU integration theories[1869]. Its conceptions often bear the mark of EU integration. The idea of adaptational change, for instance, often presumes an on-going process of integration. There would not be any adaptation without need for adaptation, and any need for adaptation without the systemic changes caused by EU integration. This restrictive understanding of Europeanisation suggests that the conceptual domain of Europeanisation starts and ends at the conceptual boundaries of EU integration, which is at best contestable.

EU integration and Europeanisation are logically connected, indeed. But the conceptual world of Europeanisation is larger and opener than the conceptual world of EU integration. Therefore, reducing Europeanisation to an implication of EU integration is intrinsically flawed. Often, it has been shown in this thesis, the EU is not the norm-maker, which EU integration theorists tend to assume. In a few cases, e.g. the appointment of European Correspondents or systematic foreign policy alignments, the EU did genuinely create a peculiar way of doing things. But in many other cases, like in arms export controls, in the promotion of good neighbourliness and conflict resolution or in the support for technical capacity-building, the EU merely transferred pre-existing norms (though with an imprint of its own), in a way that is only loosely connected to EU integration. The EU, more often than not, rather acted as an intervening variable. This finding is a caveat. If the attributedness of the norms that mattered for Europeanisation is shared rather than owned, then there is no reason to assume the EU's normative precedence in Europeanisation research. And there is no reason to assume that the EU is the only cause of Europeanisation.

Relying on EU integration perspectives to conceptualise Europeanisation is a hindrance to the sound development of Europeanisation research for further reasons. First, the conceptual coalescence of the European and EU spaces neglects the spatial domain that exists between the two concepts –a "non-EU Europe" domain that Europeanisation research has no reason to discard. What about those European states with no outspoken perspective of EU accession (e.g. Macedonia before 2000)? And what about those policy fields that escape the realm of EU integration (e.g. foreign policy, to some extent)? Second, EU integration perspectives seem to indicate that Europe shall necessarily head towards its institutional *apex*, the reified EU, and that that the former (Europe) is only a poor (albeit transitory) reflection of the latter (the EU). But Europeanisation, it has been shown in this thesis, does not necessarily indicate a normative progress in Europe's ecology. The exclusive alignment procedure introduced by the EU in the OSCE, for instance, raised concerns among many non-EU states, including Serbia, for being detrimental to the spirit of intergovernmentalism that prevailed in the OSCE. Because of their normative bias, EU integration perspectives are tempted to overlook this ambiguity. They (questionably) view Europeanisation (understood as EU-isation) as necessarily good. Third, the nature of the EU has profoundly changed in recent years, becoming decreasingly homogenous internally and increasingly intertwined externally[1870]. This makes the EU becoming increasingly closer to "Europe", unlike (or in parallel to)

[1869] Caporaso, J. A. 2007. 'The Three Worlds of Regional Integration Theory.' In *Europeanization: New Research Agendas*, eds. Graziano, P. and Vink, M. P. p. 23.
[1870] e.g. Dyson, K. H. F. and Goetz, K. H. 2003. 'Living with Europe: Power, Constraint and Contestation.' *Proceedings of the British Academy* vol.119. p. 21.

what most Europeanisation and EU integration studies seek to demonstrate, i.e. the reversed dynamic of "wider Europe" increasingly mirroring the EU. In this thesis, for instance, it has been shown that EU norms sometimes originate from or are transferred through regional settings. These regional settings are organisations distinct from the EU, with which they share cross-memberships. And they play a role in Europeanisation that cannot be neglected (e.g. Nato in the field of diplomatic communication networks; the Wassenaar Agreement in arms export controls, the SEECP in good-neighbourliness issues). There is an inter-organisational dimension in Europeanisation at the regional level, which cannot be properly captured by conceptions of Europeanisation grounded on EU integration perspectives.

This set of reasons underscores the growing inadequacy of the EU integration paradigm in capturing the transformation of European states in contemporary politics. It also indicates that concept formation would perhaps gain in being re-constructed through an alternative approach –European governance.

4.1.1.2. European governance instead of EU integration

European governance perspectives conceptualise Europe as political and social order, or more prosaically, a system of formal and informal rules[1871]. Unlike EU integration approaches, governance perspectives do not arbitrarily set boundaries to the system of rules they analyse: European governance may for instance include actors with no EU accession perspective, or/and emanate from institutions such as Nato or the Council of Europe, which are distinct from the EU. The EU may play an important role in European governance, but it is not posited as definitional feature. European governance perspectives, finally, do not provide the European system of rules with a teleological design. They do not imply that Europe necessarily heads towards more integration.

This does not make European governance approaches less contested than EU integration approaches. As stated by Diez, "any description of European governance participates in the struggle to fix the latter's meaning"[1872]. European governance is a contested notion because there is no consensus on what governance requires in terms of territoriality, sovereignty and society. Classical governance, for instance, is premised on the legitimate exercise of power within a clearly demarcated territory (the state), which is also the container of a congruent society (the nation). Therein, hard territoriality, exclusive sovereignty and embedded society are mutually co-defining concepts. This understanding of governance is challenged by postmodernists, who argue that governance need not be territorial, and even when it is, "the prevailing concept of territory need not entail mutual exclusion"[1873]. Governance, for instance may be exercised across multiple levels of government, in which case sovereignty is

[1871] e.g. Kohler-Koch, B. and Eising, R. 1999. *The Transformation of Governance in the European Union*; Sandholtz, W. and Stone Sweet, A. eds. 1998. *European Integration and Supranational Governance*; Olsen, J. P. 2007. *Europe in Search of Political Order: An Institutional Perspective*.
[1872] Diez, T. 2001. 'Speaking "Europe: The Politics of Integration Discourses.' In *The Social Construction of Europe*, eds. Christiansen, T., et al. p. 91.
[1873] Ruggie, G. J. 1993. 'Territoriality and Beyond: Problematizing Modernity in International Relations.' *International Organization* vol.41 (1). p. 149; Agnew, J. 1994. 'The Territorial Trap: The Geographical Assumptions of International Relations Theory.' *Review of International Political Economy* vol.1 (1).

shared and human societies are nested rather than contained[1874]. Governance may even span across networks, in which case territoriality is fragmented and sovereignty de-territorialised[1875]. These different conceptions of governance reflect certain facets of Europe's polity. And they bring about different conceptions of Europeanisation[1876].

The first conception of Europeanisation they bring about is premised on a Westphalian conception of European governance. In the Westphalian ideal-type, "Europe" is fragmented into sovereign states that neatly occupy the continental space. State boundaries are defined on the basis of hard territoriality by the unambiguous disjunction of what is "inside" and what is "outside" of the state[1877]. In the inside, the State is sovereign –it can "claim absolute and final authority over a wide range of issues"[1878]. It contains the society, which legitimates its authority. In the outside, states have no sovereign right to act, but they nevertheless seek to influence the domestic politics of peer sovereign states through the exercise of their foreign policy. This makes sovereign states both inceptors and receptors of external influences. But most importantly, it makes them the prime actors and incontrovertible channels of institutional change. In Westphalian Europe, states, thus, are transitive, proactive "europeanisers", i.e. they incept the transformation of the system of rules governing their relations. This conception places the Europeanisation *explanandum* at the European level, where institutional change takes place, and its *explanans* at the domestic level, where changes originate from. The challenge for Europeanisation students, then, is to "identify the actors, and the motivations and forces that determine [the] choices" [1879] that state actors make when they build supranational and inter-governmental institutions, "construct[…] systems of meanings and collective understandings" [1880], "elevat[e… their] policy-making" [1881] or project[…] their national preferences and approaches onto the European level" [1882]. Westphalian conceptions of European governance, in a word, pave the way of vertical, bottom-up conceptions of Europeanisation.

Another conception of Europeanisation flows from neo-Westphalian conceptions of European governance. The neo-Westphalian ideal-type shares some assumptions with Westphalia, especially its commitment to hard territoriality, but it contemplates

[1874] Hooghe, L. and Marks, G. 2001. *Multi-Level Governance and European Integration*.
[1875] Eising, R. and Kohler-Koch, B. 1999. 'Network Governance in the European Union.' In *The Transformation of Governance in the European Union*, eds. Kohler-Koch, B. and Eising, R; Ansell, C. 2000. 'The Networked Polity: Regional Development in Western Europe.' *Governance: An International Journal of Policy and Administration* vol.13 (3).
[1876] Marciacq, F. 2012b. 'The Political Geographies of Europeanisation: Mapping the Contested Conceptions of Europeanisation.' *Journal of Contemporary European Research* vol.8 (1).
[1877] Caporaso, J. A. 2000. 'Changes in the Westphalian Order: Territory, Public Authority, and Sovereignty.' *International Studies Review* vol.2 (2). p. 10.
[1878] Biersteker, T. J. 2002. 'State, Sovereignty and Territory.' In *Handbook of International Relations*, eds. Carlsnaes, W., et al. p. 167.
[1879] Olsen, J. P. 2002. 'The Many Faces of Europeanization.' *Journal of Common Market Studies* vol.40 (5). p. 929.
[1880] Sedelmeier, U. 2004. 'Collective Identity.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al. p. 127.
[1881] Jørgensen, K. E. 2004. 'European Foreign Policy: Conceptualising the Domain.' In *Contemporary European Foreign Policy*, eds. Carlsnaes, W., et al. p. 50.
[1882] Bulmer, S. and Burch, M. 2000. 'The Europeanisation of British Central Government.' In *Transforming British Government*, ed. Rhodes, R. A. W. p. 3.

Europe's space from a very different politico-geographical scale[1883]. Here, Europe, or more adequately the EU, is conceptualised as a supranational proto-state. Internally, supranational rules enable Community actors to exert supreme authority over a wide range of issues and penetrate states' domestic polities. Externally, the EU proto-state projects its interests through the conduct of a European foreign policy in its idiosyncratic capacity of "international actor"[1884]. The distinction between internal and external action is assumed to be unambiguous, since European external borders are posited "recognizable, even impregnable"[1885]. That is why the neo-Westphalian ideal-type applies to the EU so well, and not so much to "Europe's" fuzzier polity. In neo-Westphalia, it is the proto-statal system of rules giving shape to European internal and external governance that delineates the space of Europeanisation. This system of rules places the *explanandum* of Europeanisation at the domestic level, where institutional change takes place and its *explanans* at the European level, where changes originate from. Europeanisation then denotes a transitive, albeit passive, process of institutional change: states are no europeanisers; they are europeanised by the EU proto-state. In neo-Westphalia, Europeanisation has both an internal and an external dimension. Internally, it involves the transformation of territorial states, the restructuring of their functions and the internalisation by domestic actors of EU norms and values[1886]. Externally, it denotes the "projection of internal solutions" towards non-EU states[1887]. Neo-Westphalian conceptions of European governance, in a word, pave the way of vertical, top-down conceptions of Europeanisation.

The third conception of Europeanisation flaws from post-Westphalian conceptions of European governance. In post-Westphalia, Europe is conceptualised as "EUrope", i.e. the "first truly postmodern international political form"[1888]. Societies, therein, are heteronomous, given the "blurring of territoriality"[1889] and the "growing irrelevance of states"[1890]. Borders are characteristically permeable, leaky[1891] and "fuzzy"[1892]. Post-Westphalia therefore rejects a conceptualisation of Europeanisation that would be premised on the ontological emergence or pre-existence of a *référentiel*, and prefers referring to Europeanisation as occurring through EUrope, a multi-

[1883] Scott, J. and van Houtum, H. 2009. 'Reflections on EU Territoriality and the 'Bordering of Europe'.' *Political Geography* vol.28. p. 271.
[1884] Ginsberg, R. H. 1999. 'Conceptualizing the European Union as an International Actor: Narrowing the Theoretical Capability-Expectations Gap.' *Journal of Common Market Studies* vol.37 (3).
[1885] Christiansen, T., et al. 2000. 'Fuzzy Politics around Fuzzy Borders: The European Union's 'near Abroad'.' *Cooperation and Conflict* vol.35 (4). p. 389.
[1886] Checkel, J. T. 2001. 'The Europeanization of Citizenship?' In *Transforming Europe: Europeanization and Domestic Change*, eds. Green Cowles, M., et al.
[1887] Lavenex, S. and Ucarer, E. M. 2004. 'The External Dimension of Europeanization -the Case of Immigration Policies.' *Cooperation and Conflict* vol.39 (4); Olsen, J. P. 2002. 'The Many Faces of Europeanization.' *Journal of Common Market Studies* vol.40 (5). p. 937ff.
[1888] Ruggie, G. J. 1993. 'Territoriality and Beyond: Problematizing Modernity in International Relations.' *International Organization* vol.41 (1). p. 172-173; 140.
[1889] Biersteker, T. J. 2002. 'State, Sovereignty and Territory.' In *Handbook of International Relations*, eds. Carlsnaes, W., et al. p. 166.
[1890] Ruggie, G. J. 1993. 'Territoriality and Beyond: Problematizing Modernity in International Relations.' *International Organization* vol.41 (1). p. 142.
[1891] Smith, M. 1996. 'The European Union and a Changing Europe: Establishing the Boundaries of Order.' *Journal of Common Market Studies* vol.34 (1). p. 21.
[1892] Christiansen, T., et al. 2000. 'Fuzzy Politics around Fuzzy Borders: The European Union's 'near Abroad'.' *Cooperation and Conflict* vol.35 (4).

dimensional arena, or "transfer platform"[1893]. This arena accordingly fosters all sorts of interactions between and among national, subnational, supranational and transnational actors, in directions that are not solely hierarchical. Europeanisation, in post-Westphalia, is an "interactive, ongoing and mutually constitutive process of 'europeanising' and 'europeanised' countries"[1894]. Post-Westphalian conceptions of European governance, in a word, pave the way of horizontal conceptions of Europeanisation.

It is, arguably, within this third ideal-type that Europeanisation can best benefit from conceptual refinement. Bottom-up and top-down governance, it has been demonstrated in this thesis, do matter. For instance, when Serbia struggles with the EU for the EULEX to strictly observe the UNSCR 1244, it projects its national approach on the EU level and seeks to "europeanise" its foreign policy approach regarding the Kosovo issue. Conceptions of Europeanisation based on Westphalian governance capture very well this phenomenon. When, on the other side, the EU expects that an agreement between Belgrade and Pristina is reached in order to allow further progress on Serbia's integration, then, the phenomenon is typically one that could erupt in neo-Westphalian Europe. These examples show that Westphalian and neo-Westphalian assumptions may be of heuristical utility to Europeanisation researchers in some cases.

But what about these changes facilitated by interactions between EU member states and Serbia or Macedonia? What about, for instance, the flows of information circulating informally in the premises of the UNGA in New York or the OSCE in Vienna or the transfer of Slovenia's experiences to Serbia and Macedonia in capacity-building matters? Can these be captured by conceptions of Europeanisation premised on Westphalian and neo-Westphalian conceptions of European governance? Although part of the Westphalian realm of the inter-national, these relations would not be what they are if there were not woven in European structures. And what about the role of inter-organisational interactions too? Cross-memberships at the inter-national level make national governance fuzzier, do they not? Post-Westphalia does not deny that Westphalian and neo-Westphalian conceptions of European governance are sometimes relevant to approach Europeanisation. It only claims that these conceptions are special cases and that Europeanisation, more generally, should be premised on a wider ontology.

4.1.1.3. Departing from structuralist approaches

Structuralist approaches dominate Europeanisation research, but for good reasons: they also dominate EU integration theories. With a departure from the latter, Europeanisation research, arguably, would gain a freer hand in epistemology. Structuralist approaches generally presume that causal factors are exogenous to the phenomenon they analyse. They pave the way of conceptions of Europeanisation that clearly identify the source and the *locus* of change as two separate objects. For instance, EU rules are presumed to affect domestic policy. Or national approaches are presumed to affect EU foreign policy. This dichotomy, however, is not backed by

[1893] Bulmer, S. and Radaelli, C. M. 2004. 'The Europeanisation of National Policy?' *Queen's Papers on Europeanisation* vol.2004 (1).
[1894] Major, C. 2005. 'Europeanisation and Foreign and Security Policy – Undermining or Rescuing the Nation State?' *Politics* vol.25 (3). p. 175.

much empirical support. This thesis has shown that EU rules often derive from international norms or principles. It is then a mistake to reify their purported impact on domestic structures as if it stemmed from the EU. Serbia's partial compliance with EU positions on arms embargoes cannot be understood in isolation of the Serbia's commitment to UN principles: the former is an implication of the latter. And again, the role of other member states, whether proactive or inspirational, cannot be overlooked, despite the fact that the source and the locus of change are located at the same level of governance. That is why conceptions of Europeanisation, arguably, should refrain themselves from positing the *locus* of the source of change in their definition. Europeanisation, it has been shown in this thesis, is the product of interactions between a wide range of actors, located at different levels of governance. Identifying them should be part of the enquiry.

Instead of relying exclusively on structuralist approaches, it would be wiser, then, to accept the claim that the reasons for change, sometimes, cannot be isolated from the phenomenon one seeks to explain. Macedonia's organisational reform, for instance, was launched in 2005, as EU integration gained momentum. The dispositions that prevailed at that time were in favour of the EU; they played an essential role in the reform process. But they cannot be identified as causal factors, since they were endogenous to actors' beliefs. Sheer rationalism, in that matter, is deceptive –it suggests that Europeanisation is a phenomenon necessarily driven by causal factors. This might be true, in special cases, e.g. when there is an explicit, specific and genuinely distinct requirement emanating from the EU. But it would be ill-advised to consider that as a rule. Conceptions of Europeanisation, instead, should create room for investigating both causal and non-causal, i.e. constitutive, forces. A departure from structuralist perspectives and sheer rationalism may contribute to achieve that goal. Bringing back actors in Europeanisation research would be a welcome step, because it would help redefining Europeanisation as a phenomenon resulting from the dialectal interplay of structure and agency –and not as a consequence of the reified power of structures over agents.

4.1.2. Proposal for conceptual refinement: the *definiens*

Conceptions of Europeanisation, it has been shown, should place European governance at the centre of their conceptual domain, whilst acknowledging the contestability of their borders: what Europeanisation denotes depends to a large extent on how "Europe" is conceived. If one accepts that Europe is an object that is distinct, ontologically, from the EU, then Europeanisation should not be conflated with EU-isation (although the latter may be a special case of the former). It has also been seen that conceptions of Europeanisation should refrain from positing the *locus* of the source of change in their definition and that they should create room for investigating forces that are both causal and constitutive.

In his conclusion, the author therefore proposes to conceptualise Europeanisation as denoting **the transformation of political systems based on national governance into systems constituted by actors operating through the prism of European governance**.

Governance, here, is defined as "the authority to make, implement, and enforce rules in a specified policy domain"[1895]. This authority may, in some cases, be encapsulated at the national (in Westphalian conceptions of governance) or EU level (in neo-Westphalian conceptions). But as a general rule, it is located, and shared, across different levels of governance and sometimes rooted outside the EU's polity (in accordance with post-Westphalian assumptions). This acknowledgment shall prevent researchers from assuming the separatedness of national and European governance, and from reifying European governance as emanating from a genuine, well bounded EU object.

This definition of Europeanisation is consistent with the conceptual hypothesis formerly adopted in the conceptual framework of the thesis as working basis, i.e. "a process of institutional change induced by a variety of actors interacting across different levels of governance within a European interaction structure". First, it is about "institutional change", since the tentative definition uses the neighbouring notion of "transformation". Transformation refers here to soul-deep changes in national political systems, with a shift from national to European governance. This definition places the *explanandum* of Europeanisation at the domestic level (as opposed to European integration). What is transformed here is the political system (i.e. the politics, policies and polities) of states that were based on national governance principles. The tentative definition does not specify where the *explanans* of Europeanisation might be located (this should be researched empirically).

Second, the tentative definition is about actors. These should be considered as the purposive architects of the transformation of Europe's political order. This premise is a prescription for adopting a form of ontological individualism in the research that does not focus on a category of subjects associated with one particular level of governance. National executives, EU Commissioners, members of the European Parliament or key officials in other regional organisations may all act, in a given context, as actors *vis-à-vis* Europeanisation. In order to establish whether and when they operate "through the prism of European governance", a measure of interpretivism is required. Since European governance remains a contested notion, an appraisal of its meaning in a given context is necessarily contingent of actors' own understandings[1896]. This definitional claim is a challenge to the predominance of structuralist approaches in the field.

Third, Europeanisation, in the tentative definition, is about actors "interacting across different levels of governance within a European interaction structure", since it is premised on post-Westphalian and dialectal conceptions of European governance. Post-Westphalia provides that European governance is multi-layered, with authority shared across different levels, and dialectal approaches provide that national governance structures are constitutive of European governance structures, and that there is no such thing as a distinct, unique and well-bounded cause for Europeanisation.

[1895] Smith, M. E. 2004c. *Europe's Foreign and Security Policy: The Institutionalization of Cooperation*. p. 176.

[1896] Their decisions, in fact, may be rooted in subjective beliefs with no material reality whatsoever. For instance, it has been shown that Serbian and Macedonian actors overestimate the compulsiveness of alignment in the OSCE according to the EU.

The tentative definition presented here contrasts with other researchers' definitions in important respects. Unlike bottom-up definitions of Europeanisation[1897], it demarcates the specific domain of Europeanisation *vis-à-vis* neighbouring concepts in a hopefully refined way by placing the *explanandum* at the domestic level. Whereas EU integration is about changes at the European level, Europeanisation denotes the transformation of national political systems. Unlike many top-down definitions of Europeanisation[1898], it does not reify the impact of EU integration as definitional attribute of Europeanisation. On the contrary, the tentative definition clearly differentiate Europeanisation from EU-isation by calling researchers to preliminarily discuss the contested notion of European governance –a notion that, again, is only reducible to EU governance when researchers openly subscribe to neo-Westphalian assumptions. This discussion should not elude the issue of norm attributability. Unlike the many definitions interested in "the impact of the EU accession process on national patterns of governance"[1899], the tentative definition problematises the genuine origin of the norms transferred in the framework of European governance. It thus does not prejudge the role of the EU in producing domestic change *vis-à-vis* other variables, and also refrains from restrictively conceiving of Europeanisation as resulting from EU top-down adaptational pressures[1900].

4.2. The phenomenon of Europeanisation

In order to shed more light on what Europeanisation entails in phenomenal terms, the following section reflects on the empirical findings presented in this thesis in the light of the tentative definition. It argues that Europeanisation entails more intersubjectivity in national beliefs, more nodality between organisations and more homogeneity across systems, despite persistent variations.

4.2.1. What Europeanisation entails

4.2.1.1. More intersubjectivity

Political systems, which are based on national governance principles, usually rely on their own set of causal and principled beliefs. These beliefs are objective when they depict a reality which any observer would subscribe to (e.g. Serbia's recognition of Kosovo independence would entail a physical loss of territory). They are subjective when the reality they depict is contingent of the observer (e.g. Alexander the Great is part of Macedonia's identity). And they are intersubjective when the reality they depict is shared by a like-minded community of regional or inter-national observers

[1897] e.g. Europeanisation defined as the "emergence and development at the European level of distinct structures of governance, that is, of political, legal, and social institutions associated with political problem-solving that formalize interactions among the actors, and of policy networks specializing in the creation of authoritative rules". Risse, T., et al. 2001. 'Europeanization and Domestic Change: Introduction.' In *Transforming Europe: Europeanization and Domestic Change*, eds. Green Cowles, M., et al. p. 3.

[1898] e.g. Europeanisation defined as "change in the core domestic institutions of governance as a consequence of the development of European-level institutions, identities and policies". Olsen, J. P. 2007. *Europe in Search of Political Order: An Institutional Perspective*. p. 7.

[1899] Grabbe, H. 2001a. 'How Does Europeanization Affect CEE Governance? Conditionality, Diffusion and Diversity ' *Journal of European Public Policy* vol.8 (6). p. 1014.

[1900] Börzel, T. A. 2003. 'How the European Union Interacts with Its Member States ' In Reihe Politikwissenschaft 93.

(e.g. arms controls contribute to international security). Objective, subjective and intersubjective beliefs all inform decisions taken in the realm of national governance. These beliefs are amenable to change –not only in contents, but also in proportions. Through cooperation among Europeans, intersubjective beliefs may be substituted to subjective ones as rationale for political action. This substitution goes hand in hand with a redefinition of national interests. These interests, formerly individualistic and relative, come to be redefined in positional and collective terms.

Europeanisation precisely entails this sort of transformation. The shift from national to European governance it denotes suggests a transformation in the system of beliefs used by national actors in order to make decisions. Subjective beliefs, which cannot be shared, are gradually replaced by intersubjective understandings, and national interests, once owned, are progressively redefined and become shared across the community. This intersubjectivity lies at the crux of actors "operating through the prism of European governance". But this prism, of course, is not an objective construct, which actors could simply adopt as archetype for their transformation, and which any observer could concur in picturing. European governance, it has been shown, often remains a contested concept, and it is always subject to individual interpretations. That is why this transformation of the subjective into the intersubjective should be understood as an interactive process, entailing the creation, possible re-negotiation, reproduction and diffusion of shared beliefs. Intersubjectivity may imply the mere adherence to pre-existing norms without their renegotiation. But it may also be more dialectal –requiring the creation of a shared belief that did not exist, or the redefinition of a belief that pre-existed.

The empirical findings presented in this thesis back this argument. In many instances, it was found that key contents in Serbia and Macedonia's systems of beliefs underwent critical changes over the past 15 years. Decisions that used to be based on subjective beliefs, and interests that used to be defined in individualistic terms, have given way, to some extent, to rationales based on European intersubjective understandings. These intersubjective understandings have become the norm guiding Macedonia's diplomatic behaviour in the OSCE and UNGA. When it aligns itself with EU positions, Macedonia not only expresses its passive adherence to EU norms; it asserts that it shares the EU's foreign policy objectives as well. The very action of alignment, then, is given a collective teleology, which thoroughly permeates, if not shapes, Macedonia's national interests. This coalescence of national and European foreign policy objectives illustrates the intersubjectivity underpinning Macedonia's diplomatic behaviour in international fora. The lesser degree of Europeanisation of Serbia's diplomacy in this field is consistent with this observation. Alignment, in the case of Serbia, is a norm that occasionally deserves transgression. Transgression, here, should not be seen as illegitimate. It simply responds to national priorities, which on some issues, remain unshared. The belief that reciprocating the support of Russia, Iran or Belarus for Serbia's position against Kosovo independence is preferable to systematic alignment with the EU in the UNGA, for instance, illustrates that the transformation of national beliefs into intersubjective understanding is not automatic. On key issues of Serbia's foreign policy, individualistic approaches continue to thwart the redefinition of national approaches in collective terms, and this impediment is a visible limitation to the Europeanisation of Serbia's foreign policy.

Serbia and Macedonia's system of beliefs has also been transformed in dispute resolution matters, despite critical limitations. A key example is Serbia's negotiated acceptance of the deployment of the EULEX in 2008. In order to overcome the stalemate, the EU reframed its expectations (and the mandate of the EULEX) so that they could resonate with Serbia's causal and principled beliefs. Only then did key actors in Serbia prove amenable to adhere to the EU's approaches and adopt them as their own. Because the EU had to inflect its own position and give up its outspoken support to the Ahtisaari Plan, intersubjectivity was here premised on the renegotiation of existing beliefs. Europeanisation, by contrast, failed in a large extent in Macedonia. Despite several rounds of negotiations, no shared understanding ever emerged between Macedonia and Greece as for what adopting a "constructive approach" to good neighbourly relations should mean. In the absence thereof, both parties continued to advance their subjective beliefs, give precedence to individualistic interests and pursue relative gains.

Further examples can be evoked. In border disputes resolution matters, it has been demonstrated that good neighbourly relations have come to be considered in Serbia and Macedonia as a principle constitutive of what European integration stands for. The national interest, concerned with relative gains and losses in territorial demarcations, has often been redefined in more collective terms, following the *credo* that good neighbours having settled all disputes is what will make a peaceful Europe. In arms export controls, finally, this transformation of the subjective into the intersubjective is best illustrated by Macedonia's full acceptance of the EU's principled and causal understandings in the field. It contrasts with Serbia's partial adherence to EU standards –a sign illustrative of the lesser level of Europeanisation of its arms export controls regime.

Observing more intersubjectivity in national beliefs, however, may not suffice to evidence the phenomenon of Europeanisation. When Serbia, in 2010, sought to revive the UN talks on the status of Kosovo, its objective was underpinned by the intersubjective belief that the United Nations had the legitimate authority to resolve international issues (even if that meant perpetuating the stalemate). Instead, it settled for a new round of negotiations facilitated by the EU and with an agenda tackling technical, issue-sensitive questions. Here, Europeanisation ensued through the negotiated transformation of intersubjective beliefs shared within the UN community into intersubjective beliefs shared by Europeans, or more accurately, by "actors operating through the prism of European governance". What shall then matter in the transformation of national systems of beliefs is not necessarily the type of belief that is transformed (whether subjective or intersubjective), it is rather the set of shared understandings that emerges and constitutes the "prism of European governance".

There is, however, a grey area in this phenomenon. If European governance is more than EU governance, then, there is the possibility that EU intersubjective beliefs conflict with the beliefs shared by the same actors when they operate in the different frameworks. It has been shown, for instance, that, Serbia's frequency of declaratory alignment decreased in 2010-2011. An important factor explaining this decline, it has been shown, was Serbia's need to reciprocate third countries' support against Kosovo's independence. But Serbian officials also gave another reason for their occasional refusal to align –a reason similarly advanced by Switzerland or Turkey. They argued that the new alignment mechanism offered by the EU since 2010 (the so-

called exclusive alignment procedure) contradicts the principle of sovereign equality promoted by the OSCE. The new mechanism not only continues to deprive non-EU states from actively participating in the elaboration of draft statements; when they align, it also prevents them from issuing supplementary statements in their national capacity. This restrictive approach to alignment raises legitimate concerns about the EU's alleged attempt at imposing on the OSCE its own agenda by muting its non-EU partners –a belief that illustrates the internal contradictions sometimes characterising the emergence of intersubjectivity in Europe. In the absence of understandings shared across European organisations on that matter, it would be arbitrary to assume that EU rules take precedence over OSCE rules; that EU intersubjectivity, normatively, is superior to OSCE intersubjectivity; and then, that failure to align with EU statements is indicative of non-Europeanisation. In occasional cases, non-alignment with the EU also had a European, collective teleology –but just not that advocated by the EU.

4.2.1.2. More nodality

Political systems that are based on national governance principles, usually sustain a strict distinction between what is inside and what is outside the system. In the inside, there are national actors shaping state's domestic polity, policies and politics. In the outside, there is an environment populated by international organisations, third countries and non-statal actors. At the interface, there are actors pursuing foreign policy objectives, seeking to influence their environment. These actors connect the political systems with their environment in a peculiar way. On the one hand, they liaise with the outside world, have representative functions and engage in negotiations with international partners. They create bridges, in a word, between the inside and the outside. On the other hand, these actors pay much attention to ensure that no sovereign right is breached, that international organisations and other states do not interfere with domestic affairs, and in a word, that the divide between the inside and the outside is well-maintained.

Europeanisation entails a remarkable transformation of this interface. Through the creation of nodal connections, Europeanisation entails the blurring of the divide between the inside and the outside, the domestic and the European. Instead of being mutually exclusive, these notions become mutually constitutive: European actors inform domestic affairs and increasingly act as domestic actors; national actors inform European affairs and increasingly act as European actors. This nodality across political organisations transforms the way political systems relate to their environment. It makes national governance fuzzier, because of the coalescence of political spaces, and European governance increasingly important for the logic of political action, including in states' most sovereign prerogative, i.e. foreign policy.

The empirical findings presented in this thesis back this argument pertinently. The changes that have affected Serbia and Macedonia's foreign policy organisation over the past 15 years indicate a transformation of the interface between the domestic and the European. Much has been done, for one, to build up the administrative capacities of Serbia and Macedonia's institutions responsible for the coordination of domestic and European policy processes. Specific bodies, placed under the direct authority of the Prime Minister, were established in both countries (SEA in Macedonia, SEIO in Serbia) in order to manage inter-sectoral coordination and offer professional training on European governance. These have become important nodes. Through their network

of operational, functionally specialised ramifications, they promote European governance in every Ministry. In Macedonia, this nodality is even more developed than in Serbia. It has anchored the EU's CFSP/ESDP in the organisational design of the country's MFA and MoD, as an organic part of them. When decisions are taken in Macedonia's MFA, these bodies ascertain that actors operate through the prism of European governance. Outside the walls of the MFA, the coalescence of national and European foreign policy processes has taken another path. On OSCE issues, for instance, foreign policy decisions are decreasingly taken by the MFA units responsible for OSCE matters in the capital. Coordination with the EU occurs directly on the spot, in Vienna, with the intervention of an EU officer responsible for handling the alignment mechanism. The representatives of Serbia and above all Macedonia in Vienna increasingly serve as physical nodes in the system. They graft their home institutions in their European environment.

More nodality across national and European organisations builds up actors' capacity to operate through the prism of European governance. The de-concentration of foreign policy processes and the empowerment of actors committed to European governance in national institutions facilitate the circulation of information across levels of governance and makes political systems more permeable. Decisions that used to be made at the national level, for instance regarding arms export controls, are now increasingly based on decisions taken at the European level. This is most visible in Macedonia, where EU decisions to impose restrictive measures, whether autonomously or not, on potential arms buyers have come to be recognised as equally binding as UN sanctions.

4.2.1.3. More homogeneity

Political systems, which are based on national governance principles, do not strive for blurring cross-national differences. They often accommodate their specificities as an expression of sovereignty, and therefore remain relatively impervious to the idea of homogenisation, e.g. the acquisition of common properties. This is not to say that national governance is incompatible with policy convergence or institutional isomorphism. Cooperation between like-minded countries or political actions guided by parallel problem pressures may lead to convergent changes without actors shifting their commitment from national to European governance. Political systems based on national governance principles may even reach a certain level of homogeneity, but then, only incidentally, as an epiphenomenon in Europe's political ecology.

Europeanisation entails here a different sort of convergence, leading to a different sort of homogeneity –a purposive one. When actors in Europe rely on intersubjective beliefs to make decisions and when they interact across boundaries that are blurred by increasing nodality, then cross-national differences are bound to fade away. Common premises for political action and coalescent organisations do not preclude their persistence, but they make them less likely. Why, after all, should cross-national differences be maintained, if political systems in Europe witness the loosening of their commitment to national governance principles? How could they be maintained, if the emerging post-Westphalian political order challenges the very notion of "cross-national" differences? As domestic actors shift the logic of their political action from national to European governance, they accept challenging elements in their political system, which pertain to national governance. If those elements are a hindrance in the

on-going transformation, then convergence becomes purposive. At the collective level, this leads to homogeneity in Europe.

The empirical findings presented in this thesis back this argument. First, there is Serbia and Macedonia's quasi systematic alignment with EU positions in the UNGA and OSCE. This development illustrates how diplomatic behaviours tend to converge in Europe under the leadership of the EU. Then, there is the legal harmonisation of Serbia and Macedonia's arms export controls policy. The adoption of normative criteria common to other regimes in Europe is a visible mark of their inclination towards more homogeneity. There is also the adoption of European standards in diplomatic communication policy, which is a prerequisite elaborated by Nato but later posited by the EU in order to the secure the exchange of classified information in CFSP/ESDP matters. The adoption of European standards has been accompanied by the modernisation of Serbia and Macedonia's internal and external communication networks. Even in more sensitive matters, as the Kosovo issue for Serbia, recent developments indicate a moderate convergence of views. In 2009, Serbia's position regarding the deployment of the EULEX mission in Kosovo shifted from sheer hostility to negotiated acceptance and more recently, to calculated support. In the field of customs and border management, it demonstrated a growing acceptance of the idea of physical separation with Kosovo, and the *de facto* abandonment of the idea of partition. Regarding the issue of Kosovo's international representation, it took a more acceptant turn with the signature of the footnote agreement in 2012. These inflections in Serbia's policy towards Kosovo were all achieved in the course of the EU facilitated negotiations process between Belgrade and Pristina. They illustrate Serbia's readiness to find a compromise, i.e. a middle ground, towards which different views could converge.

Convergence, it has been shown, has often been commanded, guided, facilitated or inspired by the EU. But assuming that the EU is the point of reference towards which Serbia and Macedonia's foreign policy converge would be excessive. First, there is convergence with multiple points of convergence. In organisational reforms, for instance, Macedonia examined how Slovenia built up its capacities for inter- and intra-sectoral coordination and emulated the Slovenian model. But the Slovenian model is by no means the EU's point of reference in organisational matters. Likewise, in border dispute affairs, Serbia looked for possible solutions in a territorial struggle opposing Portugal and Spain. This bone of contention is not a point of reference in European governance. Second, there is convergence towards European positions, even without EU position. The best illustration of this phenomenon is non-EU states' voting behaviour in the UNGA. Unanimity among EU member states, it has been found, certainly enhances the propensity that Serbia and Macedonia align themselves with the position of the EU. But disunity among EU member states on specific issues, i.e. the absence of EU unanimous voting position, often, is no impediment to Serbia and Macedonia's alignment with the majority of European states. Third, there is convergence towards EU positions, which in fact are the positions of particular member states. The conditionality regime imposed to Serbia with regards to the normalisation of its relations with Kosovo, for instance, cannot be understood without underlining the contributions (and expectations) of Germany. And the membership of Greece in the EU and in Nato is pivotal to understand the stalemate faced by Macedonia in its path towards European integration. In the latter case, the position of the EU (and Nato) is not a position of the community of states –it is the position of

one member state projecting its approach on the collective level. There is, finally, convergence towards EU positions, which, in reality, are no genuine "EU" positions. In many fields of foreign policy, the EU, it has been found, is no norm-maker. It transmits international norms and principles that pre-exist, and sometimes only leave an imprint (e.g. by increasing their compellingness and stringency). Serbia and Macedonia's support for good neighbourly relations, for instance, is not contingent on their adherence to EU norms. As a matter of fact, border disputes may equally be resolved on the basis of a shared commitment to international law. The role of the EU, again, is often more subtle than that of a point of convergence. Because of this fuzziness, it would be ill-suited to speak of convergence as leading to uniformity.

4.2.2. What Europeanisation does not entail

4.2.2.1. Uniformity

If the EU cannot be considered, ontologically, as the point of reference towards which political systems converge in Europe, then Europeanisation is unlikely to entail uniformity, i.e. the adoption of a single set of properties designated (e.g. by the EU) as the one form (*uni-forma*). The multiplicity of the points of convergence, their possible absence, their fuzziness and indeterminate lineage make it difficult to think of Europeanisation as a process conflating Europe with the EU. And claiming that Europeanisation entails uniformity, then, would be illusory, at best. The persistence of different levels of governance in post-Westphalian Europe, the co-existence of international organisations in Europe with cross-memberships and the joint enmeshment of European states and organisations in international normative structures make the interactions between European polities more complex. Reducing their transformation to some sort of unification is appealing, but it brackets a range of research questions, which Europeanisation researchers have no reason to discard. What, for instance, does Serbia's critique against the EU's exclusive alignment mechanism in the OSCE tell us about Europeanisation? Did the EU's principle of good neighbourliness really matter in the resolution of Macedonia's border dispute with Kosovo? Is the growth of Macedonia's diplomatic network really indicative of Europeanisation? What was the role of cross-national communications in the organisational reform of Macedonia in the mid-2000s? And what was the role of Nato in the modernisation of diplomatic communication networks promoted by the EU through its conditionality regime? Positing uniformity as a manifestation of Europeanisation tends to assume that the EU provides a one-size-fit-them all model of transformation, which European states can simply acquire. It neglects to pay attention to the ontological reality of the model, and when it exists, to its genuineness. When it is aimed at demonstrating that European polities are tending towards uniformity, inferring Europeanisation merely from convergence is a methodological illusion.

Moreover, Europeanisation entails variations in the process of transformation, i.e. in time, timing and tempo. It is clear, from the research, that transformation did not affect Serbia and Macedonia at the same time. It started, in general terms, earlier in Macedonia, than in Serbia. Macedonia's MFA organisational reform, for instance, was mostly accomplished by 2005, but it only started in Serbia in the late 2000s. The same is true for the reform of Serbia and Macedonia's arms export regimes and for the demarcation of their respective territorial borders. The fact that the two countries, at a given time, were located at different institutional distances from the EU may

explain some of these differences. Macedonia and Serbia did not sign their SAA at the same time (2001 for the former, 2008 for the latter) and they were not granted EU candidate status at the same time (2005 for the former, 2012 for the latter). Sometimes, Europeanisation entailed differences in time, but similarities in timing. Serbia and Macedonia, for instance both carried out their MFA organisational reforms as part of their application process for EU membership. But this is no rule. Unlike Macedonia, which transformed its regime of arms exports as part of this application process, Serbia initiated its reform as part of its SAA pre-negotiations. In organisational matters, it has been shown that Serbia, in 2010, faced demands by the EU that were more specific than Macedonia in 2004. There are, finally, differences in the tempo of the transformation. Within the past two or three years, Serbia has witnessed a remarkable transformation of its approach towards the Kosovo issue. In this relatively short time, Serbia inflected some of its key positions on the issue. Macedonia, by contrast, did not inflect its position regarding the naming issue over the past ten to fifteen years. The tempo of transformation also differed in border dispute resolution matters. Whereas Macedonia's border disputes have been resolved in a timely manner (e.g. most lately as part of the Kosovo recognition process), the processes involving Serbia have taken a much slower pace. The same is true in arms export controls. Whereas Macedonia fully aligned its legislation with the EU's Code of conduct by simply declaring in 2004 its acceptance of the whole body of EU rules and practices, Serbia took a more circumvolutory path. It started by partially transposing EU norms, but without creating a direct link between EU and domestic law. Serbia's reform, as a result, lasted more than three years, compared to a few months for Macedonia.

4.2.2.2. Ineluctability

Europeanisation does not entail a transformation based on sequential, irreversible developments, culminating, for instance, with the neo-Westphalian unification of European polities. It is, as a matter of fact, a non finite process, constantly subject to renegotiations. It has been shown that the prism of European governance is not an objective construct –that it might be subject to individual interpretations and also evolve over time. In foreign policy matters, what European governance means today, after all, is not the same as what it meant in the 1990s. For one, the direct involvement of the EU in the negotiation process between Belgrade and Pristina is an innovative development. It created an opportunity to extend the scope of Europeanisation in an issue area that was primarily driven by national governance principles. This is where European integration is important to European governance and Europeanisation: it fuels systemic changes in European contexts, which reverberate in Europe's ecology.

This is not to say that Europeanisation is bound to follow the achievements of European integration. The research has shown, in many instances, that Europeanisation is not ineluctable. Despite mounting pressures, Macedonia did not inflect its foreign policy position on the naming issue. And the EU did not get more involved in the negotiation process unlike its experience with Serbia and Kosovo from 2010. Sometimes, Europeanisation just failed. For instance, in border dispute resolution matters, the EU endeavoured to bring forwards possible changes in Serbia's approaches, but in vain. It did not succeed in lifting the deadlock maintained by Serbia's insistence on linking its Montenegrin border issue with its Kosovo's non-recognition policy. And sometimes, Europeanisation also depends on others. Serbia, for instance, did not succeed in launching negotiations with Bosnia-Herzegovina in

order to settle its border disputes also because of the institutional complexities of the Bosnian state. Even when it is a success, there is the possibility that Europeanisation is reversed, that national governance re-gains impetus and actors become reluctant to continue operating through the prism of European governance. The best illustration of this phenomenon of de-Europeanisation is Serbia's dis-alignment from EU unanimity positions in the UNGA since 2006, and its gradual re-alignment with Russia.

4.3. A multi-theoretical approach to Europeanisation

4.3.1. Causality issues

Causality is an issue that often remains under-addressed in Europeanisation studies[1901]. This is because the field is dominated by top-down research strategies, designed with the purpose of checking deductively the influence of (questionably) preselected variables (usually EU integration). These research strategies assume the logical separatedness of the independent and dependent variable and, too often, ascribe the monopoly of causal powers to the sole EU. This thesis, by contrast, relied on a bottom-bottom more inductive research strategy. It did not assume that the independent and dependent variables are ontologically different and therefore treated the EU as an exogenous variables amongst others. Starting from the *explanandum* rather than a hypothetical *explanans*, the author of this thesis had more freedom to gauge the actual forces at play in the transformation of national political systems. Inductive reasoning, for that matter, aroused the idea that causality is rarely straightforward as deductive research strategies might suggest; that the causal power[1902] of the EU should neither be prejudged nor overestimated; and that variables, sometimes, are ontologically proximate, though logically separate.

4.3.1.1. Simple causality

In a few cases, it has been possible to draw simple inferences suggesting straightforward EU-driven causality. It has been the case, for instance, when alignment with EU positions in the UNGA and OSCE was found to occur as a result of foreign policy coordination. The introduction of the alignment mechanism as part of non-EU states' conditionality regimes certainly explains why Serbia and Macedonia purposively consider the positions of the EU before voting in the UNGA or issuing a statement in the OSCE. It explains, to a limited extent though, the increasing homogeneity in Europe's political ecology. The same is true of Serbia and Macedonia's administrative capacities, which have been built up with the purpose of intensifying coordination with EU structures and policies. The expectations of the EU in that area and the requirements arising in Serbia and Macedonia from a mode of governance purposively shifting towards European governance certainly explains, to a

[1901] Until the recent contribution by Exadaktylos, T. and Radaelli, C. M. eds. 2012. *Research Design in European Studies: Establishing Causality in Europeanization*.

[1902] The critical realist notion of "causal powers", repeatedly used in this conclusion, was proposed by the Rom Harré in the 1970s, as a critique against neopositivism. It is based on the assumption that that perception is not exhaustive, and that unobservables may act as theoretical objects known by what they do (and not by mere observation of what they are). The theory of causal powers provides that a given social phenomenon is produced by the interaction of multiple factors (both dependent and independent from the phenomenon observed). These factors have structural properties, but none of them alone can account for the emergence of the phenomenon.

limited extent though, the increase in organisational nodality that has been described as manifestation of Europeanisation. And it is finally true, again to a limited extent, of the development of good neighbourly relations in the Western Balkans. By promoting the settlement of neighbourly disputes as part of its political dialogue with non-EU states and connecting it to its good neighbourliness principle (a principle that has gradually entered the grey area of the EU's political criteria and is now projected through conditionality), the EU seeks to gain causal powers in the area. Some achievements, e.g. in the case of Serbia's negotiations with Kosovo in the framework of the EU facilitated dialogue, cannot be understood without acknowledging the pivotal role of the EU (or its member states acting under the veil of the EU). EU-driven causality, in other words, sometimes helps drawing conclusive inferences regarding the emergence of more intersubjectivity in non-EU Europe.

When the EU takes the leadership in shaping Europe's political order, or when it frames a normative context in which domestic actors conflate European governance with EU governance, then causality may be inferred in an easier way from the EU's neo-Westphalian posture. The transformation of national political systems, i.e. the gain of homogeneity, nodality and intersubjectivity recorded across European non-EU states, in this conditional understanding, primarily occurs because domestic actors are ready to subscribe to a European mode of governance giving normative precedence to the EU. It is because the EU, in some cases, can be treated as neo-Westphalian political order, that simple causality can be invoked to explain particular aspects of Europeanisation. But simple causality is not the rule. More often than not, causal powers are multifaceted, only revealed by complex inferences. Inter-organisationalism and normative contexts (both domestic and international) often stand behind the phenomenon of Europeanisation in such a way that they cannot be isolated from the EU's causal power.

4.3.1.2. Complex causality

Inferring causality in Europeanisation research is complex for a good reason: it is best approached through complexes of variables. There is, indeed, no such thing as a unique, ontologically distinct independent variable exerting its causal power over national political systems. In a few cases, the decisive influence of the EU might be invoked in an attempt to establish simple causality. But this influence remains a theoretical object with no materiality to which one might ascribe causal powers. Even there, it is, in fact, the social structure in which this influence is embedded that has causal powers. And this social structure rarely allows conceiving reductively European governance as the exercise of EU supranational authority. It has been shown, for instance, that the EU's alignment mechanism has been instrumental in increasing the homogeneity of diplomatic behaviours across non-EU Europe. But without the intensified communications between Serbia and Macedonia on the one side and particular EU member states on the other side (e.g. Slovenia); without the preliminary formation of shared understandings between Serbia and Macedonia on the one side and the EU on the other side (e.g. regarding the promotion of human rights); and without the perceived resonance of EU positions with Serbia and Macedonia's commitment to international norms, it is doubtful that the EU's alignment mechanism would suffice to cause alignment. That is why, even in those instances best amenable to be premised on neo-Westphalian conceptions of Europe, researchers would be wiser to think about Europeanisation in terms of complex of variables.

This is, of course, most indispensable in those research areas that do not fit neo-Westphalian conceptions of European governance –e.g. in most parts of foreign policy. Establishing simple causality, therein, is at best a heuristical depiction of a simpler complex of variables. These variables (dependent, independent) are not always separate, ontologically. For instance, in matters of border dispute settlement, it has been demonstrated, that the EU, as a matter of fact, exerts little influence. Domestic factors (e.g. the political agenda of the ruling coalition in Macedonia) remained prevalent in those cases where an achievement could be recorded. Domestic factors, in other words, were instrumental to allow the Europeanisation of border regimes –i.e. the transformation of domestic structures. More importantly, in most of the occurrences of Europeanisation which have been documented, it has been shown that the variables at stake (dependent, independent) were not even separate, logically. Europeanisation, as an increase in intersubjectivity (explanandum) often required to build on prior-intersubjectivity. One of the reasons invoked by Macedonian officials for their alignment with EU positions in the UNGA and OSCE, for instance, was the causal belief that they contribute, thereby, to strengthen European foreign policy. This causal belief, however, was presumed on the principled belief that Europe is a force for good: it presumed some prior form of intersubjectivity. The same reasons for action have been invoked in most of the other dimensions of foreign policy studied in this thesis. Organisational reforms in Serbia and Macedonia, or arms export controls reforms in the two countries, for instance, were to a large extent also driven by dispositions positing EU accession as national strategic objective. These dispositions had no causal power, since they often did not even call for a specific course of action. But they were part of the complex of variables resulting in Europeanisation, as factors guiding actors' decision to operate through the prism of European governance. Their logical un-separatedness from the *explanandum* should not be an impediment to increase the explanatory power of the *explanans*.

Causality is also complex because it is multiple. One of the major finding in this thesis is that there is an inter-organisational dimension to Europeanisation. In several cases, it was found that the transformation of Serbia and Macedonia's political systems did not originate from domestic actors' interactions with the EU, but from social structures including inter-organisational interactions. Building up diplomatic communications network, for instance, responded to domestic actors' will and duty to intensify the nodal connections between national and EU structures. But it also (and above all) responded to Nato's requirements in the framework of the PfP –a requirement that has been taken over by the EU. The same is true in arms export controls. The standards for transparent reporting, to which Serbia and Macedonia adhere, both stem from the EU's armament policy and the Wassenaar Arrangement – an organisation which Serbia and Macedonia wish to join. In fact, is has been seen that the EU "imports" the standards of Wassenaar Arrangement before projecting them in the framework of its conditionality regime. The inter-organisational lineage of European norms in these two examples makes any claim for simple causality disputable, at best.

Causality is complex, in fact, because it is shared. It has been shown, throughout the thesis, that almost any inference of Europeanisation should be nuanced by the fact that most of European norms merely echo international norms. With respect to good neighbourliness, the EU left only a few imprints of its own in the transfer of UN

obligations. These imprints were not substantive –they magnified the compellingness of general principles of international law. In dispute settlement matters, the EU also relied on UN prescriptions in its attempt to mediate Serbia's dispute with Kosovo and Macedonia's dispute with Greece. It considerably amplified the resonance of UN obligations by conditioning further progress on Serbia and Macedonia's accession process to the resolution of the disputes. But it did not genuinely "create" the normative expectations it projected. In arms export controls regimes, the standards promoted by the EU, in fact, are the focal reflections of international and regional norms. What the EU can genuinely be credited for is the scheme aiming at fostering the shift away from national governance principles in arms export controls by means of its outreach, assistance and association instruments. Or, alternatively, the translation of international law into European law. In an EU context, failures to enforce UN sanctions, for instance, entail a breach of EU law –a breach against which the EU may act with more political weight than the UN Security Council. In an EU context, failures to demonstrate restraint in arms exports, when human rights are seriously compromised in the country of the intended recipient, also entail a breach of EU law –a breach that is not sanctioned otherwise.

Causality, finally, is complex because it cannot be blindly established through deductive reasoning. The deceptive case of the extension of Serbia and Macedonia's diplomatic network illustrates this claim. By reifying the EU as sole point of reference, bracketing other determinants, and implicitly positing EU integration as primary source of change, deductive approaches tend to overestimate the salience of the EU independent variable. They would readily indicate developments in Serbia and Macedonia's diplomatic networks, from which Europeanisation, actually, should not be inferred. The research showed that changes in Serbia and Macedonia's diplomatic networks were in fact primarily driven by economic motives and bilateral relations with third countries. Little credit can be lent to actors' assertions that such changes respond to the EU's perceived expectations.

Complex causality makes Europeanisation research little amenable to grand theorisation or straightforward modelling. This is because it can rarely be inferred from an individual, well-bounded variable, identifiable as independent. It emerges, as a rule, from a complex of intervening variables, the configuration of which is not necessarily generalisable. Resources availability, for instance, is one of these variables: it matters to understand Europeanisation in Serbia and Macedonia, but has no causal power on its own. It has been shown, indeed, that Macedonia's lack of expertise on specific issues in the OSCE increased its propensity to rely on the EU's and align itself with EU positions. Facing a lack of expertise on similar issues, Serbia was found to react conversely by abstaining from issuing a statement on the question or refraining from aligning itself with the EU. In the absence of empirical generalisation regarding the causal power of individual variables, no general explanation can be conclusively inferred from small-n study observations. Complex causality, in a word, makes causal powers case-specific. This is not to say that Europeanisation research cannot benefit from theoretical insights. Identifying the empirical variables that matter across cases is a prerequisite for the production of cumulative knowledge. In this thesis, these suggest that Europeanisation would gain in being understood as political learning.

4.3.2. Europeanisation as political learning

Learning has been part of the lexicon of Europeanisation researchers for several years. It is commonly identified as a mechanism of Europeanisation –one amongst others. Rather than subsuming learning to Europeanisation, this thesis, in its conclusion, argues that Europeanisation is a special kind of (political) learning. It furthermore argues that learning theories are a fertile ground to reflect on complex causality in Europeanisation research and that further bridges should be built with educational studies.

A convincing way of presenting the different mechanisms of Europeanisation is to draw from the philosophical work of Prawat and Floden [1903]. These scholars differentiate three types of learning, underpinned by different ontological and epistemological positions: "mechanistic", "contextual" and "organismic" learning[1904]. All of them find solid empirical support from the findings presented in this thesis –an indication that Europeanisation ensues concomitantly through multiple channels of political learning.

Learning can best be defined as a "process in which individual or collective actors acquire knowledge that leads to a change in their behaviour in changed institutional arrangements"[1905]. In the context of Europeanisation, learning is, arguably, what makes actors who used to be committed to national governance principles start and keep operating through the prism of European governance. It is, in other words, the theoretical force driving the transformation of political systems in Europe.

The type of knowledge individual or collective actors acquire in the context of Europeanisation pertains to both political ends and political means to an end. Learning political ends means redefining one's national objectives and strategic priorities, e.g. making them amenable to more intersubjectivity. When Serbia, for instance, agreed on the accord with Kosovo on customs and borders, it inflected one of its core positions regarding the idea of physical separation. Learning political means to an end, by contrast, only implies the search of a solution intended to mitigate dissatisfaction, e.g. with the lack of nodal connections with European structures. When Macedonia, for instance settled for adopting the EU's CFSP acquis, it surveyed the organisational designs of other member states to set up the structures necessary for inter- and intra-sectoral coordination.

Given the specific context, in which they operate, at the ever blurring interface between the domestic and the European, and the dynamic of regional and global integration that is at play in Europe, the individual and collective actors implied in learning processes necessarily operate in an ever changing institutional environment. As Serbia and Macedonia progress towards EU accession, for instance, they are

[1903] Prawat, R. S. and Floden, R. E. 1994. 'Philosophical Perspectives on Constructivist Views of Learning.' *Educational Psychology* vol.29 (1).
[1904] The term of "mechanistic", proposed by Prawat and Floden, evokes an authoritative transfer of knowledge. The term of "contextual" evokes a more interactive process and "organismic" hints at learners' self-propelled search for knowledge.
[1905] Siebenhüner, B. and Suplie, J. 2005. 'Implementing the Access and Benefit-Sharing Provisions of the Cbd: A Case for Institutional Learning.' *Ecological Economics* vol.53. p. 511.

expected to get acquainted with new rules, new ways of doing and to adopt more stringent norms. Likewise, as the EU attempts to take a more assertive posture in the OSCE, it redesigns its alignment mechanism so as to prevent non-EU states from making supplementary statements. Exogenous variables, in this ever changing context, make learning –and Europeanisation- potentially infinite.

The EU is usually treated in the Europeanisation literature as norm-maker, i.e. as diffusing "standard[s] of appropriate behavior for actors with a given identity"[1906]. Would-be member states, like Serbia and Macedonia, are typically identified as norm-takers: they are expected to acquire the EU's knowledge and adjust their legal and political system accordingly. The dichotomy, on which the bulk of the Europeanisation literature is premised, lacks empirical support. It has been shown in this thesis that Europeanisation does not always imply norm-taking. Serbia, for instance, negotiated the deployment of the EULEX in Kosovo by conditioning its acceptance of the EU Mission to the redefinition of its mandate in accordance with the principle of status-neutrality. In so doing, it contributed to shape the EU's standard, and did not merely act as norm-taker. More generally, it has been argued that sometimes, Europeanisation occurs despite the absence of EU norms in the field (as in the case of Serbia and Macedonia's organisation reforms). Equating Europeanisation with norm-taking, in this context, is a special case in the more complex process of learning, at best.

This dichotomy is even more problematic if one looks at the norm-making part of the relationship. The EU certainly acts as a source of knowledge in many issue-areas. It has the expertise, the normative frameworks and the willingness to share, or diffuse, these contents through the EU accession process. But this *prima facie* role of norm-maker shall not prevent Europeanisation researchers from problematising the making of European norms, i.e. wondering where national actors actually learn from. In this thesis, it appeared that often, national actors learnt from other sources, but through the EU. They learn international principles of law from international normative contexts (e.g. on good neighbourly relations); they learn best practices from peers (e.g. in the field of organisational reforms); and they learn international standards from inter-organisational interactions (e.g. in the field of diplomatic communication networks).

A few remarks should be made about inter-organisational sources of knowledge, since these are due to gain impetus. With the creation of the CFSP in the 1990s and its subsequent consolidation, the EU has developed an enhanced capacity to cooperate with international organisations (IOs). Interactions between the EU and an increasing number of IOs have become richer, thicker, and they are now in a process of inter-organisational institutionalisation. In foreign and security matters, inter-organisational cooperation has been increasingly moving "beyond the dyad into more complex configurations"[1907]. As a result, the boundaries of these organisations have become "ambiguous and fluid […], and they tend to penetrate and permeate each other"[1908]. This has been documented at several occasions in this thesis: EU-UN, EU-Nato, EU-

[1906] Finnemore, M. and Sikkink, K. 1998. 'International Norm Dynamics and Political Change.' *International Organization* vol.52 (4). p. 891.
[1907] Biermann, R. 2008. 'Towards a Theory of Inter-Organizational Networking: The Euro-Atlantic Security Institutions Interacting.' *The Review of International Organizations* vol.3 (2). p. 152.
[1908] Jonsson, C. 1986. 'Interorganization Theory and International Organization.' *International Studies Quarterly* vol.30 (1). p. 40.

OSCE and EU-Wassenaar Arrangement relations. More often than not, the EU does not play the role of norm-maker; it transmits the norms originating from other IOs, transfers their substantive contents while increasing, generally, their compellingness. Europeanisation, as a result, often implies that actors learn through the EU rather than from the EU.

4.3.2.1. Europeanisation as mechanistic learning

The first type of learning identified by Prawat and Floden is underpinned by an objectivist epistemology: learners consider a belief worth learning, inasmuch as it rightly depicts how the world works out there. This dualist approach places much emphasis on the causal powers of environmental structures. Knowledge, after all, should mirror the world. It should reflect the objective properties of the learners' environment, which being the only source of knowledge, is "the key determinant of behavior"[1909]. In the end, what matters most is the extrinsic acquisition (from the outside world) of knowledge so that internal beliefs and actors' behaviour "correlate with or correspond to those structures afforded by the environment"[1910].

In the context of Europeanisation studies, mechanistic learning implies that actors previously committed to national governance principles, start or continue operating through the prism of European governance because of structural, objective necessities. Many of these are imposed on them through their country's conditionality regime with the EU. They are of political and legal nature, but not only. Socially constructed norms, when they are taken for granted by potential learners, start being considered as given. All of them command compliance as a means of increasing the correspondence between domestic and European structures and processes. Mechanistic learning, in this understanding, is then premised on the existence of political misfits –it is a straightforward attempt to remedy the dissatisfaction that is caused by them. Mechanistic learning therefore resonates with the idea of adaptational change promoted by the goodness of fit model –whether in its rational choice, sociological or historical institutionalist variant. Both exogenise the rationale of Europeanisation at the structural level and conceive of it as an objective necessity imposed upon national actors (notwithstanding the configuration of the complex of variable for the former and the set of intervening variables for the latter).

The thesis, or more specifically its structural analysis, backs the argument that Europeanisation, in particular cases, did ensue through mechanistic learning. Under certain circumstances, structural necessities were found to have causal powers. **First, there should be some foreseeable reward to induce the painful process of mechanistic learning, and possibly too, some form of oversight**. In diplomatic alignment matters, it has been shown that Macedonia accepted compliance as a rule of the European integration game on the ground that it increased its chances to join the EU. It viewed alignments as a duty with prospective rewards that cannot be outbid. Macedonia, after all, is politically very dependent on the EU and third countries have little political leverage on it. Serbia, by contrast, first considered alignment as a right without duty (between 2003 and 2006), and later as a duty with uncertain and, as a matter of fact relatively modest, rewards. After aligning itself intensively with the EU,

[1909] Prawat, R. S. and Floden, R. E. 1994. 'Philosophical Perspectives on Constructivist Views of Learning.' *Educational Psychology* vol.29 (1). p. 41.
[1910] Ibid. p. 38.

it started to question the assumption that sheer compliance is always rewarded, and gradually called for a more critical appraisal of the alignment mechanism. Serbia's lesser dependency on the EU also made it more amenable to reciprocate third countries' support on the Kosovo issue against EU positions. From 2007, Serbia has thus invested a considerable amount of diplomatic capital in its relationship with Russia –a capital it diverted from its commitment to European governance. In fact, the structural analysis showed that compliance is most likely when the anticipated reward is very concrete. On Serbia's Kosovo issue, for instance, the Commission implicitly established a link already in 2008 between its recommendation for candidate status and the country's acceptance of the EULEX mission. In 2009, it posited the signature of a police cooperation agreement between Belgrade and the EULEX as requirement for Serbia to qualify for visa liberalisation. And in 2012, the Council conditioned its approval of Serbia's candidate status to the conclusion of an agreement on the representation of Kosovo in regional fora. These demands were all met, often shortly before the deadline, because the reward offered by the EU ultimately outbid the initial reluctance of Serbia's foreign policy actors. Of course, this reluctance may be resilient and continue to hinder the adaptational process. In arms controls policy, for instance, it has been shown that the harmonisation of national legislations has been partly dictated by EU conditionality. Serbia and Macedonia's actors expect it to be rewarded by further progress on European integration in the field. But the costs involved by the reform are not the same for Macedonia, which barely exports arms, and Serbia, which has an whole economic sector dependent on arms exports. The lesser reward anticipated by Serbia's actors in this field certainly substantiates Serbia's failure to bring in full correspondence its arms export policy with the structures afforded by the EU. Being offered a foreseeable reward, however, may not suffice to induce mechanistic learning. In order to make sure that the reforms are carried out, the imposition of European oversight may be necessary. In matters of diplomatic alignment, it has been shown that Macedonia (already in 2004) and Serbia (only later, in 2010) have been required to account for their failures to align with EU positions in the OSCE and UNGA. This requirement did not play an essential role in motivating alignment, but it made non-alignment more costly. In diplomatic communications matters and in border dispute settlement matters, likewise, the progress made by Serbia and Macedonia have been closely monitored by the Commission. The EU Questionnaire was a watershed in this respect: it materialised the EU's expectations in a series of issue-areas and opened them to the oversight of a European body. When the EU failed to control harmonisation, then mechanistic learning lost its impetus. Macedonia, for instance, ceased to publish arms reports after 2007 without the Commission raising eyebrows.

The second factor facilitating mechanistic learning is the perceived objectivity of the normative contents projected through the prism of European governance. When structural necessities are perceived as unconditional, they impose themselves on domestic actors without being discussed, negotiated and internalised. Their quasi materiality leaves no choice to domestic actors –it negates their agency and dictates their behaviour. National approaches that are incongruent with European ones are adjusted, as the sheer reflection of the structural power of the European context. As prospective EU member states, Serbia and Macedonia, for instance, are explicitly required to apply the EU's regime in dual-use items export policy. They are also required to increase the convergence towards the EU of their positions on international issues. Macedonia, it has been shown in this thesis, viewed both

obligations in the field as unconditional. That is why the country did not neither procrastinate nor tergiversate as it harmonised its national legislation with the EU's changing Community regime on dual-use items. That is why, more generally, it gave preference to the fast-track, direct, unreflexive harmonisation of its arms export policy. And that is also why the cognitive process activated while Macedonian diplomats read EU draft statements in the OSCE before aligning, as a rule, assumes the appropriateness of the EU's statement, even in the absence of expertise in the matter tackled in the statement. In both cases, alignment and harmonisation have become norms that hardly admit exceptions. Serbia, by contrast, views alignment in the OSCE and UNGA as a norm that occasionally deserves transgression, e.g. when the EU copes with an issue that involving countries East of Vienna. It does not objectivise the obligations stemming from European structures to the same extent as Macedonia. In arms export policy matters, likewise, Serbia did adapt its national legislation. But it preferred incremental changes to the one-off exhaustive transfer of normative contents, and it remained wary of giving unconditional precedence to European norms. That wariness made Serbian actors less amenable to mechanistic learning. Interestingly, the EU, at several occasions, attempted to foster the objectivisation of its norms to enhance mechanistic learning. It did so, with a certain success, by linking obligations that were not perceived as unconditional with approaches perceived as objective necessities. The EU, for instance, sought to increase the weight of its conditionality leverage by connecting its call to conclude the 2009 border agreement between Macedonia and Kosovo to the need to adopt its *acquis communautaire* relating to integrated border management. It also used issue-linkages in order to inflect Serbia's position towards Kosovo in the field of customs and border management by linking the result of the negotiations with Pristina to Serbia's prior commitment to ensure that the EULEX can fulfil its mandate throughout Kosovo. Another way used by the EU in an attempt at objectivising its norms and foster mechanistic learning was its attempt at reframing its expectations in technical rather than political terms. The object of negotiations, in so doing, gained in materiality –and room could be created for mechanistic learning. The EU used this device to foster the settlement of the border dispute between Kosovo and Macedonia in 2009, and more prominently, in its attempt to normalise the relations between Serbia and Kosovo since 2011.

The third factor facilitating mechanistic learning is the specificity of the normative contents projected through the prism of European governance and their consistency. Structural necessities that are specific, goal-oriented and well-bounded are more likely to impose themselves on domestic actors and to induce compliance. In sanctions policy or diplomatic communications networks matters, for instance, it has been shown that conditionality proved very effective because it was mostly specific and consistent. The EU's expectations regarding Serbia's arms export controls policy, by contrast, lacked specificity until 2011 and no wonder then that the country failed to comply with EU standards until very recently. In transparent reporting matters, likewise, the EU's Code on conduct on arms exports did not provide a list of specific requirements. After aligning itself with the code of conduct and publishing two reports, Macedonia's commitment to share information eventually eroded in 2007. In organisational matters, it has also been seen that Serbia and Macedonia's reforms had little to do with compliance. The demands formulated by the EU in that area, often, were too vague to induce mechanistic learning. In a few cases, these demands were very specific, e.g. regarding the appointment of the European Correspondent or Political Director. But in the absence of substantiation,

they have led to shallow changes. The other dimension that is important here is consistency. It has been shown that the lack of cohesion among EU member states in diplomatic matters almost systematically gave rise to Serbia's wariness regarding the appropriateness of alignment in the OSCE and UNGA. The same goes for Macedonia's position *vis-à-vis* the naming issue. Since no member state expressed a consistent interest in the question, expect Greece of course, the EU's conditionality dialogue with Macedonia fell short of inducing any changes in Macedonia's position. This observation contrasts with the EU's approach towards Serbia's Kosovo issue. It has been shown indeed that even though the EU has no common position on how the solution to the Kosovo issue should look like, ideas supporting the Ahtisaari proposal have been etched in the EU's institutional memory. Theses ideas (implying the inflection of Serbia's no-independence position) were found to have germinated in the past few years. They now impregnate the approaches of key EU member states as well as those of EU supranational bodies. Their resurgence contrasts with the more shallow approach the EU has adopted towards the naming issue for the past 15 years. More generally, it is remarkable that the absence of consensus at the EU level usually casts doubt on the materiality of European structures in non-EU states. Serbia (in the case of diplomatic alignment) and Macedonia (in the case of the naming issue) readily interpreted this structural weakness (in the form of inconsistency) as a free hand given to national actors to recover some of their agency. Besides, in diplomatic alignment matters, i.e. in an environment, where interpersonal relationships are essential, the system of rotating Presidencies is a supplementary source of instability and a potential vector of inconsistency too. Since all Presidencies do not devote the same resources to communicate with non-EU states, no wonder that the alignment mechanism does not yield consistent results. When decisions are made at bay, in the capital (like in Serbia's case), and not locally in Vienna or New York (like in Macedonia's case), these inconsistencies fail to be mitigated.

4.3.2.2. Europeanisation as contextual learning

The second type of learning identified by Prawat and Floden is rooted in a structural, constructivist ontology: learners consider a belief worth learning, inasmuch as it discloses how the world works out there. This monist approach places much emphasis on the causal powers emanating from the interaction between agents and structures. It contrasts with mechanistic learning, because actors do not learn by excavating knowledge from their environment in the form of objective truths. What they learn is defined "interactively, rather than as the passive registration of stimuli"[1911]. It is interpreted, possibly negotiated and always internalised by actors who are embedded in, rather than detached from their environment. Through their interactions with it, learners help shaping this environment; they actively participate in the production of the structural context from which they derive their knowledge. In contextual learning, there is no mind-independent world dictating objective rules of behaviour and no world-independent mind to apprehend appropriate courses of action.

In the context of Europeanisation studies, contextual learning implies that actors previously committed to national governance principles start or continue operating through the prism of European governance because of a shared belief –that this shift (desirably) contributes to the advancement of European governance principles

[1911] Ibid. p. 39.

throughout Europe. This belief is causal, since it assumes that the transformation of political systems based on national governance principles ultimately reinforces European governance; and it is principled, since it assumes that the advancement of European governance is a good thing. It is shared across Europe rather than owned by the EU, and permanently reproduced by confirmation of its normative contents (rather than existing independently from the believer as an idea). This belief, in a word, only acts as theoretical premise for contextual learning as long as non-EU states are persuaded by, or adhere to, the appropriateness of the transformation of their political systems. Adherence (through norm internalisation or through persuasion), sometimes, may be too close to compliance to be conclusively distinguished. When norms stop being discussed, when their appropriateness is taken for granted, then causality flows more from structural, objectivised variables than from the dialectical interplay of domestic actors interacting with structures of European governance. Contextual learning cannot be satisfactorily approached through the goodness of fit model, since the notion of misfit implies some form of ontological dualism. In order to understand why actors accept to shift their mode of governance from the national to the European level, one should rather pay attention to the emergence of resonant frames in domestic systems of beliefs. Though structural, the rationale of Europeanisation, in contextual learning, is rooted in endogenous motives for action.

The thesis, or more specifically its dispositional analysis, backs the argument that Europeanisation, in many cases, did ensue through contextual learning. Shared beliefs, under certain circumstances, were found to have causal powers. **The first factor facilitating contextual learning is national actors' early and purposive commitment to European governance principles.** When the idea of shifting elements of governance onto the European level is shared across national political systems long before membership; when it is believed to be appropriate; and more importantly, when it is conceived of with the purpose of contributing to the development of European governance principles, national actors, then, are most amenable to contextual learning. They start and continue operating through the prism of European governance not because of objective, structural necessities, but because this is how they anticipate national political systems should be transformed, and how their contribution to this transformation should look like. The thesis provides a plethora of instances pointing at the central role of key dispositions inclining domestic actors to adhere to this transformation. In organisation matters, it was seen that the reform in Serbia and Macedonia primarily responded to dispositions anticipating the countries' participation in European structures in general and in the CFSP in particular. Capacity-building was not only viewed as a means to catch up with other states –it was the best way to reinforce the political and diplomatic weight of the EU. In matters of diplomatic alignment, likewise, it has been shown that Europeanisation, in Macedonia, was primarily driven by the idea of contributing to European foreign policy. This idea went beyond Serbia's lower-scaled intent of proving to the EU one's Europeanness. It was aimed at showing the outer world that there is a "European way of doing things". In fact, even if Macedonia is not a member state of the EU, it has, in some respect, developed a "community reflex", which testifies to the extent to which its commitment to European governance principles has been internalised. When the EU has no common position on an international issue, Macedonia's actors usually embark in consulting the most EU-minded countries in the search of a proxy position with which thay can align. This community reflex, it has been shown, is less developed in Serbia –which might help understanding the lower level of

Europeanisation of its multilateral diplomacy. Its commitment to develop its diplomatic relations with Russia, since 2007, has grown in parallel to (or at the expense of) its commitment to European governance. The same goes for Macedonia's adherence to the EU's arms exports policy in the mid 2000s. Alignment occurred here mainly because national actors were committed to the CFSP, to its reinforcement and its promotion. Its purposive commitment contrasts with Serbia's troubled dispositions at that time. In a context of political cohabitation (2004-2008) marked by the absence of consensus on European integration, the reform of Serbia's arms exports regime did not end up with one-off adherence. In Macedonia, likewise, the naming issue fell short of being addressed through the prism of European governance. The ruling elites, instead, sought to gain domestic support by antagonising Greece in their quest for national-historicist precedence. The lack of political debate on the question, the domination of the nationalist hard liners in domestic politics, their popular support as well as their dubbing by the Church, and the predominance of electoral concerns amongst coalition and opposition parties all cast doubt on Macedonia's genuine commitment to European governance principles in this issue-area.

The second factor facilitating contextual learning is the European momentum. Reforms at the national level were found to be facilitated when they took place in a context bringing European integration high on the domestic agenda. This European momentum did not impose itself on national actors with specific expectations. It afforded national actors an impetus to carry on with the transformation of the political system. When Macedonia officially applied for EU membership in 2004, it launched the reform of its arms export policy. When it was granted the official status of candidate country in 2005, it accelerated its organisational reform in the MFA and intensified its capacity-building efforts altogether. Serbia, likewise, initiated the reform of its arms export policy while preparing the opening of SAA negotiations (although the SAA did not directly cover arms export controls). But when the European dynamic lost momentum, in 2006-2007, following Serbia's lack of cooperation with the ICTY, its engagement in the field receded. The European momentum has also been a factor facilitating the inflection of Serbia's positions towards Kosovo. Despite their disunity, the member states of the EU have remained actively engaged in the international debate on the Kosovo issue, not least because of the presence of the KFOR and EULEX there. When they make decisions on their country's approach towards Kosovo, Serbian actors cannot neglect this engagement. This informs their decisions. In Macedonia, by contrast, the European dynamic lost momentum in 2007-2008, after the Council enshrined the approach advocated by Greece of "no solution, no invitation" in the naming issue. The stalemate, which Macedonia has been facing with regards to its Euro-Atlantic integration ever since, has been conducive in this respect to the country's lack of progress on the naming issue (and not only the reverse). The European momentum, however, cannot be kept by European structures alone. It is a dynamic fuelled by the interaction of domestic actors with European structures. When internal tensions rose in Serbia-Montenegro between the two republics after the adoption of the twin-track process in 2004, key actors in Serbia's administration mobilised and advocated the reallocation of coordinative resources at the republic level. The dissolution of Serbia-Montenegro in 2006 gave impetus to their claim. In the absence of European momentum, national actors may find it difficult (or unnecessary) to sustain the pace of the reforms.

The third factor facilitating contextual learning is the legitimacy of the normative contents disclosed by the prism of European governance. Actors are more inclined to operate through the prism of European governance if the changes this implies are perceived as legitimate. Changes that are perceived as such are more likely to be genuine than instrumental ones, and they are more likely to be locked in into domestic structures. When Macedonia carried out the reform of its arms export regime, it claimed that it was intended to assume its international responsibilities, not only as future member of the EU, but also as member of the international community. Adherence to the EU's arms export regime, in a word, was considered a legitimate progress in the field. Serbia, by contrast, did not associate the partial alignment of its legislation in the area with its adherence to international norms. Unlike Macedonia, it did not start inferring the latter from the perceived legitimacy of the EU's arms export policy. In border dispute settlement matters, Macedonia repeatedly claimed that any progress in the area would contribute to its shift from European security consumer to European security provider. The legitimacy of its intent inclined domestic actors to intensify their quest for good neighbourly relations. When national actors, however, do not view European governance as a source of legitimate changes, then Europeanisation may be impaired. Their wariness is not necessarily ill-grounded. Key elements of the EU's conditionality regime applied to Macedonia, for instance, are designed by one EU member state, Greece, which is party to the naming dispute. The other member states may not all support Greece's firm stance, but they do not obstruct it out of solidarity, despite the adverse recommendations of the European Commission and European Parliament. The asymmetry in negotiating power, which Greece derives from its membership in the EU, and the relative disinterest of the other member states were found to undermine the legitimacy of the EU's conditionality dialogue with Macedonia, and ultimately its Europeanisation. Serbia, likewise, questioned the legitimacy of the EU's alignment mechanism in diplomatic affairs. It criticised the asymmetrical, mono-logical design of the procedure, and the new rule introduced by the EU in the OSCE, which proscribes non-EU states' supplementary statements in case of alignment. This design accordingly places non-EU states in a position of "good listeners", while depriving them of their capacity to actively contribute to international security. And it therefore put a strain on Serbia's endogenous will to align itself with EU positions. There are, however, effective ways of building up legitimacy. Involving, physically, national actors in European processes is one of them. It has been shown, indeed, that the structure of the interaction framework in which the Kosovo issue is discussed since 2011 is more amenable to have a socialising effect on Serbia's representatives than the structure of Macedonia's interaction framework, which has been put in place a decade ago under the aegis of the UN. Face-to-face meetings under the aegis of the EU, in the case of Serbia, have been instrumental in building confidence, and beyond that, other intersubjective understandings, including on good neighbourliness. Another way of building up legitimacy is to make sure that EU integration does not muffle the differences of views amongst member states that might exist on international questions. The fact that the EU member states that have not recognised the independence of Kosovo support the EU-facilitated dialogue between Belgrade and Pristina increases the legitimacy of the EU when it deals with Serbia's Kosovo issue. Unlike Macedonia, which argues that the hand of Greece stands behind its conditionality regime, Serbia can hardly question the collective character and the legitimacy of the conditions posed by the EU in dispute settlement matters. Of course, this diversity of views is at odd with the

notion of cohesion that was found to facilitate mechanistic learning. That means that contextual learning does not always accommodate mechanistic learning.

The fourth factor facilitating contextual learning is the resonance with national governance approaches of the normative contents disclosed by the prism of European governance. Because it narrows the perceived gap between national and European governance structures and blurs the divide between the domestic and the alien, norm-resonance makes persuasion and adherence easier. It ensues, most visibly, through the coalescence of European and national foreign policy objectives and the withering of *domaines réservés*. The thesis provides many examples in this field. It has been shown, for instance, that Macedonia readily gives a collective teleology to the very action of alignment in the UNGA and OSCE: alignment is not only considered as an appropriate action on a given issue. It is also a means to support the CFSP more generally, notwithstanding the issue at stake. This objective is internalised in Macedonia's governance structures as a national strategic one. Serbia, by contrast, additionally upholds key priorities defined in individualistic rather than collective terms. These, belonging to the country's *domaines réservés*, mainly pertain to the Kosovo issue. Contextual learning, in these circumstances, is more difficult, since the European norms, to which Serbia would adhere because of their resonance with national approaches related to European integration, sometimes, collide with the national approaches related to the Kosovo issue. A similar indication of lesser resonance has been found in organisational matters. The prioritisation of the Kosovo issue in the agenda of the MFA, it has been shown, monopolised much of the MFA's energy over the past few years, which could not be devoted to reforming, or europeanising, the institution. As a result, the shift, which would have introduced European governance principles throughout the organisational spectrum of foreign affairs, did not take place to a full extent. Another example is provided in border dispute matters by Serbia's refusal to negotiate a border agreement with Montenegro because of Podgorica's attempt to solve its own border dispute directly with Pristina. Or, in arms export policy matters, by Serbia's equivocal doctrine including reservations regarding the right to deviate from EU standards, when alignment is deemed to jeopardise the pursuit of Serbia's national interests. Or, more generally, in strategic matters. It has been shown, indeed, that Serbian politicians usually gave up on the strategic character of the EU integration objective as soon as the public debate lapsed into Kosovo-related matters. EU accession remained important for Serbia throughout the past ten years, but not as important, domestically, as Serbia's commitment to the defence of Kosovo. All in all, it is clear that the externalities produced by national interests impervious to European governance principles in issue-areas that are otherwise informed by national perspectives resonating with European perspectives are a meaningful constraint to Europeanisation. When the weight of these externalities increase (e.g. when Macedonia's ruling party linked the issue of nationhood in Macedonia with the naming issue), opportunities for contextual learning wither. This relationship, however, can be reversed through persuasion. When the EU framed its expectations in dispute settlement matters in such way that these resonated with the causal and principled beliefs of Serbian national actors, these proved more amenable to adhere to the EU's approaches and adopt them as their own. This has been the case, to some extent, in 2008, when the EU and Serbia discussed the deployment of the EULEX throughout Kosovo. Initially conceived of to implement the Ahtisaari plan, the purpose of the EULEX was later reframed to underline the fact that the mission would also provide security to the Serbs in North Kosovo.

4.3.2.3. Europeanisation as organismic learning

The third type of learning identified by Prawat and Floden is rooted in an individualistic ontology: learners consider a belief worth learning, inasmuch as it alleviates the subjective dissatisfaction caused by a given problem by helping solving it. This approach places much emphasis on the causal powers emanating from the agency of learners themselves –more specifically, in the way they purposely relate to their environment. Organismic learning contrasts with mechanistic and contextual learning because it is aimed at the acquisition of pragmatic solutions –it does not respond to objective necessities, nor does it build on shared beliefs. The key determinant here is actors' will to curb their subjective dissatisfaction by seeking "coherence of our beliefs with each other" [1912] –a process that supposes the "endogenous reconstruction […] of unstable, exogenous acquisitions" [1913]. The ultimate purpose of organismic learning is not to find the ideal solution to one's problems. It is to learn from others' (and one's) experience in order to improve one's position –with or without the active participation from the cognisee's side.

In the context of Europeanisation studies, organismic learning implies that actors previously committed to national governance principles, start or continue operating through the prism of European governance because they view this shift as a remedy for their dissatisfaction. The dissatisfaction they perceive may be caused by a variety of factors, either internal or external. It generally reflects a mismatch between the aspirations actors have in a given context (also subject to systemic changes) and their achievements in the same context. The response is a goal-oriented, problem solving approach to learning, which might take several forms. Lesson-drawing is the rational variant of organismic learning. Faced with a policy issue, national actors may settle for drawing a lesson from their peers, i.e. seek to transfer "instruments of public policy" that are issue- and context-specific into their own policy environment[1914]. In that case, organismic learning implies the preliminary research of policy options, the evaluation of their effectiveness in the context they have been implemented and finally, the assessment of their transferability. Emulation is the normative variant of organismic learning. Unlike lesson-drawing, emulation is more driven by the "desire for conformity" with other countries […] than the search for effective solutions to given problems"[1915]. This desire for conformity is so compelling that it makes the subjective evaluation of others' policy success insensitive to the actions taken[1916]. Lesson-drawing and emulation cannot be approached by the goodness of fit model, and they are not driven by resonant frames. But they are premised on the dissatisfaction of domestic actors regarding specific issues, their readiness to accept imperfect solutions, and the availability of policy options in the realm of European politics, which might qualify as solution. The congruence of these three variables is a potential rationale for Europeanisation.

[1912] Ibid. p. 38.
[1913] Piaget cit. in Ibid. p. 42.
[1914] Rose, R. 1991. 'What Is Lesson-Drawing?' *Journal of Public Policy* vol.11 (1).
[1915] Holzinger, K. and Knill, C. 2005. 'Causes and Conditions of Cross-National Policy Convergence.' *Journal of European Public Policy* vol.12 (5).
[1916] Levitt, B. and March, J. G. 1988. 'Organizational Learning.' *Annual Review of Sociology* vol.14.

The thesis, or more specifically its intentional analysis, backs the argument that Europeanisation, in a few cases, did ensue through organismic learning. Relieving dissatisfaction, under certain circumstances, was found to be a motive underpinning national actors' decisions to shift their mode of governance on the European level. In order to facilitate this process, three factors may intervene. **National actors, first, should be dissatisfied.** In the absence of dissatisfaction, it is unlikely that national actors take the purposive step of looking for solutions. It has been shown in this thesis that resource scarcity is a motive of dissatisfaction for both Serbian and Macedonian actors. Systematic challenges (e.g. the rise of global threats) and regional processes put existing structures under additional pressures. Being a relatively small country with little diplomatic tradition, Macedonia in this respect is more vulnerable than Serbia, and it has motives for greater dissatisfaction. It has been shown that Macedonia's diplomatic capacities are limited, at best. Serbia, by contrast, can rely on a large network of embassies, a long diplomatic tradition and a diplomatic academy. This makes Serbia today less dependent on foreign expertise than Macedonia, and a reform of its diplomatic training structures less likely.

National actors, then, should be ready to accept imperfect solutions. Imperfect solutions, often, follow pragmatic decisions aimed at relieving (instead of extinguishing) dissatisfaction. They are certainly not fulfilling, but the readiness to accept them opens new horizons and facilitates decisions introducing changes. No wonder that Macedonia did not inflect its naming issue approach in the past fifteen years. Convinced of being well within their rights, its representatives have conducted the negotiations with Greece with the intention of prevailing by reason, and not primarily finding a negotiated compromise. This intention contrasts with those held by Serbian negotiators. The latter are pegged with pragmatism to concrete goals, and they do not elude the possibility of negotiating a compromise. In diplomatic alignment matters, finally, it was found that resource scarcity facilitated Europeanisation in the case of Macedonia, but constrained it in the case of Serbia. Differences in terms of readiness to accept imperfect solutions might help understanding this apparent contradiction. Much of the dissatisfaction aroused by resource scarcity in Macedonia was met with resignation. The lack of domestic expertise on far-off issues, the tight deadlines for alignment in the OSCE, and the relative disinterest of the EU for Macedonia's views on Balkan questions are all dissatisfying. And alignment with EU positions, regrettably, do not solve any of them. Yet, it grants Macedonian actors access to European expertise; it spares resources, e.g. formerly consumed in drafting statements; and it increases the European and international visibility of the country. Serbian actors were found to demonstrate contrastingly less readiness in this respect to accept imperfect solutions. European expertise, in Serbia, is not viewed as a surrogate for domestic expertise. Serbian actors therefore view the alignment mechanism with a certain wariness, especially when it deprives them from their capacity to issue parallel statements (as in the OSCE).

The third factor facilitating organismic learning is the availability of information. When national actors have access to information, when they meet peers who experienced similar sorts of dissatisfaction or faced comparable problems, drawing lessons and emulating their experience is likelier. It is no coincidence if Macedonia's level of diplomatic alignment in the OSCE and UNGA is higher than Serbia: the representatives of Macedonia participate in the EU's weekly briefings since 2005; and they have been empowered to make decisions locally in Vienna and New York,

instead of requesting instructions from the capital. Their direct participation in European processes is the assurance of a better access to information, if need be. Interactions with peers have been important in many other instances. They were pivotal in Serbia and Macedonia's organisational reform (both emulated the Slovenian experience); they gave a new impetus to Serbia's approach in border dispute matters with Croatia (Serbia sought to draw lessons from the Croatian-Slovene dispute over the Gulf of Piran); and they helped Serbia and Macedonia reforming their arms export controls regime (both explored the solutions in force the UK, Italy, Germany, the Czech Republic, Slovenia, but also Croatia and Switzerland). Occasionally, organismic learning has been facilitated by means of various programmes, generally financed by the EU with the participation of the EU member states. The EU, for one, supported Serbia and Macedonia's search for organisational solutions and it conceived of different types of instruments (outreach, assistance and association) in order to promote the adoption of its criteria, principles and practices of arms export controls.

4.3.2.4. Summary

When national actors, in short, shift their mode of governance from the national to the European level as a result of what they perceive as structural, objective necessities, then Europeanisation ensues through mechanistic learning. The transformation of political systems is then mainly driven by the need to increasing the correspondence between domestic and European structures and processes. This takes place, in particular, when national actors have a clear incentive to shift their mode of governance; when their operations fall under the scrutiny of oversight agencies; when they perceive the normative contents projected through the prism of European governance as relatively objective and unconditional; when these normative contents do not lack specificity and they do not fell short of consistency.

When national actors shift their mode of governance from the national to the European level because of a shared belief (with the purpose of advancing European governance principles throughout Europe), i.e. when national actors are persuaded by, or adhere to, the appropriateness of the transformation of their political systems, then Europeanisation ensues through contextual learning. This takes place, in particular, when national actors hold an early and purposive commitment to European governance principles; when there is a European momentum; when they can acknowledge the legitimacy of the normative contents disclosed by the prism of European governance; and when European claims are resonant with national approaches.

When, finally, national actors shift their mode of governance from the national to the European level because they view this shift as a remedy for their dissatisfaction, i.e. when seek to draw lessons from or emulate others' experiences, then Europeanisation ensues through organismic learning. This is particularly the case when national actors are dissatisfied with specific elements in their political system; when are ready to accept imperfect solutions; and when they have access to information from peers.

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Interviews

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Email Communication from an Official from Macedonia's Ministry of Foreign Affairs, Department for Africa and the Middle East. Skopje, 12/03/2012
Email Communication from an Official of the Secretariat for European Affairs, Government of the Republic of Macedonia. Skopje, 11/05/2011
Interview with an Official from the Permanent Mission of Macedonia to the International Organisations in Vienna. Vienna, 06/03/2012
Interview with an Official from the Permanent Mission of Serbia to the International Organisations in Vienna. Vienna, 06/03/2012
Interview with an Official from the Permanent Mission of Macedonia to the European Union. Brussels, 30/03/2012
Interview with an Official from Macedonia's Directorate for Security of Classified Information. Skopje, 31/03/2012
Interview with a Senior Officer from the Osce Mission in Skopje. Skopje, 12/3/2013
Interview with an Official from the Permanent Mission of the Republic of Croatia to the Osce. Vienna, 28/04/2011
Interview with an Official from the Permanent Mission of Turkey to the Osce. Vienna, 08/07/2011
Interview with an Official from the Permanent Mission of Macedonia to the Osce. Vienna, 08/07/2011
Interview with an Official from the Permanent Mission of Albania to the International Organisations in Vienna. Vienna, 29/04/2011
Interview with an Official from the Permanent Mission of the Republic of Serbia to the Osce in Vienna. Vienna, 17/10/2011
Interview with an Official from the Permanent Mission of Bosnia and Herzegovina to the Osce. Vienna, 02/05/2011
Interview with an Official from the Permanent Mission of Bosnia and Herzegovina to the Osce. Skopje, 08/03/2011
Interview with an Official from the Ministry of Foreign Affairs of the Republic of Serbia, Partnership for Peace Unit. Belgrade, 12/09/2011
Interview with an Official from the Permanent Delegation of the Republic of Moldova to the Osce. Vienna, 08/07/2011
Interview with an Official from the Permanent Mission of Georgia to the Osce in Vienna. Vienna, 19/04/2011
Interview with a Project Coordinator at the Isac Fund. Belgrade, 02/03/2011
Interview with an Official from the Permanent Delegation of Armenia to the Osce in Vienna. Vienna, 26/04/2011
Interview with an Official from the Permanent Representation of Belgium to the Osce. Vienna, 26/04/2011
Interview with an Official from the Delegation of the European Union to the International Organisations in Vienna. Vienna, 01/08/2011
Interview with an Official from the Permanent Mission of Montenegro to the Osce. Vienna, 21/04/2011
Interview with a Research Fellow, Formerly at the Institute for International Politics and Economics. Belgrade, 13/09/2011
Interview with a Director from the Belgrade Centre for Security Policy. Belgrade, 01/03/2011

Interview with an Official from the Permanent Mission of Iceland to the Osce. Vienna, 04/07/2011
Interview with an Official from the Permanent Representation of the Principality of Liechtenstein to the Osce. Vienna, 07/07/2011
Interview with an Official from the Permanent Representation of San Marino to the Osce. Vienna, 06/07/2011
Interview with an Official from the European Integration Office, Government of the Republic of Serbia. Belgrade, 14/09/2011
Interview with a Member of the Assembly of the Republic of Macedonia and National Council for European Integration. Skopje, 07/03/2011
Interview with an Official from the Permanent Mission of Switzerland to the Osce. Vienna, 06/07/2011
Interview with a Member of the Assembly of the Republic of Macedonia, Committee on European Issues. Skopje, 07/03/2011
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Interview with an Official from the Delegation of the European Union to the Republic of Serbia, Political Section. Belgrade, 16/09/2011
Interview with an Official from Delegation of the European Union to the Former Yugoslav Republic of Macedonia. Skopje, 01/11/2011
Interview with an Official from Ministry of Foreign Affairs of the Republic of Macedonia, United Nations Unit Skopje, 07/03/2011
Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, CFSP Unit. Skopje, 07/03/2011
Interview with an Official from Ministry of Foreign Affairs of the Republic of Macedonia, CFSP Unit. Skopje, 07/03/2011
Interview with an Official from the Embassy of the Republic of Austria to Serbia. Belgrade, 13/09/2011
Interview with an Official from the Ministry of Foreign Affairs of the Republic of Serbia, Diplomatic Academy "Koca Popovic". Belgrade, 02/03/2011
Interview with an Official from the Austrian Embassy in Macedonia. Skopje, 08/03/2011
Interview with an Official from Ministry of Foreign Affairs of the Republic of Serbia, Directorate General for the European Union. Belgrade, 12/09/2011
Interview with a Member of the Parliament at the National Assembly of Serbia. Belgrade, 14/09/2011
Interview with an Official from the Ministry of Foreign Affairs of Serbia, Directorate for Neighbouring and South-East European Countries. Belgrade, 15/09/2011
Interview with an Official from the Ministry of Foreign Affairs of the Republic of Serbia, Directorate General for Multilateral Cooperation. Belgrade, 13/09/2011
Interview with a Top Official from Ministry of Foreign Affairs of the Republic of Serbia. Belgrade, 12/09/2011
Interview with an Official from the Delegation of the Parliament of Serbia in the Parliamentary Assembly of the Council of Europe. Belgrade, 12/09/2011
Interview with an Official from the Ministry of Foreign Affairs of the Republic of Serbia, Department for Common Foreign and Security Policy and Security Challenges. Belgrade, 13/09/2011
Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Multilateral Affairs. Skopje, 02/11/2011
Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Bilateral Relations with Non European Countries. Skopje, 03/11/2011
Interview with a Member of the Government of Republic of Skopje. Podgorica, 13/5/2013
Interview with an Official from the Slovenian Embassy to Macedonia. Skopje, 02/11/2011
Interview with an Official from the Liaison Office of the Hellenic Republic in Skopje. Skopje, 01/11/2011

Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Political and Security Cooperation. Skopje, 01/11/2011
Interview with an Official from the Secretariat for European Integration, Government of the Republic of Macedonia. Skopje, 01/11/2011
Interview with an Official from the Ministry of Foreign Affairs of the Republic of Macedonia, Directorate for Bilateral Relations with European Countries. Skopje, 04/11/2011
Interview with a Senior Researcher from the Belgrade Centre for Security Policy. Belgrade, 01/03/2011
Interview with an Official from the Embassy of the Republic of France to Serbia. Belgrade, 14/9/2011
Telephone Enquiries with the Staff of Two Dozens of Embassies Worlwide. Luxembourg, February-May 2012

Annex 1: abstract (English)

The Europeanisation of national foreign policy in non-EU Europe. The case of Serbia and Macedonia.

With the gradual consolidation of European foreign policy structures and the intensification of multi-level interactions in that area, Europeanisation has become a pregnant reality for non-EU Europe in general and Serbia and Macedonia in particular. What Europeanisation is, what it entails and how it proceeds remain yet subject to controversies. This thesis is a contribution to the academic debate. It explores how the national foreign policy of Serbia and Macedonia has been transformed over years, and uses its empirical findings to reflect on the concept, the phenomenon and mechanisms of Europeanisation in non-EU Europe. The thesis adopts an inductive research strategy, combining in its empirical part descriptive and argumentative analyses. It successively identifies a series of changes in Serbia and Macedonia's foreign policy, which can be attributed to Europeanisation, and examines the underlying structural, dispositional and intentional forces, as well as the factors facilitating and constraining the process. It scrutinises several aspects of Serbia and Macedonia's foreign policy: convergence in multilateral diplomacy, organisational reforms, resolution of border disputes, inflexions of critical foreign policy positions (Serbia's Kosovo issue and Macedonia's naming issue) and harmonisation of national systems of arms export controls. Its findings question the predominant role usually attributed to the EU and the significance of its conditionality policy in the area. They also underline the international and inter-organisational dimension of Europeanisation. These findings suggest that Europeanisation is best conceptualised through governance approaches (as opposed to EU integration approaches), and that it is best defined as "the transformation of political systems based on national governance into systems constituted by actors operating through the prism of European governance". Europeanisation, as a phenomenon, is found to entail more intersubjectivity, more nodality and more homogeneity across political systems. As a process, it is found to ensue simultaneously from mechanistic, contextual and organismic learning, i.e. respectively, from structural necessities, shared understandings and individual dissatisfaction, depending on specific conditions. These findings shed light on the contribution of Europeanisation to the (trans)formation Europe's political order.

Keywords:

Europeanisation, foreign policy, non-EU Europe, Serbia, Macedonia, European Union

Annex 2: Zusammenfassung (Deutsch)

Die Europäisierung nationaler Außenpolitik in Nicht-EU Europa am Beispiel Serbiens und Mazedoniens

Infolge der allmählichen Festigung der außenpolitischen Strukturen in Europa und der Intensivierung der Mehrebeneninteraktionen auf diesem Gebiet ist die Europäisierung heute ein prägender Prozeß in Nicht-EU Europa im Allgemeinen und Serbien und Mazedonien im Besonderen. Was genau Europäisierung ist, was sie bewirkt und wie sie verläuft ist aber noch immer umstritten. Die vorliegende Dissertation untersucht die Veränderungen der vergangenen Jahre in der nationalen Außenpolitik Serbiens und Mazedoniens. Die Arbeit bedient sich eines induktiven Forschungsansatzes und kombiniert im empirischen Teil deskriptive und argumentative Analyseverfahren. Auf Basis der empirischen Ergebnisse werden das Konzept, das Phänomen und die Mechanismen der Europäisierung in Nicht-EU Europa beleuchtet. Die Dissertation identifiziert eine Reihe von Veränderungen in der Außenpolitik Serbiens und Mazedoniens, die der Europäisierung zugeschrieben werden können, und untersucht die strukturellen, dispositionellen und motivationalen Kräfte, sowie die fördernden und hemmenden Faktoren, die diesen Prozeß untermauern. Mehrere Aspekte der Außenpolitik Serbiens und Mazedoniens werden eingehend untersucht: Konvergenz in multilateraler Diplomatie, organisatorische Reformen, Behandlung von Grenzstreitigkeiten, Positionswechsel in entscheidenden außenpolitischen Fragen (Serbiens Kosovo-Frage und Mazedoniens Streit um den Namen) und Harmonisierung der nationalen Systeme für die Kontrolle von Waffenexporten. Die Studienergebnisse stellen die vorherrschende Rolle, die der EU für gewöhnlich zugeschrieben wird sowie die Aussagekraft des Konditionalitätsansatzes in diesem Kontext in Frage. Sie unterstreichen vielmehr die internationale und interorganisationelle Dimension der Europäisierung. Die Ergebnisse weisen darauf hin, dass der Begriff Europäisierung am besten im Kontext von Governance-Ansätzen erklärbar wird – im Gegensatz zu Ansätzen, die sich der EU-Integration als Erklärungsgrund bedienen. Definiert wird Europäisierung dann als „Transformation von politischen Systemen, die auf nationaler Governance basieren, hin zu Systemen, deren Akteure durch das Prisma der europäischen Governance wirken“. Als Phänomen führt die Europäisierung zu mehr Intersubjektivität, mehr Nodalität und mehr Homogenität. Als Prozeß ergibt sie sich simultan durch mechanistisches, kontextuelles und organismisches Lernen, d.h. - je nach den spezifischen Bedingungen - aus strukturellen Bedürfnissen, gemeinsamem Verständnis sowie individueller Unzufriedenheit. Die vorliegenden Ergebnisse verdeutlichen, dass die Europäisierung wesentlich zur Gestaltung und Transformation der politischen Ordnung in Europa beiträgt.

Stichwörter:

Europäisierung, Außenpolitik, Nicht-EU Europa, Serbien, Mazedonien, Europäische Union

Annex 3: résumé (français)

L'européanisation des politiques étrangères nationales en Europe hors Union européenne. Le cas de la Serbie et de la Macédoine.

La consolidation graduelle des structures européennes de politique étrangère et l'intensification des interactions multiniveau dans ce domaine ont fait de l'européanisation une réalité incontournable en Europe hors UE, et notamment en Serbie et Macédoine. Or ce qu'est l'européanisation, ce qu'elle implique et comment elle agit, font encore l'objet d'un vif débat académique, auquel cette thèse entend contribuer. Celle-ci étudie la transformation de la politique étrangère serbe et macédonienne au fil des ans et utilise ses résultats empiriques afin de mener une réflexion sur le concept, le phénomène et les mécanismes d'européanisation en Europe hors UE. La thèse adopte une stratégie de recherche inductive, et combine dans sa partie empirique des analyses descriptives et argumentatives. Elle identifie dans la politique étrangère serbe et macédonienne une série de changements pouvant être attribués à l'européanisation, et examine les forces structurelles, dispositionnelles et motivationnelles sous-jacentes, de même que les facteurs facilitant ou restreignant ces changements. L'étude porte sur plusieurs aspects de la politique étrangère serbe et macédonienne: convergence des diplomaties multilatérales, réformes organisationnelles, résolution des disputes frontalières, inflexions des positions les plus sensibles (question du Kosovo pour la Serbie et question du nom pour la Macédoine) et harmonisation des systèmes nationaux de contrôle des exportations d'armements. Les résultats de cette étude remettent en cause le rôle prédominant habituellement attribué à l'UE et l'importance de sa politique de conditionnalité dans ce domaine. Ils soulignent aussi la dimension internationale et inter-organisationnelle de l'européanisation. Ces résultats suggèrent de re-conceptualiser l'européanisation sur la base d'approches liées à la gouvernance (par opposition à celles liées à l'intégration européenne), et de redéfinir l'européanisation comme « transformation des systèmes politiques fondés sur une gouvernance nationale en systèmes constitués par des acteurs opérant à travers le prisme de la gouvernance européenne ». L'européanisation, en tant que phénomène, se manifeste alors par un surcroit d'intersubjectivité, de nodalité et d'homogénéité. En tant que processus, elle survient au travers d'un triple apprentissage, à la fois mécanistique, contextuel et organismique, c'est-à-dire d'un apprentissage induit respectivement par des nécessités structurelles, des compréhensions mutuelles et des sources d'insatisfaction individuelle, suivant des conditions spécifiques. Ces résultats éclairent la contribution de l'européanisation à la (trans)formation de l'ordre politique européen.

Mots-clés:

Européanisation, politique étrangère, Europe hors EU, Serbie, Macédoine, Union européenne

Annex 4: Curriculum Vitae

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ACADEMIC POSITIONS and WORKING EXPERIENCE

2009-2013	**Research Associate**, University of Luxembourg European Governance Programme	**Luxembourg**
2011-…	**Research Associate**, Chamber of Deputies Research Chair in Parliamentary Studies	**Luxembourg**
2011	**Researcher-in-residence**, O.S.C.E. OSCE Secretariat Office in Prague	**Prague**
2005- 2007	**Chargé de Mission & Project Manager** Austro-French Centre for Economic Rapprochement in Europe	**Austria**
2003	**Trainee Auditor**, European Court of the Auditors	**Luxembourg**

EDUCATION

2010-… **University of Luxembourg** **Luxembourg**
& University of Vienna **Austria**
Joint-PhD studies in Political and Social Sciences
Thesis title: 'The Europeanisation of national foreign policy in non-EU Europe: the case of Serbia and Macedonia', supervised by Prof. Philippe Poirier & Prof. Helmut Kramer

02/2013 **Vienna University** – ECPR-Winter School **Austria**

08/2009 **Roskilde University** – ECPR-Polforsk Summer School **Denmark**

05/2009 **Istanbul Bogazici University –** Graduate Summer School **Turkey**

2007-2009 **Vienna Diplomatic Academy** – School of International Studies **Austria**
& University of Vienna
M.A. in Advanced International Studies
Thesis title: 'Sino-Russian geopolitical and geo-economic relations: strategic convergence, tactical rapprochement or dyadic rivalry?', supervised by Prof. Kornprobst & Prof. Weigelin-Schwiedrzik

2001-2006 **ESC Reims (Grande École)** - Reims Management School **France**
M.Sc. in Management
Thesis title: 'The impact of mass tourism on the development process of selected least developed countries –a statistical analysis', supervised by Prof. Lotfi Hamzi

2004 **Corvinius University of Budapest** - Erasmus Exchange Programme **Hungary**

RESEARCH INTERESTS

European institutions and politics, international and European law, regional political and economic integration, international organisations and inter-organisationalism; cooperation theories and security studies; foreign policy analysis, nationalism and post-conflict studies, Western Balkans, Russia, China

PRIZES, GRANTS and SCHOLARSHIPS

2012-13	AFR Research Grant from the **Fonds National de Recherche du Luxembourg** (AFR 2718121)
2011	Travel Grant (Rise & Shine) from the **Austrian Association for Political Sciences** (OeGPW)
2011	Travel Grant from the **University of Vienna** (StV Doktorat Philosophie)
2010-12	Conference Grants from the **Fonds National de Recherche du Luxembourg**
2010	Summer School Grant from the **Fonds National de Recherche du Luxembourg**
2008	Excellence Scholarship from the **Vienna Diplomatic Academy**
1999 & 2000	Research & Travel grants and Grand Prize 2000 from the UNESCO-supported **Foundation Zellidja**

MEMBERSHIPS

2012-…	**Editor** (section Balkans) of the specialised journal: Regard sur l'Est
2011-…	Member of the **Editorial Board** of the peer-reviewed journal: Studies of Changing Societies: Comparative and Interdisciplinary Focus
2010-…	Member of the International Political Science Association (IPSA), Austrian Association of Political Sciences (OeGPW), Austrian Forum of Foreign Affairs, ECPR Standing Group on Security Issues
1999-…	**Awarded member** of the UNESCO-supported Foundation Zellidja
2002-2003	**Funding member** of the Associative project « Chasseurs de Brume »

LANGUAGE & IT SKILLS

French	native
English	fluent (academic & professional)
German	fluent, level C2 Mastery "very good"
Chinese	conversational (studied for 4 years)
Serbo-Croat	conversational (regular stays in the Western Balkans)

Proficient knowledge of **Microsoft Office**, **SPSS**, **Atlas.ti**, **eZPublish**

Annex 5: List of publications

updated 19.11.2013

Peer-reviewed publications

New Regionalism in Wider Black Sea Region. *In EU Policies in the Eastern Neighbourhood: the Practices perspective*. Eds. Korosteleva E., Natorski M., Simao L. London: Routledge. April 2014 (in press). Co-authored with Hajizada, M.

La politique étrangère de la Serbie: ruptures et continuités. *Annuaire français des relations internationales,* 2014, vol. XV (in press).

New Regionalism in Europe's Wider Black Sea Region –measuring and comparing intra-and inter-regional patterns of trade regionalisation. *East European Politics*, 2013, vol. 29 (3), 305-327. Co-authored with Hajizada, M.

The Western Balkans and the EU in multilateral organisations: foreign policy co-ordination and declaratory alignment in the OSCE. *Journal of Regional Security*, 2012, vol. 7 (2), 119-38.

The Political Geographies of Europeanisation: Mapping the Contested Conceptions of Europeanisation. *Journal of Contemporary European Research*, 2012, vol. 8 (1), 57-74.

Europeanization at Work in the Western Balkans and Black Sea Region: Is There an All-European Way of Voting in the United Nations General Assembly?. *Perspectives on European Politics and Society*, 2012, vol. 13 (2), 169-186.

Macedonia's foreign policy in the context of EU integration: superficial changes or deep-soul transformation?'. In *Identity in the Era of Globalization and Europeanization*, 2012. International conference proceedings Skopje: SS. Cyril and Methodius University, 223-233.

Other scientific publications

Balkans occidentaux: l'Union européenne et la coopération régionale. *P@ge Europe*, La Documentation Française, 15 October 2013.

Le Monténégro à l'heure européenne: dernière ligne droite avant l'adhésion ?. *Questions internationales*, 2013, vol. 61-62.

La Croatie: 28ème État membre de l'Union européenne. *P@age Europe*, La Documentation Française, 25 February 2013.

À quelle distance de l'Union européenne se trouve aujourd'hui la Serbie ?. *Analyses du CFA*, 2012, vol.3. Paris: Institut français des relations internationales.

Wie weit ist Serbien heute von Europa entfernt?. *Die ÖFZ-Analysen*, 2012, vol.3. Paris: Institut français des relations internationales.

Intégration européenne du Kosovo: les écueils d'un avenir incertain. *P@age Europe*, La Documentation Française, 22 October 2012.

La Bosnie-Herzégovine: un État en perpétuelle transition. *P@age Europe*. La Documentation Française, 11 June 2012

Other publications

Macédoine : Piétinements autour de la question du nom. *Regard sur l'Est*, 3 December 2013.

Serbie-Kosovo: Normalisation des relations sous les auspices de l'Union européenne. *Regard sur l'Est*, 15 September 2013.

Croatie:une adhésion en temps de crise. *Regard sur l'Est*, 1 July 13.

Balkans occidentaux: l'euro-atlantisme au service de l'intégration européenne?. *Regard sur l'Est*, 1 December 2012.

Les enjeux du Sommet européen de mars 2012: la Serbie candidate, la Macédoine oubliée. *Regard sur l'Est*, 1 March 2012.

Le Sommet européen de décembre 2011, facteur d'instabilité pour les pays des Balkans occidentaux?. *Regard sur l'Est*, 14 February 2012.

Slovénie: deux Gauches s'affrontent pour la présidence. *Regard sur l'Est (Brève)*, 15 November 2012.

Élections au Monténégro: l'absence d'alternance politique. *Regard sur l'Est (Brève)*, 26 October 2012.

Does the EU Strategy in the Western Balkans Really Pave the Way to Pax Balcanica?. *Diplomatic Academy News Review*, 2009, vol. 3 (2).

Gloomy Outlook for Development in Bosnia-Herzegovina. *Diplomatic Academy News Review*, 2008, vol. 3 (1).

Economic and Social Development in Bosnia-Herzegovina, a Challenge in the Regional and European Context. *Lettre du CFA*, 2007, vol. 21.

Economic and Social Development in Kosovo, a Challenge for the Stabilization of the Western Balkans. *Lettre du CFA*, 2006, vol. 20.

Sur les traces des derniers nomades d'Anatolie. 2005. Paris: L'Harmattan.

Dissertation and Master theses

The Europeanisation of national foreign policy in non-EU Europe: The Case of Serbia and Macedonia. 2013. Doctoral thesis. University of Luxembourg and University of Vienna.

Sino-Russian Geopolitical and Geo-economic Relations: Strategic Convergence, Tactical Rapprochement or Dyadic Rivalry?. 2009. M.A. thesis. Vienna Diplomatic Academy and University of Vienna.

The Impact of Mass Tourism on the Development Process of Selected Least Developed Countries – A Statistical Analysis. 2006. MSc thesis. Reims Management School.

Unpublished conference papers

"When the EU speaks on behalf of non-EU states – a critical appraisal of the EU's alignment mechanism in multilateral fora". Conference paper. SPSA annual congress, Lucerne, 2-3 February 2012.

"The inter-institutional dimension of Europeanisation –domestic change in a context of inter-institutional cooperation". Conference paper. VUB-IES-GGI expert workshop, Brussels, 27-28 January 2012.

"Macedonia's foreign policy in the context of EU integration: Skin-thin changes or soul-deep transformation?". Conference paper. UKiM international conference, Skopje, 3-4 November 2011.

"The Western Balkans and the EU in multilateral organisations: Measuring Europeanisation and understanding the politics of alignment". Conference paper. Belgrade Security Forum, Belgrade, 13-16 September 2011.

"The Europeanisation of national foreign policy in non-EU Europe –analysing the ideational alignment of Western Balkan states in the United Nations and the OSCE". Conference paper. 6th ECPR General Conference, Reykjavik, 25-27 August 2011.

"Changing patterns of voting behaviour in non-EU states' multilateral diplomacy in the UNGA". Conference paper. Jean Monnet International Conference, Kiev, 26-29 May 2011.

Participation in conferences

"The European Neighbourhood Policy in the Eastern Region in Practice". Natolin College of Europe, Warsaw, 22 November 2013.

"Bosnia-Herzegovina: Tour dans les Balkans occidentaux". Confrontations Europe, Sarajevo, 18-23 June 2012.

"What Common Security and Defence Policy, for What Europe?". Ifri-CFA International Conference, Vienna, 14 May 2012.

Annual Congress of the Swiss Political Science Association, Lucerne, 2-3 February 2012.

"Inter-Organizationalism in International Relations". VUB-IES-GGI expert workshop, Brussels, 27-28 January 2012.

"Identity in the Area of Globalization and Europeanization". UKiM international conference, Skopje, 3-4 November 2011.

Belgrade Security Forum, Belgrade, 13-16 September 2011.

"Exchanging Ideas on Europe 2011". 41st UACES conference, Robinson College, Cambridge, 5-7 September 2011.

6th ECPR General Conference, Reykjavik, 25-27 August 2011.

"Human Security and Security Strategy". Jean Monnet International Conference, Kiev, 26-29 May 2011.

"Hungary and Europe". Ifri-CFA International Conference, Budapest, 4 April 2011.

"Connected Globe, Conflicting World". APSA Conference, Melbourne, 27-29 September 2010.