



Foreign & Commonwealth Office

Email from Dr Joanna K. M. Hanson, London School of Economics, 30 June 2014

With reference to the Call for Evidence on the Government's review of the balance of competences between the UK and the EU, I would like to make the following points. I have used the sub-headings you used for your questions.

Exercise of competence

When assessing the EU's effectiveness, it is worth bearing in mind that whatever the failings of the enlargement process, the latter has provided crucial stability in all the countries gaining European Union membership in the three waves of the 21st century.

The EU has drawn lessons from previous rounds of enlargement but has not necessarily thought through how to more effectively make it clear that implementation is crucial and that decisions are not political, e.g. there is still a belief in some western Balkan states that Romania and Bulgaria membership means that they will also get away with issues related to the rule of law. The EU does not appear to have drawn lessons from its own failure to engage with the wider public, to better inform them of European values and policies, thereby enabling the public to put arguably greater pressure on their political leadership. This problem is partially related to the non-democratic cultures which aspiring member states are evolving from. The EU appears to have failed to understand the dynamics this creates and how to work within that environment. The EU needs a more sustainable policy of public engagement which should both inform and empower.

Visa liberalisation may have undermined possible public support for EU membership. It might be advisable to analyse the impact of visa liberalisation on democratic development, e.g. does travel to MSs help develop greater support for the EU?

The EU does not appear to want to address more stringently basic democratic reform failings in the Balkan countries, in particular media freedoms and civil society issues. It quite rightly puts significant stress on JHA and rule of law issues but this is done without equally and effectively linking it in to fundamental human rights and freedoms. This not only impacts on the EU's effectiveness but undermines support for the EU as it is seen to be failing itself on how it represents the Copenhagen criteria. The EU might consider developing a more

comprehensive way of sanctioning these failings as part of its enlargement policy and conditionality.

Future options and challenges

The EU needs to stick firmly to its own basis of the Copenhagen criteria and not allow these to be compromised on when other political considerations come in to play. The EU needs to consider adopting a policy of suspension or cancellation of the enlargement process if an aspiring candidate is using a political situation to revert on its achievements and fails to maintain consistency in its approach. The EU needs to avoid a situation wherein it is becoming more active and committed than the candidate country itself. The EU must assess whether there is still committed ownership of the process by the applicant. Macedonia's process might be an example of this.

The EU, now an organisation of 28 member states, may need to look at ways states can be granted Candidate Status and open negotiations without unanimous agreement.