

Slovakia

The EU New Member States as Agenda Setters in the Enlarged European Union

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The publication is a product of the Open Society Institute – Sofia within the European Policies Initiative (EuPI) and the project “The EU New Member States as Agenda Setters in the Enlarged European Union”. This EuPI project has been implemented in close partnership with EUROPEUM Institute for European Policy, with funding provided by the Open Society Institute – Sofia.

About EuPI

The European Policy Initiative (EuPI) aims at stimulating and assisting the New Member States from CEE to develop capacity for constructive co-authorship of common European policies at both government and civil society level. As a new priority area of the European Policies and Civic Participation Program of Open Society Institute – Sofia, EuPI will contribute to improving the capacity of New Member States to effectively impact common European policies through quality research, policy recommendations, networking and advocacy. The initiative operates in the ten New Member States from CEE through a network of experts and policy institutes.

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The objective has been to map the positions and level of activity of the ten new EU Member States on a number of issues on the EU agenda; identifying the factors and drives behind these positions; looking at the level of political and public consensus and the influence of major stakeholders; outlining coalition patterns within the EU and, finally, trying to provide an outlook on possible change of these positions.

The countries have been classified on each of the policy issues as “Policy Takers”, “Policy Killers” or “Policy Drivers”, depending on their particular position and level of activity. In the classification of this study, Policy Takers are those states that usually follow the mainstream in the EU and in general accept whatever is offered from the EU. The Policy Driver is a country that assertively promotes an issue at EU level. A Policy Killer is a country that actively opposes the policy in question.

The research has been carried out by individual researchers in each of the ten new members on the basis of specially designed methodology, developed by EUROPEUM and major input from EuPI/OSI-Sofia. The seven policy areas under research are: I. Internal market/Lisbon Strategy; II. Minority integration and citizenship issues; III. Energy and climate change; IV. Budget review and CAP Health Check; V. EU foreign policy and enlargement; VI. Freedom, Security and Justice; VII. Institutional issues.

The research was carried out primarily in the period September 2008 – December 2009, but there may be references beyond this period. Some positions and circumstances described in the reports may have changed since the information was last made available to the researchers or reached the stage of publication.

The researchers’ findings are published in ten country reports on each of the New Member States: Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia.

The structure of the country reports includes an overview of the country’s performance as an EU member and seven chapters following the seven broad policy areas. Each chapter contains an overview of the position of this country in the area, including the top three national priorities. Then the chapters provide in-depth analyses, information and prognoses on a set of issues (defined as general and specific) within each of the seven policy areas.

A comparative report, based on the ten country reports, was produced to highlight the project’s findings.

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Country Report

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Slovakia

**The EU New Member States as Agenda
Setters in the Enlarged European Union**

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Contents

Slovakia in the EU: An overview

I. Internal market and Lisbon Strategy

(Growth and jobs in EC work plan and policy strategy)

1. Overview
2. General issues:
 - 2.1 Review of merger regulations
 - 2.2 Free movement of workers across the EU and transitional periods
 - 2.3 Positions on the Strategic Review of the "Better Regulation" package (COM(2006) 689) and ECOFIN Conclusions, 22 January 2008; EC Simplification Rolling Programme after screening the acquis
 - 2.4 General views of the free movement of services as enshrined in the current Services Directive
 - 2.5 Positions on taxation harmonisation
- 3 Specific issues:
 - 3.1. Free Small Business Act (SBA) (COM(2007) 592)
 - 3.2. Financial retail services (SEC(2007) 1520)

II. Minority integration and citizenship issues

1. Overview
2. General Issues:
 - 2.1. The emerging European Roma Strategy
 - 2.2. Other minorities' integration issues
3. Specific issues:
 - 3.1. Formulation of action plans to improve housing conditions, create possibilities for employment and guarantee affordable health care and education for Roma;
 - 3.2. Institutionalisation of European policy on Roma by establishment of a Roma Unit within the EC;
 - 3.3. Position and policies related to Commission Communication COM(2008) 420 final from 2 July 2008 on Non-discrimination and Equal Opportunities: A Renewed Commitment and also Community Instruments and Policies for Roma Inclusion, Staff working document accompanying Commission Communication COM(2008) 420.

III. Energy and climate

1. Overview
2. General issues:
 - 2.1. Strategic energy review (2007) and positions towards 2010-2014 energy action plan
 - 2.2. The post-Kyoto/post-2012 proposals — the global dimension
 - 2.3. Commitment to meet the benchmarks for greenhouse emissions
 - 2.4. Strategy and commitment to increase the share of renewable sources
 - 2.5. Strategy towards nuclear energy
 - 2.6. Implementation of the revised Emission Trading Scheme
 - 2.7. External dimension of energy security
3. Specific issues:
 - 3.1. Liberalisation of the energy market — 3rd energy package (unbundling)
 - 3.2. Common rules for the internal market in electricity (COM(2007) 508), cross border exchanges in electricity (COM(2007) 531), common rules for the internal market in gas (COM(2007) 529), access conditions to the gas transition network
 - 3.3. Establishment of the Agency for Co-operation of Energy Regulators (COM(2007) 503)

IV. Budget review and CAP "Health Check"

1. Overview
2. General issues:
 - 2.1. Position towards CAP "Health Check" (COM(2007)722)
 - 2.2. Positions towards the expenditure structure of post-2013 budget (SEC (2007) 1188)
 - 2.3. Position towards Common Market Organisation for Fisheries

V. EU foreign policy and enlargement

1. Overview
2. General issues:
 - 2.1. Preference of countries for accession and any specific points or concerns relating to it (including bilateral disputes and how they might translate into EU-level policy and decision making)
 - 2.2. Preference for any particular country in the framework of ENP
 - 2.3. Enhanced ESDP, increasing Europe's defence capabilities etc.

- 2.4. Position towards Kosovo, e.g. status and EU mission in Kosovo
- 2.5. Transatlantic relations
3. Specific issues:
 - 3.1. Completion of accession negotiations with Croatia
 - 3.2. Opening of accession negotiations with Macedonia
 - 3.3. Signing of SAA with Serbia
 - 3.4. Blockage of accession talks with Turkey, possibility of unblocking it
 - 3.5. Polish–Swedish initiative for ENP Eastern Partnership
 - 3.6. Strategy for the Black Sea Region/Black Sea Synergy Implementation assessment
 - 3.7. Strategy for the Baltic Sea Region
 - 3.8. Revision of European Security Strategy

VI. Freedom, Security and Justice

1. Overview
2. General issues:
 - 2.1. Common European asylum system
 - 2.2. Common European migration policy
 - 2.3. Enhanced role in co-operation of law enforcement agencies and their co-operation at EU level
 - 2.4. Harmonisation of serious aspects of cross-border crimes
3. Specific issues:
 - 3.1. Establishment of Eurosur (European border surveillance system)
 - 3.2. Establishment of entry–exit system and other border management tools
 - 3.3. Amendments of asylum-related regulations (2003/9/EC – reception conditions for asylum seekers, regulation 343/2003 on the determination of Member States responsible for assessing asylum applications)
 - 3.4. Evaluation of FRONTEX and the future developments in this area

VII. Institutional issues

1. Overview
2. General issues:
 - 2.1. Representation of the country in the EU institutions: EC, European council, EP – a backgrounder
 - 2.2. Position of the country and the different stakeholders (including public opinion) towards the Lisbon Treaty and the framework of changes introduced by it
 - 2.3. Alternative proposals to the institutional development of the EU, rated by the relative influence of their proponents (e.g. multi-speed Europe, one-voice foreign policy, etc.)
3. Specific issues:
 - 3.1. Position towards the main changes offered by the Lisbon Treaty:
 - Extended qualified majority voting;
 - European Parliament's increased role;
 - President of the European Council;
 - High Representative for Foreign Policy;
 - Revision of the representation in the European Commission;
 - Charter of Fundamental Rights legally binding
 - 3.2. Implementation of institutional innovations:
 - President of the European Council: competences vis-à-vis the rotating presidency, job description, secretariat and its size etc.
 - EU High Representative: competences vis-à-vis the two presidents, relation to other commissioners with external relations portfolios, competences and relations vis-à-vis the rotating presidency
 - EU External Action Service: Implementation of the EU External Action Service:
 - 3.3. Future of Lisbon Treaty ratification

About the author

Supplements

Slovakia in the EU: An overview

The accession period of Slovakia to the European Union (especially between 1999 and 2003) can be considered a time when almost all relevant political actors were very active in promoting the necessary steps in order to complete the accession criteria. After the successful accession it seems that the country was affected by internal enlargement fatigue. However, during the first two years of its EU membership, the government led by Prime Minister Dzurinda tried to be active in the EU at least in some areas — for example those which were important for the EU integration process — the Constitutional Treaty and the EU enlargement to the Western Balkans. The government also actively promoted Slovak interests (issues which were considered of national interest by that government) in areas such as taxation harmonisation, free movement of workers, Schengen, the Euro or social policy. On the other hand, that government was comprised of Christian Democrats (KDH) who were trying to 'bury' the Constitutional Treaty, and in some other areas such as JHA and social policy, were trying to slow down the integration process.

The government of Mr Fico, which assumed office in the summer of 2006, seems to be more passive in most issues negotiated at the EU level. This is due mainly to the fact that the Prime Minister is no longer the driving force of EU issues in Slovakia. Robert Fico has indicated several times that he is not so much interested in EU issues and that he considers domestic issues (especially in the area of social policy) more important. Moreover, he has tried to be "as hidden as possible" in the EU because of his coalition with two parties: the Movement for a Democratic Slovakia–Peoples Party (HZDS- LS) of former prime minister Vladimír Mečiar and the Slovak National Party (SNS), which are not accepted by the majority of European politicians.¹ During this current government the EU-related issues (with few exceptions) almost vanished from the public debate.

At the administrative level, people engaged in EU issues in the Slovak government are still lacking the competence and experience necessary for the successful promotion of Slovak interests in the EU, and the country lacks satisfactory representation in the EU institutions.

Slovakia can be considered a Policy Taker in a majority of the assessed areas. There are three main reasons:

1. Slovakia is a small country with rather limited negotiating power and articulation of national interests;
2. Slovakia is new EU Member State, which means that it lacks the experience and competence needed for a successful promotion of its interests;
3. The current government is paying much more attention to domestic issues, and EU-related issues are usually not debated at the national level;
4. The EU initiatives are not generated by politicians but usually by the administration at ministries, thus lacking the necessary political backing and leverage.

However in some issues, Slovakia can be considered a Policy Driver and actively participates in the shaping of European policies. In the case of Kosovo, the issue became quite visible and politicised at domestic level. In other issues such as the Euro, Schengen, free movement of workers, CAP health check, budget and energy related issues, the European policy directly affecting the main Slovak interests (usually financial).

The current government will most probably remain stable until the next scheduled elections in June 2010, thus it is not very probable that Slovakia would dramatically change its behaviour and positions as described in this paper. The public debate will be dominated by domestic issues and especially by the economic crisis/slowdown. There could be slight improvement in promoting EU issues due to a change of the Minister of Foreign Affairs in the second half of January, when Miroslav Lajčák, an experienced Slovak diplomat (currently also High Representative/EU Special Representative in Bosnia and Herzegovina), was appointed. As he is quite well known and respected in

¹ This is a consequence of Mr. Mečiar's government in 1994–1998, which was considered as autocratic and the one which led Slovakia into exclusion from EU and NATO integration process. Both parties, HZDS-LS and SNS, were present in this government. Moreover, SNS, and especially its leader Ján Slota, are known for their strong nationalism, thus not accepted among democratic parties in Europe.

EU circles and among the foreign ministers of the other EU Member States, his appointment is expected to improve the position of Slovakia in the Union.

The EU issues can also gain some public attention in the short term around the European Parliament elections. These elections are extremely important, especially for opposition parties which have very low public support and almost no alternative solutions to offer on domestic issues. These parties could use the relative “weakness” of the government on EU issues in order to raise some attention for their candidates.

Traditionally, the regional coalition-building pattern is strong. Slovakia sees other Visegrad countries as its main allies in the EU, although in many issues other patterns are much more important for the country’s position. Government often participates in like-minded groups created for specific issues (energy, JHA, CAP Health check, etc.), which is almost the only effective way to promote the interests of such a small country. Slovakia is participating in permanent forums such as the Salzburg Forum² and the Söderköping Process.³

Among the big EU Member States, Slovakia doesn’t have any permanent key partner; however, the current government’s most amicable relations are with France.

² The Salzburg Forum (Czech Republic, Hungary, Poland, Austria, Slovakia, Slovenia, Romania and Bulgaria) focuses on police cooperation in fighting organised crime, protection of external border, migration, security during big sporting events, cooperation in road traffic security and exchange of information.

³ The Söderköping Process (Belarus, Estonia, Hungary, Latvia, Lithuania, Moldova, Poland, Romania, Slovakia, and Ukraine) was created in order to facilitate cross-border cooperation between new EU Member States, candidate countries and the Western NIS on asylum, migration and border management issues.

I. Internal market and Lisbon Strategy

(Growth and jobs in EC work plan and policy strategy)

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1. Overview

The Slovak economy — small and export-oriented — profited highly from its incorporation into the internal market of the EU. Huge increase of FDI resulted in an increase of exports, GDP growth and a lowering of the unemployment rate. As a result, Slovakia always supported almost all the liberalisation proposals of the European Commission and was keen to make additional steps in the direction of adoption of the single currency. The Slovak government has been aware that the development impulse which came with EU accession and the comparative advantage of lower wages will vanish sooner or later. The Lisbon Strategy and the initiatives it contains are considered to be a way forward.

However, with the current financial crisis and the beginnings of economic recession in some of the EU countries, Slovakia as very open economy will not be immune to the effects of the crises. According to the latest prediction (as of March 2009), the economic growth will turn into recession this year. The GDP growth rate will change from more than 10% in 2007 to minus 2.6% in 2009.

The crisis is already hitting all the sectors of the Slovak economy, especially industrial production, which dropped by 27%⁴ in January 2009⁵ and in February 2009 by 28.2%.⁶ The automotive industry, which was the engine of Slovak economy, is affected by the substantial drop in demand in Western Europe and the United States. The government is trying to introduce measures to tackle the effects of the crisis (such as public investments, car-scrapping scheme, flexi-accounts,⁷ etc.). The opposition is criticising the government for weak activity and they are also proposing lowering income taxes, a move that the government refuses outright.

In this respect, in the area of internal market and the Lisbon Strategy, three top priorities can be considered:

- Adoption of the Euro from January 2009;
- Reaction to the current financial crisis — preservation of strong economic growth and impeding an increase of unemployment;
- Fulfilling the aims set in the National Lisbon Strategy.

⁴ <http://portal.statistics.sk/showdoc.do?docid=16380>

⁵ A part of this decrease was induced by the gas crisis in January 2009.

⁶ <http://portal.statistics.sk/showdoc.do?docid=16900>

⁷ A measure that enables employers to ask their employees for higher flexibility in working time. Employees stay at home with full salary, and once the crisis is over, they will substitute this time by working extra hours.

Table of national positions

*please, refer to the methodology disclaimer in the supplements

Issue	Definition and Outlook	National Consensus	EU mainstream
2.1. Review of merger regulations	Policy Taker; Policy Taker	Not debated	Within the mainstream
2.2. Free movement of workers	Policy Driver; Policy Driver	Consensus on the general policy	Within EU mainstream
2.3. Strategic review of "Better Regulation"	Policy Taker; Policy Taker	Consensus on the general policy	Within the mainstream
2.4. Free movement of services	Policy Driver/Taker; Policy Taker	Consensus on the general policy – with the exception of Trade Unions with respect to the country of origin principle	New EU Member states
2.5. Taxation harmonisation	Policy Killer; Policy Killer/Taker;	High level of consensus on the national position (with exception of prime minister)	Within the mainstream
3.1. Small Business Act	Policy Taker; Policy Taker	Consensus on the general policy	Within the mainstream
3.2. Financial retail services	Policy Taker; Policy Taker	Consensus on the general policy	Within the mainstream

2. General issues:

Review of merger regulations

Definition: Policy Taker

Outlook: Policy Taker

The Antimonopoly Office of the Slovak Republic is content with the current state of merger regulations in EU law. However, the Office contributed to the review by filling in the European Commission questionnaire. The Office has no crucial remarks on the review of merger regulations.

Free movement of workers across the EU and transitional periods

Definition: Policy Driver

Outlook: Policy Driver

Slovakia was one of the main promoters of the free movement of workers in the EU. Before the accession to the EU, the government decided not to apply any restrictions towards workers from other EU countries from the date of entry. The same position was maintained with the accession of Bulgaria and Romania in 2007.

Slovakia, as the country with the second highest unemployment rate in the EU (but for a long time it was first, just recently overcome by Spain), profited a lot from the free movement of workers. According to EPSO, at the end of 2006 more than 220 000 Slovaks were working in another country, which represents around 9.8% of Slovak employees. Thus the free movement of workers in the EU contributed crucially to the decrease in the registered unemployment rate in Slovakia: from 15.3% in April 2004 to 7.4% in April 2008.

Actually only Germany, Austria, Belgium and Denmark⁸ (the last two only to a limited extent) apply transitional periods towards workers from the EU-8. At the end of April 2009 the second stage in the transitional period ends. Slovakia will lobby especially in Austria not to prolong this period. However, with regard to the current financial crisis, success is rather improbable.

⁸ Belgium and Denmark have announced that they would not prolong the transitional periods beyond April 30, 2009.

Positions on the Strategic review of "Better Regulation" package (COM (2006)689) and ECOFIN conclusions, 22 January 2008 and EC Simplification Rolling Programme after screening the acquis

Definition: Policy Taker

Outlook: Policy Taker

The Slovak government supports the outcomes of the second strategic report of Better Regulation in the EU. For Slovakia is important that the Better Regulation will not consist only of the publication of the impact clause: instead, the assessment of impacts should be implemented in the whole process of policy making, so that legislators have necessary empirical data in order to make the best decision. Slovakia supports the EC plan to reduce the administrative burden by 25% and considers this realistic enough.

The Slovak government wants to implement a systematic approach to the problem of administrative burden in business and will implement its action plan for the years 2007–2012, adopted in October 2007. So far there is no concrete goal in lowering the administrative burden; it will be decided next year when an independent evaluator is chosen.

General views of the free movement of services as enshrined in the current service directive

Definition: Policy Driver/Taker

Outlook: Policy

Slovakia has been active during the negotiations of the current Services Directive and with a few exceptions (services which imply the execution of "state powers", such as notaries and executors, hazard, and postal services, which is more narrow than the services of "general interest") supported the EC proposal.

Although there were concerns on the principle of the country of origin (the Ministry of Economy thought that the principle of country of origin could be discriminatory towards domestic service providers if the national legislation is stricter), the official governmental position was positive. This position was backed by the representatives of business sector,⁹ while trade union representatives¹⁰ were more cautious and their positions tended to correspond to the EU mainstream.¹¹ The biggest opposition party, the Social Democrats (SMER), had no official opinion on the issue. However, their MEPs voted in favour of the Directive.

However, the country of origin principle was not so important for Slovakia: the government did not join in the initiative of the Czech Republic, Poland, Hungary, Spain, the Netherlands and Great Britain to preserve the strong country of origin principle. The adoption of the Directive is perceived positively despite the fact that it was modified and watered down to a large extent.

At this moment the efforts of the government focus on the transposition of the Directive into Slovak domestic legislation. The government has decided to prepare a general law on services and created a special working group that should draft it by September 2009.

Positions on taxation harmonisation

Definition: Policy Killer

Outlook: Policy Killer / Potential Policy Taker

The former government of Mr. Dzurinda (July 2006) introduced — as the second country (after Estonia) in the EU — a flat tax rate, with the rate of 19% on personal or

⁹ Chairman of the Slovak Self-Employed Chamber (Slovenská živnostenská komora) Vojtech Gottschall <http://www.etrend.sk/ekonomika/europska-unia/smernica-o-sluzbach-neublizi-nepomoze/64147.html> also

President of the Alliance of Entrepreneurs of Slovakia (Podnikateľská aliancia Slovenska) Martin Krekáč <http://www.24hod.sk/clanok-22160-PAS-vita-schvalenie-Smernice-o-sluzbach.html>

¹⁰ Chairman of the Confederation of Trade Unions of Slovakia (Konfederácia odborových zväzov) Ivan Saktor <http://www.etrend.sk/ekonomika/europska-unia/smernica-o-sluzbach-neublizi-nepomoze/64147.html>

¹¹ Representatives of the Confederation of Trade Unions of Slovakia participated in the demonstration organised in front of the European Parliament in Strasbourg.

corporate income and VAT. The government has also implemented the principle of "single income taxation,"¹² thus lifting for example the dividend tax. This system provided Slovakia with a competitive advantage and it is considered a main factor in boosting the GDP growth in Slovakia (in 2007, more than 10% of GDP). In line with this, the government was strictly against any further taxation harmonisation and especially against the lifting of veto power in this area.

The government also didn't support the motion for harmonisation of the basis for the income tax presented by the European Commission. Ivan Miklos from the Slovak Democratic and Christian Union (SDKU), at that time Minister of Finance, even said that Slovakia would prefer to decline EU structural funds than to lose Slovak sovereignty in the regulation of taxation.¹³

This position was officially maintained also by the new government, however in March 2007 Slovak Prime Minister Robert Fico signalled that the Slovak position could change. He stated that we cannot avoid further discussion about harmonisation and that Slovakia will not "scream" if a common solution is being sought.

These statements had further consequences in Slovakia, where opposition parties in particular criticised him for these statements. Politicians from coalition parties, on the other hand, tried to soften the situation by claiming that Mr. Fico talked only about the discussion and not about the harmonisation itself. The Christian Democrats even presented, in the National Council of Slovak Republic, a resolution on the "Tax Sovereignty" of Slovakia, which would oblige the government to block any attempts to harmonise taxes in the EU. The resolution was not adopted but all the opposition parties voted in favour. There was also a statement from 20 leading Slovak economists from prominent think tanks such as INESS (Institute of Economic and Social Studies), the F.A. Hayek Foundation, Trend Analysis, against taxation harmonisation in the EU.¹⁴ This statement was signed even by Martin Barto, Vice-Governor of the National Bank of Slovakia.

Despite the failure of the resolution in the Slovak Parliament, discussion on the issue has stopped and the official governmental "no" position was maintained.

3. Specific issues:

Small Business Act (SBA) (COM(2007) 592)

Definition: Policy Taker

Outlook: Policy Taker

Slovakia welcomed this initiative of the Commission and considers it very important for reaching the goals set in Lisbon Strategy. According to the government, the creation of optimal conditions for Small and Medium-sized Enterprises is a substantial condition for good functioning of the internal market.

Government welcomed also the second communication of the Commission from June 2008 and considers the "think small first" principle as very important. Slovakia is prepared to implement this initiative, with the possible exemption of lower VAT for locally-provided services as Slovakia has lower VAT only for medicaments and books (the latter since January 2008). However, recently the Slovak Prime Minister stated that if the economy continues to grow, government will rethink broadening of the lower rate of VAT for additional goods and services. Currently (as of March 2009), the government is considering lowering VAT for restaurants. Opposition parties, which were the "fathers" of the idea of a single VAT rate, could oppose this.

Financial retail services (SEC(2007)1520)

Definition: Policy Taker

Outlook: Policy Taker

¹² The principle states that every income can be taxed only once.

¹³ This was a reaction to Nicolas Sarkozy, France's finance minister at that time, who proposed that the new EU Member States with low corporate tax rates would be ineligible for EU structural or cohesion funds. He argued it was not acceptable "to reduce rates to zero and then to ask for structural funds." At: <http://www.independent.co.uk/news/business/news/brown-on-collision-course-with-eu-over-corporate-tax-545829.html>

¹⁴ <http://www.petergonda.sk/article.php?199>

The Slovak government is positive about this initiative of the European Commission, like towards all the initiatives that aim to increase levels of consumer protection. The most important issue for the government, the national bank and the Slovak Banking Association (SBA, which represents Slovak banks in the European Payment Council) is the implementation of SEPA, the Single European Payment Area. This correlates with the adoption of the Euro in Slovakia from 1 January 2009, when some of the SEPA features are accessible only for EMU countries. However, financial retail services and consumer protection are quite developed in this respect and Slovak banks are, together with the Slovak Banking Association, implementing some of the ideas for increasing consumer protection, for example, a Banking ombudsman, simplified switching of accounts, financial education, etc.

II. Minority integration and citizenship issues

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1. Overview

There have always been two major issues related to this topic: Hungarian minority rights and Roma minority social inclusion and non-discrimination. The Hungarian minority represents 9.7% of Slovak citizens and the Roma minority 1.7% by official figures.¹⁵ However, according to presumptions, there are 380 000¹⁶ Roma citizens in Slovakia, which would represent around 7% of inhabitants.¹⁷

In case of the Roma minority,¹⁸ Slovakia considers the issue of their social inclusion and integration as crucial. There is a special unit of the government for Roma communities,¹⁹ responsible for the creation of strategies, action plans and implementation of Roma-related policies. Slovakia is the only EU Member State that has prioritised Roma social inclusion issues in the distribution of structural funds within a separate horizontal line, and allocated EUR 200 million for 2007–2013.²⁰

Slovakia is also a full member of the Central and South East European project, the Decade of Roma Inclusion, but so far has not been very active on Roma minority issues at the international level. This might change with the government taking over the presidency of the Decade of Roma Inclusion from July 2009.

Priorities of Slovakia:

1. Social inclusion of Roma communities
2. Increasing education of Roma and lowering the rate of their unemployment
3. Improving the housing conditions of Roma minorities.²¹

Concerning the Hungarian minority issues, the Slovak National Party (SNS), part of the ruling coalition, is constantly creating a negative atmosphere for Slovak–Hungarian relations. Lately there has been a conflict between the Minister of Education (from SNS) and the Hungarian minority representatives (Party of Hungarian Coalition – SMK) because of the geography textbooks (for schools teaching in Hungarian language), which did not contain geographic names in Hungarian language. The problem had to be solved in the Parliament when the opposition parties, together with some MPs from the Social Democrats (SMER), pushed through a law ordering the Ministry of Education to publish textbooks with geographic names in both languages (SNS was backed by other government party Movement for Democratic Slovakia – HZDS-ĽS). Lately, the “Hungarian card” was played in the presidential election campaign, when SNS warned that the opposition candidate Iveta Radičová (with support from all the parliamentary opposition parties) could be elected thanks to the votes of Hungarians, thus being a more pro-Hungarian president.

In the case of Roma minority issues, there are no official positions of the political parties. All Slovak governments have tried to deal with the problems concerning the

¹⁵ http://portal.statistics.sk/files/Sekcie/sek_600/Demografia/SODB/grafy/sj/08.pdf

¹⁶ <http://romovia.vlada.gov.sk/3548/fakty-o-romoch.php>

¹⁷ Most of the Slovak Roma tend to declare themselves as Slovaks or Hungarians.

¹⁸ Slovakia recognises Roma as a “national,” not only an “ethnic” minority.

¹⁹ Office of the Plenipotentiary of the Slovak Government for Roma Communities.

²⁰ Interview with Deputy Prime Minister Dušan Čaplovič, at: <http://www.e-obce.sk/clanok.html?akcia=novykomentar&id=607>

²¹ Qualified guess of the author.

Roma minority with more or less similar attitudes. It resulted that the economic reforms (especially the reform of the social care system) enacted by the former (Dzurinda) government worsened the situation of Roma communities, despite trying to push them to solve their situation actively (conditioning the reception of social allowances by providing so-called activation labour for municipalities, NGOs or churches).

Table of national positions

*please, refer to the methodology disclaimer in the supplements

Issue	Definition and Outlook	National Consensus	EU mainstream
1. Top three priorities			
2.1. The emerging European Roma Strategy	Policy Taker; likely to remain a Policy Taker	Different opinions	Within the mainstream
2.2. Other minorities' integration issues	Policy Taker; likely to remain a Policy Taker	Different opinions of political parties	Within the mainstream
3.1. Formulation of action plans to improve housing conditions, create possibilities for employment and guarantee affordable health care and education for Roma	Policy Taker; likely to remain a Policy Taker	Consensus on the general policy	Within the mainstream
3.2. Institutionalisation of European policy on Roma by establishment of Roma Unit within EC	Policy Taker; likely to remain a Policy Taker	Not debated	NA
3.3. Commission Communication COM(2008) 420 final from 2.7.2008	Policy Taker; likely to remain a Policy Taker	Different opinions of political parties	Within the mainstream

2. General Issues:

The emerging European Roma Strategy (if applicable)

Definition: Policy Taker

Outlook: Policy Taker

Slovak Deputy Prime Minister for European Affairs and Ethnic Minority Rights Dušan Čaplovič publicly articulated support for the initiation of dialogue on the preparation of a European Roma Policy between EU member and non-member states, international organisations and representatives of Roma civil society. He also signed the declaration of the Decade of Roma Inclusion from February 2008, calling on the European Commission to propose the European Roma Policy.

During the negotiations in the European Parliament, Slovak MEP Irena Belohorská from HZDS-ĽS (Movement for Democratic Slovakia – People's Party) supported the emerging policy, arguing that Slovakia is one of the countries of the EU with the highest share of Roma population, while another MEP from KDH (Christian Democrats) Anna Záborská pointed that the situation in individual Member States is different, thus the Roma issue cannot be solved by a unified Roma strategy. In her opinion Roma issues should remain in the sphere of national competence.

Other minorities' integration issues

Definition: Policy Taker

Outlook: Policy Taker / Possible Policy Killer

According to the last census in 2001,²² the biggest minorities living in Slovakia are Hungarians (9.7%), Roma (1.7), Czechs (0.8) and Ruthenians (0.4). The Hungarian minority is represented in the National Council of the Slovak Republic, always having around 10% of deputies. In the period of 1998–2006 the Hungarian Coalition Party (SMK) was a member of the ruling coalition and represented in the government. Since 2006, when the new government including nationalists (Slovak National Party – SNS) was installed, relations between the government and Hungarian minority representatives deteriorated substantially. In the last two years, we can even witness a series of incidents between Slovakia and Hungary, where nationalists on both sides

²² <http://www-8.mensiny.vlada.gov.sk/data/files/365.rtf>

play a crucial role. Other minorities are not so active in pursuing their interests politically.

However, Slovakia thinks that any disputes should be resolved at the national level or bilaterally (with Hungary) rather than multilaterally (Council of Europe, European Union). Still, Slovak politicians fear that Hungarians would like to separate or at least claim autonomy. This fear is reflected also in the foreign policy of Slovakia (see the case of Kosovo) or in actuation in international organisations (Slovakia refused to accept the concept of the collective rights of minorities as discussed in Council of Europe).

3. Specific issues:

Formulation of action plans to improve housing conditions, create possibilities for employment and guarantee affordable health care and education for Roma;

Definition: Policy Taker

Outlook: Policy Taker

The basic strategic document in Slovakia that tackles Roma issues is the Medium-term Concept of the Development of the Roma National Minority in the Slovak Republic, entitled, "Solidarity – Integrity – Inclusion."²³ The concept considers the following areas of the Roma policies as crucial:

1. Upbringing and education;
2. Health, hygiene, healthcare education and prevention;
3. Employment and other social activities;
4. Housing; and
5. Profile topics: culture and the forming of Roma identity, sensitising the general public towards Roma, creation of a wider social mandate for the fulfilment of this task through the media and other socialisation agents through education and cultural activities; gender equality; and poverty.²⁴

There are other documents related to Roma such as the Policy Statement of the Government of the SR of 31 July 2006, the National Strategic Referential Framework of the SR, the National Action Plan of the Decade of Inclusion of the Roma Population 2005–2015, the Concept of the Integrated Education of Roma Children and Youth Including the Development of Secondary School and University Education, the Long-term Concept of Housing for Marginalised Groups of the Population, the National Report on Social Protection and Social Inclusion Strategies for 2006–2008, the Concept of the Equality of Opportunities for Women and Men, the National Strategy for the Prevention and Elimination of Violence against Women and in Families, and the Programme of Health Support of Disadvantaged Communities in Slovakia 2006–2013. It is too early to assess the impact of these new strategies, however, empirical experience has proven that mainly activities and programmes on the local level, tailored for a concrete community, have concrete impact, rather than nation-wide strategies.

Slovakia would most probably also support formulations of action plans at European level, but this issue is not being discussed so far.

Institutionalisation of European policy on Roma by establishment of a Roma Unit within the EC (which will look at ways to effectively use the different EU funds to more directly target prioritised Roma policies and create, evaluate and help the implementation of the European Roma Strategy);

Definition: Policy Taker

Outlook: Policy Taker

Although there is no official position on the issue, Slovakia will most probably support the creation of a Roma unit within the Commission. However, during the negotiations of the European Roma Strategy in the European Parliament, both Slovak MEPs²⁵ who

²³ http://www.romovia.vlada.gov.sk/data/att/12371_subor.pdf

²⁴ Ibid.

²⁵ Irena Belohorská from HZDS-ĽS (Movement for Democratic Slovakia – People's Party) and Anna Záborská from KDH (Christian Democrats).

expressed their opinions were against the creation of a special coordinator or even special commissioner for Roma issues within the European Commission. However, this can be considered as their personal opinion, rather than their parties' position.

Position and policies related to Commission Communication COM (2008) 420 final from 2.7.2008 on Non-discrimination and equal opportunities: A renewed commitment and also Community Instruments and Policies for Roma Inclusion, Staff working document accompanying Commission Communication COM(2008) 420.

Definition: Policy Taker

Outlook: Policy Taker

Slovakia adopted its antidiscrimination law in 2004 after heavy discussion in the Parliament, where, especially, representatives of the Christian Democrats were opposed to inclusion of the ban on discrimination based on sexual orientation. In 2005 the Constitutional Court decided that positive discrimination in case of ethnic minorities is not constitutional and the respective article of the antidiscrimination law had to be removed. However, the National Council of the Slovak Republic has returned the possibility to achieve "equality of opportunities" of disadvantaged groups by interim measures such as educational programmes.

Slovakia is generally supportive of further strengthening of antidiscrimination measures — in some areas with the possible exception of Christian democrats and nationalists — but due to the Constitutional Court's ruling it has to be careful, especially with positive discrimination measures.

III. Energy and climate

1. Overview
2. General issues:
 - 2.1. Strategic energy review (2007) and positions towards 2010-2014 energy action plan
 - 2.2. The post-Kyoto/post-2012 proposals — the global dimension
 - 2.3. Commitment to meet the benchmarks for greenhouse emissions
 - 2.4. Strategy and commitment to increase the share of renewable sources
 - 2.5. Strategy towards nuclear energy
 - 2.6. Implementation of the revised Emission Trading Scheme
 - 2.7. External dimension of energy security
3. Specific issues:
 - 3.1. Liberalisation of the energy market — 3rd energy package (unbundling)
 - 3.2. Common rules for the internal market in electricity (COM(2007) 508), cross border exchanges in electricity (COM(2007) 531), common rules for the internal market in gas (COM(2007) 529), access conditions to the gas transition network
 - 3.3. Establishment of the Agency for Co-operation of Energy Regulators (COM(2007) 503)

1. Overview

Slovakia considers energy/climate change issues as being among the most important issues on the EU agenda nowadays. As a country which is extremely dependent on the import of every kind of energy (since 2007 Slovakia also lost its self-sufficiency in electricity production), especially oil and gas from an almost unique source (Russia), the government supports joint efforts which would increase EU energy security. On the other hand, the government is aware of the necessity of taking immediate action against global climate changes. However, more attention is put on energy. There are differences between the previous and current governments' approaches to the issue. The current government is less concerned about the energy dependence on Russia, but this is slowly changing after the gas crisis in January 2009, which hit Slovakia hard. Prime Minister Fico considers the privatisation of the Slovak Gas Industry (SPP)²⁶ and the Slovak Power Station (SE)²⁷ as one of the biggest mistakes of the former government, saying this lowered the energy security of the country. The government also succeeded in buying back shares of Transpetrol, a company managing the oil pipeline in Slovakia.

Three main goals of the Slovak energy policy are:

1. Securing the safe and effective provision of all forms of energy in the required amount and quality;
2. Lowering Slovakia's "energy intensity" (units of energy per unit of GDP);
3. Securing electricity supply that will satisfy demand on the basis of economic efficiency.

As for Slovakia's priorities on the EU level, these are:

1. Third liberalisation package — question of unbundling;
2. Energy security — Common European Energy Policy;
3. Nuclear energy.

The gas crisis in January 2009 strongly affected the Slovak economy. The government had to regulate the supplies of gas to big companies in order to secure gas supplies for households. This resulted in a drop of industrial production in January. Before the resolution of the crisis on the European level, Slovakia succeeded in securing gas from the Czech Republic by changing the direction of flow of the international gas pipeline. The government took the crisis seriously and Prime Minister Fico negotiated with both Russian and Ukrainian prime ministers. The opposition supported the efforts of government and refrained from criticism.

²⁶ The biggest gas operator and transmitter in Slovakia. It also manages the Slovak part of the gas pipeline from Ukraine to the Czech Republic.

²⁷ The biggest Slovak producer of electricity.

It seems that the opinion of the government (although not directly expressed) is that Ukraine was responsible for the crisis. There were even signals from the government saying that Slovakia could reconsider its support for Ukrainian EU membership.

Table of national positions

*please, refer to the methodology disclaimer in the supplements

Issue	Definition and Outlook	National Consensus	EU mainstream
1. Top three priorities			
1.1. Unbundling	Policy Driver; Policy Driver	Consensus on general policy	Like-minded countries
1.2 Energy security	Policy Taker; Policy Driver;	Consensus on general policy	Within the EU mainstream
1.3 Nuclear energy	Policy Driver; Policy Driver	National consensus (with the exception of some NGOs)	Like-minded countries
2.1. Strategic energy review, etc.	Policy Taker; Policy Taker	Consensus on general policy	Within the mainstream
2.2. Post-Kyoto	Policy Taker; Policy Taker	Consensus on general policy	Within the mainstream
2.3. Greenhouse emissions	Policy Taker; Policy Taker	Consensus on general policy	Within the mainstream
2.4. Renewable sources	Policy Driver; Policy Taker	Consensus on general policy	Within the mainstream
2.5. Nuclear energy	Policy Driver; Policy Driver	National consensus (with the exception of some NGOs)	Like-minded countries
2.6. ETS	Policy Driver; Policy Driver	Consensus on general policy	Within the mainstream
2.7. External dimension of energy security	Policy Driver; Policy Driver	Consensus on general policy	Within the mainstream
3.1. Energy package	Policy Killer/Driver; Policy Taker	Consensus on general policy	Like-minded countries
3.2. Internal market	Policy Killer/Driver; Policy Taker	Consensus on general policy	Like-minded countries
3.3. Agency	Policy Killer/Taker; Policy Driver/Taker	Consensus on general policy	Within the mainstream

2. General issues:

Strategic energy review (2007) and positions towards 2010-2014 energy action plan

Definition: Policy Taker

Outlook: Policy Taker

Slovakia agreed with the outcomes of the Strategic energy review and supported the 2010–2014 energy action plan. Government welcomed the aim of the EC to increase the leverage of the EU and is willing to continue discussions on cooperative energy security. Slovakia will support all EU activities aiming at increasing the energy security of its members as long as they respect principles of solidarity, transparency and economic sustainability.

Slovakia sees the solution in common action towards diversification of sources and better interconnection of transmission systems — in the first stage at a regional level. Defining the EU's common interest is a necessity and would help in fostering negotiating positions towards partners — especially Russia, which, owing to its higher flexibility in decision making, is capable of delivering a strong diplomatic offensive, especially in the Caspian Sea region.

The government also supports the creation of Common European Energy Policy, which should effectively react to the three main challenges: limiting external dependence on energy transmitters, supporting growth and employment, and fighting climate change.

The post-Kyoto/post-2012 proposals – the global dimension

Definition: Policy Taker

Outlook: Policy Taker

Slovakia understands the necessity of post-Kyoto agreements and the continuation of the process of reducing greenhouse emissions. The government supports imposing stricter reduction goals for developed countries and promotion of low carbon technologies. However, Slovakia thinks that developing countries must be included in the reduction efforts more than they currently are. In the case of fast-growing countries like China, India, Mexico, and Brazil, which are significantly increasing their greenhouse emissions, other forms of emission reduction should also be used (support for energy efficiency, usage of best possible technologies and sectoral measures). Slovakia supports fostering and developing new financial instruments in order to help developing countries meet the reduction goals.

However, the government views a danger in the so-called "carbon leakage", and promotes the idea that all measures that the EU agrees on must preclude endangering economic growth in the EU and must comply with the Lisbon Strategy goals.

Commitment to meet the benchmarks for greenhouse emissions

Definition: Policy Taker

Outlook: Policy Taker

The Slovak government supported the benchmarks for greenhouse emissions without enthusiasm. According to the EC study the commitment to meet benchmarks will require investments equal to 1.17% of GDP until 2020, which is more than the EU average (0.58%). Taking into consideration principles of solidarity and flexibility, costs will be 0.26% of GDP (the EU average is 0.45%). However, costs in Slovakia will be the second highest (after Slovenia) among the new EU Member States.

The government fears that meeting the benchmarks, especially in the sectors outside of the Emission Trading Scheme, will be difficult and expensive for Slovakia. In these sectors Slovakia can raise emissions by 13% in comparison with 2005, which will be difficult to achieve, especially in light of trends in transportation and due to the fact that the reduction potential of these sectors is very limited (Slovakia already restructured its industry and imposed measures for air protection, thus its greenhouse emissions are already approximately 30% below the level of 1990).

Slovakia fought especially for the definition of benchmarks in relation to the base-year 1990 and for joint consideration of EU ETS resources and EU non-ETS resources, as well as for higher flexibility in transferring redundant emission reduction towards achieving the individually defined commitments.

Strategy and commitment to increase the share of renewable sources

Definition: Policy Driver

Outlook: Policy Taker

Slovakia supported the overall goal of 20% share of renewable sources in the European energy mix and the determination of indicative goals for Member States, however underlined that there are alternative ways of lowering greenhouse emissions such as nuclear energy. According to the agreed mechanism of calculation, the goal for Slovakia is 14% of energy from renewable sources in 2020 (in 2005 it was 6.7%). The government considers this goal an ambitious and expensive one, but realistic, because it is in line with the national strategy. The government also agreed with the minimum level of 10% of bio fuels. Biomass and bio fuels are the sources with the biggest potential in Slovakia; other resources are considered to be quite expensive so far.

The government also supported trading with "guarantees of origin"²⁸ and considers this a tool for lowering costs in achieving the national goals for individual Member States. The government pushed for the greatest possible flexibility of trading and for

²⁸ A Guarantee of Origin (as specified in article 5 of the EU Directive 2001/77/EC of 27.09.2001) provides a green power generator with proof that the energy generated and injected into the public grid was really generated from renewable energy sources. Definition taken from: http://www.e-control.at/portal/page/portal/ECONTROL_HOME/OKO/HERKUNFTSNACHWEISE

minimisation of the administrative costs of trading. In this respect it supported the German–Polish–British proposal for trading on the basis of statistical transfer.

Strategy towards nuclear energy

Definition: Policy Driver

Outlook: Policy Driver

Slovakia is a country where nuclear energy plays a crucial role in securing energy supplies. The share from nuclear energy in terms of electricity production was 56% in 2006, securing Slovakia third place in the world (after France and Lithuania). However, in the accession treaties, the country agreed to close down two blocks of its Jaslovské Bohunice nuclear power station – the second block was closed on 31 December 2008. This will lead to decrease of its share below 50% and to the loss of self-sufficiency in electricity.

The government sees nuclear energy as a key resource for securing Slovakia's electricity self-sufficiency. In the government's opinion, nuclear energy has a huge potential for lowering greenhouse emissions and thus constituting an integral part of energy policy for Europe. Among the priorities of the Strategy of Energy Security of Slovakia are construction projects at three nuclear power stations (third and fourth blocks of the power station in Mochovce, new reactors in place of the ones that were closed down in Jaslovské Bohunice and a completely new power station in Eastern Slovakia – Kecerovce). There is wide public support for these intentions of the government (more than 60% of citizens are in favour of nuclear energy) and low opposition within the country (with the exception of Greenpeace and several other NGOs such as Movement for Mother Earth, etc., which are campaigning against nuclear energy in Slovakia).

Slovakia also agrees with the EC opinion that in case of nuclear power stations' closure, these shall be replaced by low-carbon sources of energy. The government underlines the necessity of supporting research in the area of nuclear energy in order to preserve the technological leadership of the EU.

Slovakia supports the Nuclear Illustrative Programme (PINIC), which is swinging the pendulum in the EU in favour of nuclear energy, and opposes any attempts to cease or lower the importance of the EURATOM agreement. In 2007 the government proposed the creation of a European Nuclear Forum in Bratislava. As the Czech Republic also wanted to host such a Forum, Commission asked both countries to prepare a common proposal. It was decided that the Forum will meet twice a year – once in Bratislava and once in Prague.

Slovakia actively supports the opening of negotiations on legislative proposals for the so-called "nuclear package".

Implementation of the revised Emission Trading Scheme

Definition: Policy Driver

Outlook: Policy Driver

Slovakia supported the implementation of new ETS and the effort for broader harmonisation of trading mechanism rules, usage of auctions, measures for balancing unequal development in the EU, the solidarity principle and the possibility of using flexible mechanisms for achieving the goals.

The government has decided to support the 100% allocation of quotas in auctions in the energy sector. However, the government also supported the gradual phase in 2013–2020 for countries where the auction system could cause an immediate increase in energy prices (most probably including Slovakia).

The Slovak government also supported a system of benchmarks and their dynamic modification in specific sectors of the economy, and the decision on the list of sectors with a risk of carbon leakage in the earliest possible term, together with comprehensive rules and criteria for the risk assessment of industry delocalisation.

A very important issue for Slovakia (and for the other new EU Member States with the exception of Slovenia) was the proposal to change the reference year for ETS allowances distribution from 2005 to 1990. The main reason for this was the fact that Slovakia lowered green house emissions by approximately 30% in the period 1990–

2005. When it was clear that "old" EU Member States were strongly against the proposal, Slovakia prepared a compromise solution remunerating "early effort" in a form of slightly changed redistribution mechanism 85%+10%+5%,²⁹ where 5% of allowances would be distributed to the countries that lowered greenhouse emissions by at least 20% between 1990 and 2005. In the final compromise the European Council decided to redistribute only 2% of allowances to 9 countries (the Slovak part is 3% out of the 2%).

External dimension of energy security

Definition: Policy Driver

Outlook: Policy Driver

Slovakia perceives energy security as an obvious security problem for the country and as an integral part of national security. Influencing the factors of energy security is one of the foreign policy priorities of the country. Slovakia is dependent on import of fossil (oil and gas) and nuclear fuels from a single source (Russia) and this is increasing the level of vulnerability of its economy. According to the Strategy of Energy Security,³⁰ the energy security threat is more serious than direct military or asymmetric threats. The fact that none of the planned energy pipelines is crossing Slovakia underlines the Slovak interest in finding common European solutions (such as Nabucco).

Slovakia promotes the dialogue at European and international levels between producing companies, source countries and consuming countries in order to secure better supplies. The government considers Russia to be a strategic partner for Slovakia in terms of energy supplies. On the other hand, Slovakia is an important transit country for Russian energy supplies. Thus, the mutual cooperation should be based on the principles of reciprocity, transparency and security of supplies. In this respect, the government stresses the importance of the new, enhanced Partnership and Cooperation agreement negotiation.

Slovakia supports the enlargement of the Energy Community Treaty to Turkey, Moldova and Ukraine and its deepening to include the "oil dimension".

Although the energy security issues are in the competence of Ministry of Economy, a Permanent Working Group on the External Dimension of Energy Security was created in 2007 at the Ministry of Foreign Affairs. Its aim is to analyze information from abroad, develop contacts in foreign countries, transfer knowledge from abroad and prepare analytical inputs for the Ministry. The Working Group prepared an analysis of the external dimension of the energy security position of Slovakia and an analysis of the energy strategy of Russia until 2020 in its relation to securing the energy needs of Slovakia. Moreover, the Working Group started expert dialogues, especially with partners in neighbouring countries.

Government perceives the following three main issues to be the priorities in energy security:

1. Securing the supplies of electricity, because of the closure of the second reactor of Jaslovské Bohunice nuclear power station;
2. Securing supplies of oil, gas and nuclear fuel;
3. Keeping the position as a strategic transit country for Russian oil and gas to the EU.

Moreover, the Strategy of Energy Security concretises priorities and projects that aim at increasing the energy security of Slovakia (such as new oil and gas pipelines connecting Slovakia to neighbouring countries).

²⁹ The original EC proposal was 90%+10% (10% as a solidarity part to be redistributed uniquely among Members States according to their GDP).

³⁰ [http://www.rokovania.sk/appl/material.nsf/0/D1D092829A6D42EBC12574EB002B4A6F/\\$FILE/Zdr oj.html](http://www.rokovania.sk/appl/material.nsf/0/D1D092829A6D42EBC12574EB002B4A6F/$FILE/Zdr oj.html)

3. Specific issues:

Liberalisation of the energy market – 3rd energy package (unbundling)

Definition: Policy Killer / Driver

Outlook: Policy Taker

Slovakia declined the Commission's "unbundling" proposal from the very first moment, when the main problematic point was the way the Commission wanted to achieve the unbundling. The reason for this position is the state ownership or shareholding in energy producers, transmitters and distributors. Neither of the two Commission proposals – ownership unbundling (meaning that the same company could not simultaneously own a distribution network and produce or supply energy) or the appointment of an Independent System Operator (ISO) – was acceptable for Slovakia.

Slovakia, together with like-minded countries (France, Germany, Austria, Luxemburg, Cyprus, Greece, Bulgaria, Lithuania) proposed a third solution consisting in the so-called legal and functional unbundling. This third option consisted of creating an Independent Transmission Network Operator (ITO), enabling companies to retain ownership. Slovakia agreed on the package only when this third option was accepted by the other countries, and it was decided that this model could be used in both energy sectors (gas and electricity) without any time limitations. However, the government has not succeeded with the motion that would allow vertically integrated companies to take over the control of the Transmission Network Operator of a Member State that has opted for full unbundling.

Common rules for the internal market in electricity (COM (2007) 528), cross border exchanges in electricity (COM(2007) 531), common rules for the internal market in gas (COM(2007) 529), access conditions to the gas transition network (COM (2007)532)

Definition: Policy Killer / Driver

Outlook: Policy Taker

In the first half of 2008, the Slovak Ministry of Economy disagreed with all of the above-mentioned proposals, which are amendments of the existing directives. It directly declined proposals COM(2007) 528 and COM(2007) 529, because they were regulating unbundling in a way that was unacceptable for Slovakia (see the previous point). In the case of proposals COM(2007) 531 and COM(2007) 532, the Ministry took a "scrutiny reservation" during the negotiations in the respective working group. In the opinion of the Ministry, both proposals lacked clarifications of several problematic points such as: decision making, legal remedies, responsibility, etc.

The Ministry changed its opinion on all of the proposals in October at the Transport, Telecommunications and Energy Council, where political agreement on the whole energy package was reached.

Establishment of the Agency for Co-operation of Energy Regulators (COM(2007) 503)

Definition: Policy Taker

Outlook: Policy Taker/Driver

At the beginning of negotiations on this issue, Slovakia did not support the establishment of an Agency with decisive powers. Slovakia supported the cooperation of national regulators but opposed further communitarisation and transfer of competence regarding this issue. The Slovak government received a response to its reservation from the European Commission, which stated that the mandate it has from the European Council and the European Parliament is the creation of an independent agency with decisive powers in order to handle the deficiency of the regulatory capacity at European level. Later on, the government changed its opinion (like in the previous case) and decided to apply for the seat of the Agency.

IV. Budget review and CAP "Health Check"

1. Overview
2. General issues:
 - 2.1. Position towards CAP "Health Check" (COM(2007)722)
 - 2.2. Positions towards the expenditure structure of post-2013 budget (SEC(2007) 1188)
 - 2.3. Position towards Common Market Organisation for Fisheries

1. Overview

CAP "Health Check" was one of the few issues related to the EU which raised some interest in the government. This is due to fact that transfers in the framework of CAP constitute a significant part of Slovak revenues from the EU budget and due to the strong voice of agricultural lobbyists in the government circles. The Ministry of Agriculture prepared a very detailed position with some crucial disagreements with the commission proposal. As for budget review, the government adopted a position document summarising Slovak views on the income and expenditure part of the EU budget without any public attention.

There is one overwhelming priority for Slovakia in CAP and budget review: supporting instruments that would bring the highest income from the EU budget for Slovakia. In concrete terms these are:

1. Structural and cohesion policies of the EU;
2. Single Area Payment Scheme (SAPS).

Table of national positions

*please, refer to the methodology disclaimer in the supplements

Issue	Definition and Outlook	National Consensus	EU mainstream
2.1. Position towards CAP "Health Check" (COM 2007(722))	Policy Killer; likely to remain a Policy Killer	Consensus on the general policy	Within the mainstream
2.2. Position towards the expenditure structure of post-2013 budget (SEC(2007)1188)	Policy Driver; likely to remain a Policy Driver	Consensus on the general policy	Within the mainstream
2.3. Position towards Common Market Organisation for Fisheries	Policy Taker; likely to remain a Policy Taker	No debate	Within the mainstream

2. General issues (only):

Position towards CAP "Health Check" (COM 2007(722))

Definition: Policy Killer

Outlook: Policy Killer

The government went into the "fight" for CAP with two main priorities: preservation of the Single Area Payment Scheme (SAPS) for new EU Member States until 2013, and disapproval of the commission proposal on progressive modulation. Slovakia also supported the "flat rate model" instead of the current historic model for Single Farm Payment, which would in future be more beneficial for Slovakia. However, Slovak positions were different from the EC proposal on many concrete issues, such as milk quotas, intervention mechanism for wheat, etc.

The Slovak government succeeded with the preservation of SAPS and also with lowering the EC proposal for progressive modulation of payments for farms receiving more than EUR 300 000 from 45% to only 4%, and abolishing the progressive modulation for farms receiving between EUR 100 000 and 300 000.

However, Slovakia voted against the compromise version of the CAP "Health Check" because of the preservation of the differences in amount of payments between new and old EU Member States.

Positions towards the expenditure structure of post-2013 budget (SEC (2007)1188)***Definition: Policy Driver******Outlook: Policy Driver***

The Slovak government has decided to support those expenditure items of the EU budget that have the biggest added value for Slovakia. In this respect the government asked its ministries to make an assessment of EU policies and their impact for Slovakia. On the basis of this analysis, the government prepared concrete positions towards the expenditure structure.

The biggest priority for the Slovak government is to preserve the funds allocated to structural and cohesion policy as at least at 35% of the EU budget. The government also supports an increase of the allocation for the following policies: energy security, Lisbon Strategy, education (Lifelong Learning Programme and Youth in Action), second pillar of CAP, new challenges (climate change, bio energy, water management, biodiversity), asylum and migration (European Fund for Refugees, European Return Fund), police cooperation and CFSP (especially pre-accession funds and Neighbourhood Policy funds).

Slovakia would like to decrease or at least stabilise the percentage of administrative expenditures and stresses that CAP first pillar funds should be primarily used for increasing the competitiveness of the agriculture sectors of EU Member States.

On the income side of the budget, Slovakia supports the GNI source and own incomes of the EU budget, and due to the complicated system, supports abolishment of the VAT source. Government is against the creation of the EU tax, because this could lead to the harmonisation of taxation in the EU. Government also disagrees with any compensation mechanism such as the British rebate because they represent non-equal treatment of Member States.

Slovakia thinks that the amendments should be implemented as from 2014, but is prepared to accept smaller changes already under the current financial perspective.

Position towards Common Market Organisation for Fisheries (where applicable)***Definition: Policy Taker******Outlook: Policy Taker***

Slovakia has no stakes in this policy.

V. EU foreign policy and enlargement

1. Overview
2. General issues:
 - 2.1. Preference of countries for accession and any specific points or concerns relating to it (including bilateral disputes and how they might translate into EU-level policy and decision making)
 - 2.2. Preference for any particular country in the framework of ENP
 - 2.3. Enhanced ESDP, increasing Europe's defence capabilities etc.
 - 2.4. Position towards Kosovo, e.g. status and EU mission in Kosovo
 - 2.5. Transatlantic relations
3. Specific issues:
 - 3.1. Completion of accession negotiations with Croatia
 - 3.2. Opening of accession negotiations with Macedonia
 - 3.3. Signing of SAA with Serbia
 - 3.4. Blockage of accession talks with Turkey, possibility of unblocking it
 - 3.5. Polish-Swedish initiative for ENP Eastern Partnership
 - 3.6. Strategy for the Black Sea Region/Black Sea Synergy Implementation assessment
 - 3.7. Strategy for the Baltic Sea Region
 - 3.8. Revision of European Security Strategy

1. Overview

Slovakia can be considered as a country with positive attitude towards Common Foreign and Security Policy (CFSP). However, lately the government has become more passive in formulation and advocacy of its opinions and positions. The former government led by Mikuláš Dzurinda actively contributed to the decision making in this area, for example in the cases of opening accession negotiations with Croatia, sanctions towards Cuba, or engagement during the Orange revolution in Ukraine.

The Slovak Republic's engagement in the implementation of CFSP/ESDP (European Security and Defence Policy) is based on its participation in ESDP missions: Althea, Concordia (2003) and EULEX; and its participation in joint battle groups. Slovakia gained some importance in ESDP implementation when Slovak diplomat Miroslav Lajčák was named the EU Special Representative for Montenegrin Dialogue (responsible for preparation of the referendum on the division of Serbia and Montenegro) and later on became the EU Special Representative and UN High Representative for Bosnia and Herzegovina.

Two priorities in CFSP shared by all the relevant political actors in Slovakia are:

1. Ukraine and its association with the EU: Slovakia would welcome Ukraine becoming a member state of the EU in the longer term;
2. Enlargement of the EU to the Western Balkans.

A third priority for the current government is the so called "economic diplomacy" – at the level of the EU it is especially focused on the development of relations with Russia, which is Slovakia's main energy supplier. The last government focused primarily on NATO and transatlantic relations and its policy was more "values-oriented".

Table of national positions

*please, refer to the methodology disclaimer in the supplements

Issue	Definition and Outlook	National Consensus	EU mainstream
1. Top three priorities			
1.1. Ukraine	Policy Driver; Policy Driver;	Consensus on the general policy	Like minded countries
1.2 Western Balkans	Policy Driver; Policy Driver;	Consensus on the general policy	Like minded countries
1.3 economic diplomacy	NA	Ruling coalition	NA
2.1. Preference of countries for accession and any specific points or concerns relating to it	Policy Driver; Policy Driver;	Consensus on the general policy	Like minded countries
2.2. Preference for any particular country in the framework of ENP	Policy Driver; Policy Driver;	Consensus on the general policy	Within the mainstream
2.3. Enhanced ESDP, increasing Europe's defence capabilities	Policy Taker; Policy Taker	Consensus on the general policy	Within the mainstream
2.4. Position towards Kosovo, e.g. status and EU mission in Kosovo	Policy Killer/Driver; Policy Killer/ Driver	Consensus on the general policy (with the exception of the Hungarian Party (SMK) on the issue of Kosovo recognition)	Within the mainstream; in case of recognition of independence, against the mainstream
2.5. Transatlantic relations	Policy Taker; Policy Taker	Consensus on the general policy (there are differences in attention put on their development)	Within the mainstream
3.1. Completion of accession negotiations with Croatia	Policy Driver; Policy Driver	Consensus on the general policy	Outside the mainstream
3.2. Opening of accession negotiations with Macedonia	Policy Taker; Policy Taker/Driver	Consensus on the general policy	Within the mainstream
3.3. Signing of SAA with Serbia	Policy Driver; Policy Driver	Consensus on the general policy	Within the mainstream
3.4. Blockage of accession talks with Turkey, possibility of unblocking it	Policy Taker; Policy Taker	Consensus on the general policy	Within the mainstream
3.5. Polish – Swedish initiative for ENP Eastern Partnership	Policy Taker; Policy Driver	Consensus on the general policy	Within the mainstream
3.6. Strategy for the Black Sea Region/Black Sea Synergy Implementation assessment	Policy Taker; Policy Taker	Consensus on the general policy	Within the mainstream
3.7. Strategy for the Baltic Sea Region (defined as a priority for the Swedish Presidency – second half 2009)	Policy Taker; Policy Taker	Consensus on the general policy	Within the mainstream
3.8. Revision of European Security Strategy (thought to be initiated by the French Presidency)	Policy Taker; Policy Taker	National consensus	Within the mainstream

2. General issues:

Preference of countries for accession and any specific points or concerns relating to it (including bilateral disputes and how they might translate into EU-level policy and decision-making)

Definition: Policy Driver

Outlook: Policy Driver

The Slovak Republic supports the accession of all candidate countries and potential candidate countries³¹ into to the European Union. In this respect, the successful and quick completion of accession negotiations with Croatia can be considered the highest priority. As early as 2005, Slovakia has been strongly pushing for an earlier start of

³¹ Countries of the Western Balkans without candidate status, whose EU membership perspective was confirmed by the EU.

negotiations with Croatia. Croatia is also the biggest trade partner for Slovakia in the Western Balkans region.

The second most important country in the Slovak accession perspective is Serbia. This is due to a variety of reasons (the existence of a Slovak minority in Serbia, historical ties, recent engagement in Serbia – Bratislava process,³² etc.).

In the third place, although with a substantial gap between second and third, is Bosnia and Herzegovina. The reason for prioritising this country is the position of the Slovak diplomat Miroslav Lajčák, who is the High Representative for Bosnia and Herzegovina.

Slovakia has no bilateral disputes with any of the candidate or potential candidate countries.

Preference for any particular country in the framework of ENP

Definition: Policy Driver

Outlook: Policy Driver

In the framework of ENP, Ukraine is the most important country for Slovakia. It is the only ENP country bordering Slovakia whose integration or at least association could lead to an increase in Slovak exports. The Slovak embassy in Kiev continues to serve as a NATO contact point for Ukraine. Slovakia would like to conclude and ratify the new PCA with Ukraine as soon as possible. Two other countries that are stressed in the Slovak Foreign Policy strategy are Belarus and Moldova. The Slovak Ministry of Foreign Affairs is also supporting the ambitions of Moldova to increase the level of cooperation with the EU. Generally, Slovakia is focusing on the Eastern dimension of ENP.

Enhanced ESDP, increasing Europe's defence capabilities etc.

Definition: Policy Taker

Outlook: Policy Taker

Slovakia generally supports the enhanced role of ESDP, increasing Europe's defence capabilities, the further development of activities of European Defence Agency and the creation of the European defence market, but declines the possibility of ESDP lowering the importance or even replacing NATO. ESDP capabilities should be strengthened, especially in the area of conflict prevention and crisis management.

Slovakia stresses the idea of strategic partnership between the EU and NATO, especially in the area of civil-military cooperation, post-conflict reconstruction, joint planning, etc. Slovakia considers NATO and the EU the main guarantors of its security. However, according to the Security Strategy of the Slovak Republic, "NATO shall remain the main platform for development of multilateral and bilateral cooperation in security and military issues in the Euro-Atlantic area."

In the Slovak opinion, ESDP and NATO should work together as closely as possible. The government is willing to put diplomatic effort into the elimination of reasons for non-cooperation of the EU and NATO in the security area and in the development of defence capacities. In this respect, Slovakia supports the development of ESDP operational capacity on a complementary, not substitutive basis relative to NATO. The main priority in the area of ESDP for Slovakia is active participation in ESDP missions, especially in the Western Balkans, and good functioning of the battle groups. The Slovak army is actively participating in two battle groups: the Czech-Slovak Battle Group (to be operational in the second half of 2009) and the Polish-German-Slovak-Latvian-Lithuanian Battle Group (to be operational in first half 2010).

As for political representation, with Prime Minister Robert Fico (SMER) there is a clear rhetorical shift to prefer ESDP, while previous Prime Minister Mikuláš Dzurinda (SDKU) saw NATO as the main guarantor of Slovak Republic's security. The new government continues to see NATO as the main guarantor of Slovak Republic's security but doesn't support its actuation outside the Member States (however, this rhetoric is contradictory

³² The Bratislava Process had two aspects. First, the gathering of pro-democracy forces, political parties, NGOs, trade unions, student organisations, and independent media from the former Yugoslavia to form a "Community for Change". Secondly, the cooperation of international organisations (Council of Europe, OSCE, EU) and Southeastern European regional international initiatives (SECI, Stability Pact) with the Yugoslav Community for Change. Taken from: <http://www.bbnet.org.yu/bdnet/task/eng/plan2k.htm>

to the increase in the number of Slovak soldiers in ISAF; see below). Among the relevant political parties, only the Christian democrats were rather sceptical towards the further strengthening of the ESDP, but the party was recently left by the main "Eurosceptics", including the former Minister of the Interior Vladimír Palko, who was the main opponent of any progress in further EU integration.

Slovakia supports Permanent Structured Cooperation and would most probably participate in it.

Position towards Kosovo, e.g. status and EU mission in Kosovo

Definition: Policy Killer (in case of recognising Kosovo independence)/Driver

Outlook: Policy Killer / Policy Driver

Slovakia is one of the five EU Member States that do not recognise Kosovo independence. The Slovak Ministry of Foreign Affairs originally supported the so-called Ahtisaari process. In the beginning of 2007, following the statement of the Minister of Foreign Affairs that Kosovo independence is inevitable, the issue became highly politicised. Kosovo was taken as an agenda, especially by former Prime Minister Mikuláš Dzurinda and his party, by the Christian Democratic party and by the Slovak National Party. In March 2007 the National Council of the Slovak Republic endorsed a declaration (number 309 from 28 March 2007) stating that the future status of Kosovo should respect the legitimate requirements of Serbia, the UN Charter and other international legal documents. This declaration was supported by all the parties represented in the Slovak parliament, except for the Hungarian minority party (Hungarian Coalition Party). The main topics of the discourse on Kosovo have been the necessity to respect the territorial integrity of Serbia, respect for international law and a fear that independence of Kosovo could constitute a precedent in international law, possibly usable by the Hungarian minority in Slovakia towards secession.

Later, Slovak Prime Minister Robert Fico claimed that Slovakia would recognise Kosovo only upon the decision of the UN Security Council or with the agreement of Serbia. After the declaration of independence, Slovakia confirmed that it would not consider its recognition. In this respect the Slovak government supported the Serbian move in the UN General Assembly to refer the case to the International Court of Justice for an opinion on the legality of the Kosovo declaration of independence.

However, at the Council of the EU, the Slovak Ministry of Foreign Affairs supported the creation of EULEX and its deployment in Kosovo. Although the Slovak Prime Minister and Minister of Foreign Affairs refused to recognise Kosovo passports several times, the MFA is starting to issue visas into these passports.

Transatlantic relations

Definition: Policy Taker

Outlook: Policy Taker

Good transatlantic relations and the strengthening of transatlantic linkages are annually announced as one of the main priorities in the area of Slovak foreign policy. However, the previous government (led by Prime Minister Mikuláš Dzurinda) put much more rhetorical attention into this area than the current one. Mr. Dzurinda was considered an "atlanticist" while Mr. Fico is "Eurocentric". During the previous government, relations with the US played an important role in Slovak foreign policy (Slovak participation in Operation Iraqi Freedom (2003), Bush-Putin Summit in Bratislava (2005), NATO Parliamentary Assembly meeting (2004)).

After the elections in 2006, the new government withdrew Slovak soldiers from Iraq and Prime Minister Fico attacked US foreign policy several times, especially the American missile defence system in Central Europe. On the other hand, the government agreed to a substantial increase in the number of soldiers in Afghanistan and, for the first time, Slovakia sent a battle group abroad.³³ At the level of rhetoric, it seems that there has been a shift from the orientation towards transatlantic relations, but on the practical level nothing has changed.

³³ In all previous missions, Slovak soldiers were used for supplementary actions such as engineering and demining.

The main Slovak priorities in transatlantic relations — visa liberalisation with Canada and especially USA — were fulfilled this year. Although the government preferred that the EU solve the issue, Slovakia finally decided to follow the example of the Czech Republic and bilaterally negotiate Slovak entry into the US visa waiver program. According to the Foreign policy programme of MFA, counter terrorism, energy security, global climate changes, enlargement of the area of freedom, democracy and prosperity are the main transatlantic issues.

3. Specific issues

Completion of accession negotiations with Croatia

Definition: Policy Driver

Outlook: Policy Driver

The successful completion of negotiations with Croatia is one of the biggest priorities of Slovak foreign policy. Slovakia had already been pushing for earlier opening of accession negotiations with Croatia in March 2005, when Croatia was still not fulfilling one of the conditions — full cooperation with the International Criminal Tribunal for Former Yugoslavia.³⁴ Recently there have been several official visits of representatives of the Slovak Republic to Croatia and vice versa, where Slovak representatives always confirmed Slovakia's strong support for early completion of the negotiations with Croatia. Slovakia would like to complete negotiations by the end of 2009, with the indicative date of entry in 2011. The Slovak government is against the interconnection of Lisbon Treaty ratification and the accession of Croatia.

Opening of accession negotiations with Macedonia

Definition: Policy Taker

Outlook: Policy Taker/Driver

Slovakia recognizes Macedonia under its constitutional name, Republic of Macedonia, and has always had good although not very intensive relations with Macedonia. Slovakia would support the opening of accession negotiations with Macedonia if so recommended by the European Commission. Slovakia supported the visa liberalisation process of Macedonia³⁵ and upon the completion of all the technical requirements will support the introduction of a visa-free regime for Macedonian citizens.

Signing of SAA with Serbia

Definition: Policy Driver

Outlook: Policy Driver

Slovakia always strongly supported the stabilisation and association process of Serbia. Integration of Serbia into the EU is among the top foreign policy priorities of the Slovak government. Slovakia is traditionally an ally of Serbia (with the exception of the Kosovo intervention in 1999, when Slovakia gave consent to NATO using its airspace for strikes against Serbia). Slovakia has also been very active in supporting democratic changes in Serbia — the so-called Bratislava process.

In this line, Slovakia supported the signing of the SAA with Serbia and promoted the immediate implementation of the trade part of the agreement.³⁶

Officially, Slovakia recognises and supports the principle of conditionality in the EU's enlargement policy and would support the ratification of the SAA if there is a positive assessment of the cooperation with ICTY from its Chief Prosecutor, Serge Brammertz.³⁷ The Slovak government would also support granting Serbia candidate status during the Czech Presidency.

³⁴ Slovakia led a coalition of countries (Slovakia, Austria, Hungary and Slovenia) that wanted to open the accession negotiations with Croatia despite a negative assessment from Carla Del Ponte, Chief Prosecutor at the ICTY. The assessment was negative because Croatia failed to deliver general Ante Gotovina — accused of war crimes — to detention. The coalition achieved the creation of a special working group composed of Javier Solana and representatives of the European Commission, Luxemburg, Great Britain and Austria (the Presidency plus the two following presidencies) to assess the level of cooperation of Croatia with the ICTY.

³⁵ Slovakia cancelled the fee for issuing short-term visas to Macedonian citizens already in 2006.

³⁶ In the form of an Interim Trade Agreement — however, being blocked by the Netherlands.

³⁷ Regardless of the detention of Mladić.

There is a national consensus on this position among all the relevant political actors in Slovakia.

Blockage of accession talks with Turkey, possibility of unblocking it

Definition: Policy Taker

Outlook: Policy Taker

Slovakia supports the membership prospects of Turkey, however, not as one of its main promoters. A Resolution of the National Council of Slovak Republic (2004) asked the government to advocate an "open ended" negotiation framework with Turkey. Slovakia supported the decision to partially block the negotiations with Turkey until the "Ankara protocol" issue is not solved. This position is unlikely to change.

As to general support for Turkey's accession, three parliamentary political parties, SMER (led by Prime Minister Robert Fico), SDKU (Slovak Democratic and Christian Coalition led by former Prime Minister Mikuláš Dzurinda) and HZDS (Movement for a Democratic Slovakia – party of former Prime Minister Vladimír Mečiar) support Turkey's integration, while KDH (Christian Democrats) and SNS (Slovak National Party) are strictly against it.

Polish – Swedish initiative for ENP Eastern Partnership

Definition: Policy Taker

Outlook: Policy Driver

Slovakia always focused on the Eastern dimension of EU foreign policy/ENP and in this line is supporting the Polish–Swedish initiative of Eastern Partnership. However, the Ministry of Foreign Affairs is "disappointed" that Slovakia was not included in its formulation since the beginning.

The biggest problem of the Polish–Swedish initiative is that does not represent continuity with the ENP instruments developed during the Finnish and German presidencies – especially with the German idea of binding sector agreements.

The Slovak Ministry for Foreign Affairs thinks that the Eastern Partnership should be further developed, better associated with ENP and include concrete measures bringing Eastern neighbours closer to the EU.

Strategy for the Black Sea Region/Black Sea Synergy Implementation assessment

Definition: Policy Taker

Outlook: Policy Taker

The Black Sea Synergy assessment is rather negative in Slovakia. According to Ministry for Foreign Affairs officials, the Synergy is not fulfilling the set objectives. It is broadly ignored by Turkey and Russia, the main actors in the Black Sea Economic Cooperation group. However, Black Sea Synergy is not such an important tool for Slovakia, and Slovakia will not block the development of this initiative.

Strategy for the Baltic Sea Region (defined as a priority for the Swedish Presidency – second half 2009)

Definition: Policy Taker

Outlook: Policy Taker

Slovakia considers the northern dimension a positive example of regional cooperation which could serve as a good example for Eastern Partnership. However, there is no particular interest in this issue in Slovakia.

Revision of European Security Strategy (thought to be initiated by the French Presidency)

Definition: Policy Taker

Outlook: Policy Taker

There are no voices in Slovakia that would ask for a redefinition of the European Security Strategy. The Slovak position will depend on the concrete French proposal. So far there is no debate on the issue except for the decision of the government (in the document "Priorities of the Slovak Republic for the current/18 month Presidency") to promote the insertion of Security Sector Reform into the ESS.

Moreover, Slovakia would probably underline the importance of cooperation between the EU and NATO on complementary basis. A problematic point for the Slovak government could be an attempt to set a minimal limit for resources invested into defence.

VI. Freedom, Security and Justice

1. Overview
2. General issues:
 - 2.1. Common European asylum system
 - 2.2. Common European migration policy
 - 2.3. Enhanced role in co-operation of law enforcement agencies and their co-operation at EU level
 - 2.4. Harmonisation of serious aspects of cross-border crimes
3. Specific issues:
 - 3.1. Establishment of Eurosur (European border surveillance system)
 - 3.2. Establishment of entry–exit system and other border management tools
 - 3.3. Amendments of asylum-related regulations (2003/9/EC – reception conditions for asylum seekers, regulation 343/2003 on the determination of Member States responsible for assessing asylum applications)
 - 3.4. Evaluation of FRONTEX and the future developments in this area

1. Overview

Although Slovakia cannot be considered a typical Policy Driver in the area of JHA, since the new government was installed in 2006, Slovakia has usually supported most of the proposed developments towards further cooperation among Member States and towards communitarisation of the third pillar. So far, the government doesn't have a clear vision about the future of JHA, and its policy depends on concrete proposals. Usually, there are no opinions of political parties on the issue – except from the Christian Democrats (KDH), who are not very supportive of further integration in this area. Other parties are likely to be more in favour (perhaps with the exception of the Slovak National Party). The factor that most influences Slovak positions in this area is the existence of the external Schengen border with Ukraine. (Slovakia was heavily criticised for poor protection of this border several years ago. The new government, however, invested a lot of funds and effort into its improvement. The border is currently considered as one of the "safest" EU external borders.) Slovakia is not currently facing high migrant pressures and it is rather considered to be a transit country.

Priorities of the Ministry of the Interior in JHA:

1. Eastern dimension – especially in the areas of migration and border control;
2. Implementation of the 2nd generation of the Schengen Information System and implementation of the Visa Information System;
3. Regional cooperation – formulation of common interests and their promotion within the EU among Visegrad countries and countries participating in the Salzburg forum.

Table of national positions

*please, refer to the methodology disclaimer in the supplements

Issue	Definition and Outlook	National Consensus	EU mainstream
1.1. Priority #1 (Eastern dimension)	Policy Taker; Policy Taker	Consensus on the general policy	Some countries
1.2. Priority #2 (SIS II. and VIS)	Policy Taker; Policy Taker	Consensus on the general policy	Within the mainstream
1.3. Priority #3 (regional cooperation)	Policy Driver; Policy Driver	Consensus on the general policy	NA
2.1. Asylum system	Policy Taker; Policy Taker	Consensus on the general policy	Within the mainstream
2.2. Migration policy	Policy Taker; Policy Taker,	Consensus on the general policy	Within the mainstream
2.3. Law enforcement agencies	Policy Driver; Policy Driver	Consensus on the general policy	Within the mainstream
2.4. Cross-border crimes	Policy Taker; Policy Taker	Consensus on the general policy	Within the mainstream
3.1. Eurosur	Policy Taker; Policy Taker	Not debated	NA
3.2. Entry-exit	Policy Taker; Policy Taker	Not debated	NA
3.3. Asylum-related	Policy Taker; Policy Taker	Not debated	Within the mainstream
3.4. FRONTEX	Policy Driver/Taker; Policy Driver/Taker	Not debated	Within the mainstream

2. General issues:

Common European asylum system

Definition: Policy Taker

Outlook: Policy Taker

Slovakia supported the creation of the Common European Asylum System and has already implemented both the qualification and procedural directives. Nowadays, the Ministry of the Interior focuses on cooperation with other Member States and participation in several projects such as: the European Asylum Curriculum, project ERIT (focuses on the capacity building in the area of asylum and migration in Ukraine), and a project focusing on distance interpreting in asylum procedure. As to the Post-Hague proposals, the Slovak position towards the enlargement of the qualification directive to other forms of international protection is not decided yet, but Slovakia will most probably follow the EU mainstream. In case of the procedural directives, the government doesn't object to its enlargement to complementary protection, as Slovak procedures are harmonised.

Slovakia supported the French proposal of the Pact for Asylum and Migration from the very first moment. The government welcomes the creation of European Asylum Support Office, but underlines that the Office shall be a coordination body without decisive powers in asylum procedures. The decision on asylum and other forms of protection shall remain in the Member States. Slovakia also welcomes the proposal that enables the creation of mechanisms of asylum application outside the EU's territory. The Migration Office thinks this can be a good tool in the prevention of human trafficking, but considers the issue to be quite sensitive and more appropriate for countries "based on immigration".

The Ministry of the Interior supports greater solidarity among the EU Member States and supposes that in 2010 Slovakia will be ready to participate in "relocation" in order to help states that are suffering from strong migration pressures (currently Malta and Cyprus).

Common European migration policy

Definition: Policy Taker

Outlook: Policy Taker

As mentioned in the previous point, Slovakia welcomed the French proposal of the Pact for Asylum and Migration. The government supports the idea of "managed entries" of persons who require international protection, but will not be ready to participate in resettlement programmes before 2010. Generally, the government implements the policy of returns and thus prefers other forms of international protection such as complementary protection. The government also supports enhanced cooperation with countries of origin, and Slovakia is participating in "migration partnerships".

The Slovak government also supports the idea of Blue Cards but stresses that the transition periods for free movement of workers from New Member States have to be lifted first. The workers from non-EU states cannot have more rights than EU citizens. As Slovakia is a country of transit rather than of destination, the government required a longer transitional period for Blue Cards holders, during which they would be obliged to work in the country that issued the Card (the Slovak proposal was 5 years). The government was also concerned about the minimum salary for the Blue Cards holders being defined as multiples of average wages, as the salaries in sectors that require foreign workers in Slovakia (education and health care) hardly reach the EU average.

Enhanced role in co-operation of law enforcement agencies and their co-operation at EU level

Definition: Policy Driver

Outlook: Policy Driver

Generally, Slovakia supports all the initiatives aiming at further strengthening of the co-operation of law enforcement agencies. From the very first moment, Slovakia supported the integration of the Prüm Treaty to the European *acquis* and the respective Council decision. Now it is focusing primarily on its implementation.

Slovakia is already implementing the Council decision on simplifying the exchange of information and intelligence between law enforcement authorities, and also supported the new Council decision on strengthening of Europol.

As for Eurojust, Slovakia was one of the initiators of the Council decision on the strengthening of Eurojust and has been rather disappointed by the amendments that inserted "less ambitious" developments in this area.

Harmonisation of serious aspects of cross-border crimes

Definition: Policy Taker

Outlook: Policy Taker

Slovakia usually supports (with only a few reservations) harmonisation of procedural and substantive law in the area of JHA, and the same position will most probably be taken towards the harmonisation of criminal law also. Slovakia also supported the creation of ECRIS – European Criminal Records Information System, and actively participated in a pilot project on a Network of Judicial Registers, which was used as a basis for the development of ECRIS.

As to the QMV usage in different areas, the government is generally positive about this idea and supported all the developments which were already envisaged in the Constitutional Treaty and transposed into the Lisbon Treaty. During the "reflection period", the government supported the communitarisation of the third pillar in case the Treaty was not implemented; the same position continues in case of the Lisbon Treaty's failure.

3. Specific issues:

Establishment of Eurosur (European border surveillance system)

Definition: Policy Taker

Outlook: Policy Taker

As Eurosur will focus on the maritime external border of the EU, Slovakia is not participating in further discussions on its establishment. Slovakia is promoting the idea that Member States should be primarily responsible for the protection of their borders, and the government is promoting the Eastern dimension; most probably Slovakia will not object to its creation.

Establishment of entry – exit system and other border management tools

Definition: Policy Taker

Outlook: Policy Taker

So far, there is no position on this issue. The Ministry of the Interior generally supports the idea of the introduction of modern border management tools, including those based on biometric data collection.

Amendments of asylum – related regulations (2003/9/EC – reception conditions for asylum seekers, regulation 343/2003 on the determination of MS responsible for assessing asylum applications)

Slovakia is content with the current state of regulation. Its position towards amendments will depend on concrete proposals. The Ministry of the Interior is ready to support proposals leading to higher efficiency of the asylum procedure. Slovakia will also support greater solidarity among the Member States.

Evaluation of FRONTEX and the future developments in this area

Definition: Policy Driver on establishment of FRONTEX offices, Policy Taker on other issues such as creation of European Border Guard

Outlook: Policy Driver on establishment of FRONTEX offices, Policy Taker on other issues such as creation of European Border Guard

Slovakia's evaluation of FRONTEX is so far very positive. The Border and Alien Police Authority especially appreciates the cooperation with FRONTEX, and employees of the Authority are participating in many of the FRONTEX educational activities.

The government supports the current proposal on strengthening the position of FRONTEX, including the creation of regional offices — one for Eastern border and one for Southern border of the EU. The Ministry of the Interior is prepared to take on the

leading position in establishing the “Eastern” FRONTEX office and is willing to offer its best practices. However, according to the Ministry, FRONTEX is still quite a new agency and thus needs more time to demonstrate how it is functioning. The political discussion on further strengthening of FRONTEX or even the creation of the European Border Guard should be started only after a deep assessment of FRONTEX. At this moment Slovakia is not ready to support the creation of the European Border Guard but doesn't exclude its support in future.

VII. Institutional issues

1. Overview
2. General issues:
 - 2.1. Representation of the country in the EU institutions: EC, European council, EP — a backgrounder
 - 2.2. Position of the country and the different stakeholders (including public opinion) towards the Lisbon Treaty and the framework of changes introduced by it
 - 2.3. Alternative proposals to the institutional development of the EU, rated by the relative influence of their proponents (e.g. multi-speed Europe, one-voice foreign policy, etc.)
3. Specific issues:
 - 3.1. Position towards the main changes offered by the Lisbon Treaty:
 - Extended qualified majority voting;
 - European Parliament's increased role;
 - President of the European Council;
 - High Representative for Foreign Policy;
 - Revision of the representation in the European Commission;
 - Charter of Fundamental Rights legally binding
 - 3.2. Implementation of institutional innovations:
 - President of the European Council: competences vis-à-vis the rotating presidency, job description, secretariat and its size etc.
 - EU High Representative: competences vis-à-vis the two presidents, relation to other commissioners with external relations portfolios, competences and relations vis-à-vis the rotating presidency
 - EU External Action Service: Implementation of the EU External Action Service:
 - 3.3. Future of Lisbon Treaty ratification

1. Overview

Since the failure of Constitutional Treaty in French and Dutch referenda, Slovakia has strongly supported the continuation of the process of reforms of institutions. The government understands institutional reform as: "the creation of a framework fostering democratic legitimacy, effectiveness and transparency of prospering, social, stable, educated and cultural EU, which will firmly anchor principles of European solidarity and which will add to increasing the standards of living of our citizens." Along these lines, the government has backed the pro-active attitude of Germany and the preservation of the absolute majority of articles from the Constitutional Treaty in the new agreement.

This position is common for almost all the main political parties, except the Christian Democrats (KDH) and the Slovak National Party, which can be considered as "Eurosceptic". Both parties support the membership of Slovakia in the European Union, but they are very reserved towards further integration. KDH fears the loss of sovereignty, especially in areas such as social, civic and cultural rights and family law, and thinks that the EU should focus on effective use of the tools it already has. SNS considers the EU as community of strong national states and Slovakia's membership as a tool to promote Slovak interests.

The top three priorities for the Slovak government in the area of institutional reform are:

1. Successful ratification of the Lisbon Treaty in all EU Member States. In case of its failure, Slovakia would oppose any attempt to use it as an argument for stopping the process of the EU enlargement;
2. Preservation of the seat of its own commissioner at least until 2014;
3. Favourable representation in the EU External Action Service.

Table of national positions

*please, refer to the methodology disclaimer in the supplements

Issue	Definition and Outlook	National Consensus	EU mainstream
Top three priorities			
1.1 Ratification	Policy Driver; Policy Driver	High level (except of KDH)	Within the mainstream
1.2 Commissioner	Policy Driver; Policy Driver	National consensus	Likeminded countries
1.3 EEAS	Policy Driver; Policy Driver	NA	NA
2.1. Backgrounder	Policy Taker; Policy Taker	NA	NA
2.2. Lisbon Treaty	Policy Driver; Policy Driver	High level (except for KDH)	Within the mainstream
2.3. Alternative proposals	Policy Killer; Policy Killer	High level (except for KDH)	NA
3.1. QMV	Policy Taker; Policy Taker	High level (except for KDH)	Within the mainstream
3.2 EP	Policy Taker; Policy Taker	NA	Within the mainstream
3.3 President	Policy Taker; Policy Taker	NA	Within the mainstream
3.4 High Representative	Policy Taker; Policy Taker	NA	Within the mainstream
3.5 EC revision	Policy Driver; Policy Driver / Potential Policy Killer	Consensus on the general policy	Likeminded countries
3.6 Charter	Policy Taker; Policy Taker	High level (except for KDH)	Within the mainstream
Implementation of institutional innovations			
3.7 President	Policy Taker; Policy Taker	NA	Within the mainstream
3.8 High Commissioner	Policy Taker; Policy Taker	NA	Within the mainstream
3.9 EEAS	Policy Driver; Policy Driver	National Consensus	Within the mainstream
3.3. Future Ratification	Policy Driver; Policy Driver	High level (except for KDH)	Within the mainstream

2. General issues:

Representation of the country in the EU institutions: EC, European council, EP – a backgrounder;

Definition: Policy Taker

Outlook: Policy Taker

Currently, Slovakia holds seven votes in the EU Council. The new qualified majority voting system will not change the voting power³⁸ of Slovakia in the EU Council. According to the Treaty of Nice, Slovakia will have 13 MEPs. In the first elections to the European Parliament 14 MEPs were elected (because of the redistribution of Bulgarian and Romanian posts). Eight MEPs are members of EPP-ED (they represent the Slovak Democratic and Christian Union – SDKU (3), Christian Democrats – KDH (3) and Hungarian coalition Party – SMK (2)), three representatives of SMER are members of PES and three representatives of the Movement for a Democratic Slovakia (HZDS) are independent. The Slovak commissioner is former chief negotiator Ján Figel', member of Christian Democratic Movement (KDH), whose portfolio is education.

Slovakia is underrepresented in the EC institutions – it is using its administrative quota up to 70% (in 2007). At the end of 2007 there were around 600 Slovaks working for the EU institutions, out of which 125 officials and 65 assistants were working for the European Commission. Around 70 people are working in the EU Council in different

³⁸Joint Study by CEPS, EGMONT and EPC: The Treaty of Lisbon: Implementing the Institutional Innovations, November 2007, page 68.

positions (officials, contract agents, national experts, political nominees), most of them interpreters and translators.

Slovakia has been successful in nominating two senior officials — Ján Mazák as Advocate-General at the European Court of Justice in Luxemburg, and EU Special Representative for Bosnia and Herzegovina Miroslav Lajčák (previously also EU Special Representative for Montenegrin Dialogue), but is lagging behind, especially at filling the middle management positions (there are only ten officials in categories AD8–16).

Position of the country and the different stakeholders (including public opinion) towards the Lisbon Treaty and the framework of changes introduced by it;

Definition: Policy Driver

Outlook: Policy Driver

The Lisbon Treaty and its ratification are broadly supported in Slovakia. Only one parliamentary political party, the Christian Democrats (KDH), is against the treaty. The party already opposed the Constitutional Treaty (although at that time they were part of the ruling coalition). They are against the legally binding Charter of Fundamental Rights and they also oppose the further transfer of competencies to the EU level and the extension of QMV to new areas.

There was almost no discussion on the Lisbon Treaty and the major opinion among stakeholders was to preserve as much as possible from the Constitutional Treaty. This is due to the fact that a broad political as well as public debate on the Slovak position took place already during the Convention drafting the Constitutional Treaty (there was a National Convention helping to formulate Slovak positions) and the government argued that there was very little difference between the two documents; thus there was no urgent need for a new debate to be launched. The Constitutional Treaty was approved by the Slovak parliament with a strong majority (116 votes out of 150). This strong support continued also with the Lisbon Treaty. During the IGC, the mandate of the government was not to allow any decrease in the achieved level of integration.

However, ratification of the Lisbon Treaty in the Slovak Parliament was problematic, because it was used by the opposition as a bargaining tool.³⁹ Finally, the ruling coalition found support in the Hungarian minority party (SMK) and the Lisbon Treaty was approved in April 2008 (officially signed by the President in May).

As to the opinion of the general public, there has been no survey on the issue. Given the fact that the Constitutional Treaty had large support (49.9% against 26.7%), we can assume that people would be mostly in favour of the Lisbon Treaty.

Alternatives proposals to the institutional development of the EU, rated by the relative influence of their proponents (e.g. multi speed Europe, one-voice foreign policy, etc.).

Definition: Policy Killer

Outlook: Policy Killer

Slovakia doesn't support any alternative proposals to the development of the EU. It thinks that only the Lisbon Treaty can assure the continuation of the enlargement process (in the reflection period, Slovakia refused the cherry-picking of some issues from the Constitutional Treaty and asked for the least change possible). Slovakia is against the concept of multi-speed Europe and thinks that all the countries of the EU should be equal in their rights and responsibilities. However, if multi-speed Europe were inevitable, Slovakia would most probably like to join the "hard core" of the EU.

³⁹ At the same time the coalition proposed a new press law, which according to the opposition endangered the independence of the press by giving an unrestricted right to answer to anybody attacked in an article. The opposition decided to withdraw its support to the Lisbon Treaty until the coalition rejected the draft press law. This would have been possible, as the Lisbon Treaty ratification needed a constitutional majority of votes in Parliament (90 out of 150) that the coalition did not have.

3. Specific issues:

Extended qualified majority voting (if the national position differs from the areas, envisaged in the Lisbon Treaty);

Definition: Policy Taker

Outlook: Policy Taker

There is no special debate on the issue. The Slovak government would most probably support the extended qualified majority voting in all the areas envisaged in the Lisbon Treaty. On the other hand, Slovakia would probably not support extension of QMV beyond the areas envisaged in Lisbon Treaty (especially in area of ESDP or tax harmonisation).

European Parliament increased role

Definition: Policy Taker

Outlook: Policy Taker

Slovakia has always preferred the increased role of the European Parliament and co-decision as a regular legislative procedure in the EU.

President of the European Council;

Definition: Policy Taker

Outlook: Policy Taker

Slovakia did not support the creation of this post during the negotiations on the Constitutional Treaty and supported the system of a rotating presidency in the EU. Implementation of this innovation would not be important for Slovakia.

High Representative for Foreign Policy;

Definition: Policy Taker

Outlook: Policy Taker

Slovakia supported the creation of this function and probably would support its implementation in case the Lisbon Treaty is dead.

Revision of the representation in the European Commission

Definition: Policy Driver

Outlook: Policy Driver / Policy killer

Together with External Action Service implementation, this is the only really important issue for Slovakia in the area of institutional developments. Slovakia fought for a long time for the "one country, one commissioner" principle. The preservation of its own commissioner at least until 2014 is very important for Slovakia. Given the fact that Slovaks are underrepresented in the EU institutions, the government considers having its own commissioner crucial for the interconnection of the country to the European Commission.

In case the Lisbon Treaty is not in force when new Commission should start, Slovakia would support the idea of 26 plus 1: the country having the post of High Representative (Spain) would not be seated in the new Commission. Slovakia will most probably not support lowering the number of commissioners already in 2009.

Charter of Human Right legally binding

Definition: Policy Taker

Outlook: Policy Taker

Slovakia supports the legally binding Charter of Fundamental Rights. Only the Christian Democrats (KDH) have problems with the Charter. In their case it was the main reason for their refusal of Lisbon Treaty. KDH fears that Charter of Fundamental Rights reduces Slovak sovereignty in several areas, such as social and cultural rights issues, family law, protection against discrimination, etc.

President of the European Council: competences vis-à-vis the rotating presidency, job description, secretariat and its size etc.

Definition: Policy Taker

Outlook: Policy Taker

There is no discussion on this topic but there were concerns about the role of the Prime Minister of the country holding the presidency. The Ministry of Foreign Affairs thinks that the President of the Council has mainly a symbolic and coordination role, but only a concrete person will give definite shape to this job.

EU High representative: competences vis-à-vis the two presidents, relation to other commissioners with external relations portfolio, competences and relations vis-à-vis the rotating presidency

Definition: Policy Taker

Outlook: Policy Taker

There is no discussion on the topic. Slovakia supports the idea of EU High Representative being the voice of the EU in the world and coordinating the entire external relations portfolio.

EU External Action Service: Implementation of the EU External Action Service (see also point VIII): what proportion of EU/national diplomats, who should pay for national diplomats (should they have status of EU officials or be seconded to EEAS; internal quotas?), institutional anchoring of EEAS (Commission, Council, separate, under what scrutiny?)

Definition: Policy Driver

Outlook: Policy Driver

EU External Action Service and its implementation are extremely important for the Ministry of Foreign Affairs. Slovakia sees the EU External Action Service as a body that could represent Slovak interests in countries where it is missing its own diplomatic representation.

Delegations of EAS in third countries should therefore:

1. Provide consular and diplomatic support for EU citizens
2. Provide information services for Member States
3. Provide logistical support for Member State representatives' stays in the respective country (premises, protocol, etc.).

Given the fact that Slovakia is very underrepresented in the European Commission and EU Council (especially in areas of external relations — around 2 Slovaks working in the DG for External Relations, with another 3 as contract agents; none in DG Enlargement and only one person in the EU Council), it would therefore prefer a higher proportion of national diplomats. These should be paid from the European budget and they should work under same conditions as representatives of EU Institutions. Slovakia would prefer having official or at least unofficial quotas for nationals of EU countries. EAS should take into account the member states' preferences in foreign policy and respect this when allocating their nationals to respective positions in the EAS.

The Slovak government underlines that EAS should be a "common property" of the EU Institutions and Member States.

Future of Lisbon Treaty ratification:

- a) stop the ratification and renegotiate the treaty
- b) stop the ratification, take pause and introduce the most pressing innovations otherwise
- c) continue ratification and press Ireland to repeat the vote
- d) scrap the treaty altogether and continue working according to Nice
- e) any other scenario

Definition: Policy Driver**Outlook: Policy Driver**

Ratification of the Lisbon Treaty is very important for Slovakia for two reasons. First, it is crucial for the future enlargement of the Union (especially regarding Croatia), which is the main priority of Slovak foreign policy; and Second, it would postpone the loss of its own commissioner at least until 2014. In this sense, scenario **C** is preferable for Slovakia. The only political party which is openly against the Lisbon Treaty is the Christian Democrats.

About the author

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Supplements

Methodology notes

The research has been carried out by individual researchers in each of the ten new members on the basis of specially designed methodology, developed by EUROPEUM and major input from EuPI/OSI-Sofia. The seven policy areas under research are: I. Internal market/Lisbon Strategy; II. Minority integration and citizenship issues; III. Energy and climate change; IV. Budget review and CAP Health Check; V. EU foreign policy and enlargement; VI. Freedom, Security and Justice; VII. Institutional issues.

The research was carried out primarily in the period September 2008 – December 2009, but there may be references beyond this period. Some positions and circumstances described in the reports may have changed since the information was last made available to the researchers or reached the stage of publication.

The researchers' findings are published in ten country reports on each of the New Member States: Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia.

The structure of the country reports includes an overview of the country's performance as an EU member and seven chapters following the seven broad policy areas. Each chapter contains an overview of the position of this country in the area, including the top three national priorities. Then the chapters provide in-depth analyses, information and prognoses on a set of issues (defined as general and specific) within each of the seven policy areas.

The views expressed in the reports are those of the authors and do not necessarily reflect the views of the Open Society Institute – Sofia.

Classifications: Policy Taker, Killer, and Driver explained

In the classification of this study, Policy Takers are those states that usually follow the mainstream in the EU and in general accept whatever is offered from the EU. The reasons may vary — from the lack of stakes and interests in the issue, to the lack of capacity to formulate a meaningful position, or they may have a position but lack the weight and experience to promote it.

The Policy Driver is a country that assertively promotes an issue at EU level. Ideally, a Policy Driver would have a broad political consensus and public support at home, capacity and expertise to advocate successfully, and carry the weight to gather coalitions and promote the policy. This may also imply additional legitimacy, measured also by the added value of this policy to the "European project" or adherence to the "European values" or "common European interest".

A Policy Killer is exactly the same as a Policy Driver, but with an opposite sign. In many cases, a Policy Killer country becomes a Driver if it succeeds in proposing a feasible and viable alternative to the policy it tried to prevent.

While all members are at some point "Policy Drivers" or "Killers", the crown of a "super Policy Driver" and "super Policy Killer" goes undoubtedly to Poland. Poland, the biggest of the new members, with enough self-confidence, has led an effective opposition to the Constitutional Treaty, the Lisbon Treaty, and to the energy and climate package.

Tables of national positions: Explaining the exercise and words of caution

In the course of the current study, the country researchers were asked to classify the position and policy behaviour of the country as Policy Taker, Policy Driver or Policy Killer on the respective issues. The judgments had to be based on the level and character of activity, interest and involvement of the country in the given policy area. The researchers were also asked to provide a forecast for the short and medium-term positions and behaviour of the country, based on diverse factors triggering change — domestic political change, rise of powerful stakeholders able to promote or kill a policy, a window of opportunity to intervene, reversal of policy at EU level that causes negative reaction, etc.

The attempt at classification and forecasting (laid out in detail in the tables in each section) should be used with caution, as the positions and factors at play are nuanced,

multifaceted and complex: simplified tick-boxes of classification, presented in the tables, can never be too accurate. Therefore, they are more for orientation purposes and the provided substantive reports should be consulted for a more detailed analytical description, as the authors themselves often point to several possible explanations and scenarios for future development. Nevertheless, this is a very valuable set of information, based on very good expert knowledge and judgment.

Country abbreviations	
EU27 European Union - 27 Member States	
BE	Belgium
CZ	Czech Republic
BG	Bulgaria
DK	Denmark
<i>D-E</i>	<i>East Germany</i>
DE	Germany
<i>D-W</i>	<i>West Germany</i>
EE	Estonia
EL	Greece
ES	Spain
FR	France
IE	Ireland
IT	Italy
CY	Republic of Cyprus *
CY (tcc)	Zone not controlled by the government of the Republic of Cyprus
LT	Lithuania
LV	Latvia
LU	Luxembourg
HU	Hungary
MT	Malta
NL	Netherlands
AT	Austria
PL	Poland
PT	Portugal
RO	Romania
SI	Slovenia
SK	Slovakia
FI	Finland
SE	Sweden
UK	United Kingdom
HR	Croatia
TR	Turkey
MK	Republic of Macedonia

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About EuPI

The European Policy Initiative (EuPI) of the Open Society Institute – Sofia aims at stimulating and assisting the New Member States from CEE to develop capacity for constructive co-authorship of common European policies at both government and civil society level. As a new priority area of the European Policies and Civic Participation Program of Open Society Institute – Sofia, EuPI will contribute to improving the capacity of New Member States to effectively impact common European policies through quality research, policy recommendations, networking and advocacy. The initiative operates in the ten New Member States from CEE through a network of experts and policy institutes.

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About EUROPEUM

EUROPEUM Institute for European Policy is a non-profit, non-partisan and independent institute. It focuses on the issues of European integration and its impact on the transformation of political, economic and legal milieu in the Czech Republic. EUROPEUM strives to contribute to a long-lasting development of democracy, security, stability, freedom and solidarity across Europe. EUROPEUM formulates opinions and offers alternatives to internal reforms in the Czech Republic with a view of ensuring her full-fledged membership and respected position in the European Union.

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