CHAPTER FOUR

EXTERNAL FACTORS CHANGING THE BASIS OF EU COOPERATION

The EU representation and cooperation at the UN is confronted with continuous change due to exogenous factors, which alter the basis for the CFSP in general. Two main factors are EU enlargement and modifications of the legal foundations of the EU, the Treaties.

The accession of new MS inevitably changes the balance of power and influence within the EU group in New York. This has been the case visibly after the 1995 round of enlargement and to a smaller extend also after ten countries joined the EU in 2004. The following chapter will elucidate how the cooperation with the new EU MS is prepared and implemented in New York already long before the actual accession takes place.

By changing the legal foundation of the CFSP through the revision of EU Treaties, as with the Amsterdam and Nice amendments, also the processes at UN headquarters are affected. A further, even more fundamental, alteration is still under consideration: the EU Reform Treaty. This agreement would have a significant impact on the character of the EU representation in New York, as will become clear in section 4.2.

4.1 EU Enlargement: Cooperation With Associated and Accessing Countries at the UN

On 1 May 2004 ten new EU MS joined the Union. For the time being, the last round of enlargement has been completed with the accession of Bulgaria and Romania in 2007. Croatia, FYROM and Turkey are official ‘candidate countries’. Four other European states are categorised by the EU as ‘potential candidate countries’, namely Albania, Bosnia and Herzegovina along with Montenegro and Serbia.

The twelve new members cooperated with the EU MS at the UN already before their actual accession in 2004 and 2007. Those countries still waiting to become EU MS also cultivate strong and—depending on their legal status towards the EU—even institutionalised links to the
Union in the UN framework. This is true also for the non-EU members of the EEA, i.e. Iceland, Liechtenstein and Norway. The cooperation between the Union and the other European countries is organised within the so-called alignment procedure. The evolution of this procedure, the duties and benefits resulting for the associated countries from their collaboration with the EU in the UN framework, as well as the impact of the last round of enlargement will be described in this chapter.

The alignment procedure in New York commenced already in the early days of CFSP. Its basis was the decision of the GAERC in March 1994 to establish enhanced political dialogue with the then six associated Central and Eastern European Countries (CEECs). As early as 22 December 1994 in a New York-driven process the six countries discussed and agreed with the EU MS a non-paper on coordination at the UN on the East River. The political dialogue was institutionalised in June 1995 following the signing of the Europe Association Agreements, which also included Estonia, Latvia and Lithuania and was extended to Cyprus and Malta in July 1995. On 20 October 1995 the Political Committee approved the “Guidelines for enhanced political dialogue with the CEECs associated with the Union, and the associated countries Cyprus and Malta”. Point 6 of the Guidelines dealt with coordination in international fora, stating that “[t]he EU and the associates will instruct their representatives […] to cooperate whenever possible. The modalities should […] be agreed locally taking into account the specifics of the various fora.” Experts in New York updated their 1994 non-paper in accordance with those Guidelines and produced a new non-paper on alignment with the eleven associates in New York, agreed

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1 This section is based on information received in various interviews in New York and from a number of EU internal documents.
2 Bulgaria, Czech Republic, Hungary, Poland, Romania and Slovakia.
3 This was based on an EU Presidency non-paper, contained in COREU BON 1717/94 on “Coordination with Central and Eastern European countries in New York”. In this papers introduction the following information is given: “On 24 October 1994 the Political Committee approved guidelines on enhanced political dialogue with the associated CEECs (SEC 1070 of 28 October 1994). Political Directors discussed the guidelines with their counterparts from CEECs on 27 October 1994 (SEC 1122 of 8 November 1994). Ministers took note of the final version at the General Affairs Council on 31 October 1994.” The document Guidelines for Enhanced Political Dialogue with Associated Countries, approved by the Political Committee on 31 May 1996 (COREU SEC 660/96) was a generalisation of those documents.
4 Contained in COREU PESC/SEC 1048 of 13 October 1995.