THE FUTURE OF EU-KOSOVO RELATIONS AFTER THE 2019 EUROPEAN ELECTIONS

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Foreword

Every five years, the European Union makes radical changes to its leadership structures of key institutions. This period also represents the opportunity to set the medium-term agenda and the direction the European Union will take in the coming years. Everything starts with the elections for the European Parliament, followed by the election of the heads of key institutions, the European Commission vote, the establishment of parliamentary committees and the transition to the three main EU institutions - the European Commission, the Council and the Parliament.

The year 2019 was considered to be the most important so far in the history of the European Union, and so were the European elections in 28 member states, which were held during May 23-26. The election results suggested a significant shift in the balance of political forces in the new Parliament, which was also reflected in the distribution of key posts in other institutions such as the European Council, the European Commission and the European Central Bank.

Some good news for the EU and the forces that want to strengthen it came from these elections. The first good news was the largest ever turnout of voters. For the first time, more than half of voters cast their ballots in the elections, which speaks of the growing awareness of citizens that the work of the European Union institutions is important for their daily lives and their interests. Secondly, despite the fear created by extremist and populist forces, they did not have any significant increase in these elections. But the big difference was that for the first time the two main groups in the European Parliament, the center-right European People’s Party (EPP) and the center-left Socialists and Democrats (S&D) together no longer have a majority of seats in the European Parliament. The seats that these two groups lost went to the Liberals and Greens, which are also pro-EU forces. Thus, when the main posts were shared in the European Union institutions EPP and S&D could not bargain only between themselves but had to accept to share the “cake” with others. Ultimately, the cooperation among these four groups, as well as some others non-extreme groups, is necessary to advance the EU reform agenda and policies that would strengthen the Union.

The fate of the EU’s enlargement policy will depend on the priorities set by the new EU government structure in the next five years and the priorities that are fore-
seen to be financed by the EU’s multi-annual financial framework of post-2020. This policy will also treat Kosovo as a country which, while not yet recognized by five EU member states, is part in this policy.

Despite the fact that EU enlargement was not mentioned much during the election campaign, there is no doubt that the European Parliament will continue to support this process in its new composition. Since decisions are taken by majority in Parliament it can be asserted that there will be a sufficient majority to support enlargement. But the fate of this process will also depend on the priorities set by the new European Commission and the member states where final decisions are made.

It can be expected that the new European Parliament will continue to support Kosovo in the same way. Both for its European perspective and for visa liberalization and dialogue with Serbia, awaiting an agreement on comprehensive normalization of relations. The European Parliament continues to be the only EU institution that treats Kosovo as an independent state. While there may be a decline in support due to growing dissatisfaction with some developments in Kosovo, it is still expected that in the future the European Parliament will continue to seek recognition of Kosovo as an independent state.¹

This study analyzes the results of European elections and their impact on the establishment of new leadership structures in the EU, as well as enlargement policies towards the Western Balkans region in general and Kosovo in particular.

¹ From the early days before Kosovo’s independence was declared, the European Parliament with a Resolution had supported the independence, under international supervision, as the proper status resolution option. Since the declaration of independence, in every annual resolution, the Parliament has continued to urge the five EU states that have not recognized Kosovo to do so.
European elections did not mark the rise of extremist parties

The last elections of May 2019 were perhaps the most important for the European Parliament in the history of this union. After them began the not-so-easy process of defining the future direction of the EU and the challenges to be overcome. It is no longer a secret that there are major divisions in the EU on topics such as migration policy, fiscal discipline, multi-annual financial frameworks, external and internal border control, tax policy, and international relations have become increasingly complicated.

But what the EU feared the most before these elections was the rise of populist and far-right parties in the EU. Precisely the calls to stop such forces have been dominant in the electoral campaign on the eve of European elections.

But the results showed that this fear was exaggerated and that at EU level, populist and far-right parties could pose no real danger if traditional parties actually acted against them. In some countries, such as France and Italy, such parties increased their power, even winning the first place. But at the EU level, even after the European elections this risk will not increase. The danger from the far right was more a traditional party’s rationale regarding their actions than a real danger. This was also seen in the approach to EU enlargement, especially in France.

From the very first announcements after the election results, the leaders of pro-European groups have been calling for cooperation to stop the populist influence in the new European Parliament.

The traditional pro-EU parties such as the center-right EPP, Socialists, Greens and Liberals, in the new composition of the European Parliament, together make up around 500 out of 751 seats.

Some other parties which are not opposed to the EU and not extreme, such as the Conservatives and Reformists (ECR) and the United Left Group (GUE) make up the anti-extremist number to over 600 out of 751 seats. With the departure of the UK from the EU, with a list lead by Nigel Farage, the number of MPs in populist political groups will fall below 100, which best illustrates that they will not have any influence in the new European Parliament.

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2 Due to the failure to meet expectations of UK leaving the EU before European elections, at the beginning of the new term the Parliament will have the same number of MPs as in 2014-2019. When Brexit takes place, the number will drop to 705 MPs.
Division of forces in the new European Parliament

These elections, however, marked a major shift in the ratio of forces within the European Parliament. For the first time since the organization of these elections, the two largest parties, the EPP and the S&D, do not have simple majority by themselves. Both these parties have had a decline while liberals, united in the new group called “Re-new Europe”, and the Greens have grown. This will be reflected not only in the work of the European Parliament since an immediate impact has been seen in the distribution of key posts in all EU institutions. The two major parties were no longer able to divide the main posts among themselves, but they needed the support of at least two other parties, which meant that they had to give some posts to them as well.

The rise of liberal parties and the greens has also influenced changing priorities for the European Parliament and the European Commission in the future. Climate change has topped the list of priorities in a strategic plan negotiated by the main parties that want to form a pro-European bloc. Through the increase of green votes, other parties have also noted a growing concern among European citizens, especially youth, when it comes to environment protection.

Even within political groups there are differences regarding the impact of national delegations. While the center-right EPP group has the largest number of MPs from Germany, and thus the largest impact, the number of MPs from France, Italy, Spain and Poland has dropped significantly.

For the first time ever, the two largest parties the EPP and the S&D do not have the simply majority by themselves.

On the other hand, the Socialists from Spain and those from Italy have the largest national delegations in the center-left grouping of the Alliance of Socialists and Democrats. This led to having David Sasolli from this party as the new President of the European Parliament, while the head of this parliamentary group is from Spain.

While there is no specific criterion by which MPs vote on certain topics in the European Parliament, they often follow the position of the group. They tend to vote on the basis of particular interests as well as depending on the position of their country of origin. This may be reflected in the case of Kosovo as MPs from Spain, Romania, Slovakia and Greece vote largely against amendments that refer to Kosovo as a state and which ask for recognition of its independence, even when the political group suggests voting differently.

Indeed, the votes and seats in the European Parliament this time have a wider distribution than before, which is also seen in the results compared to the 2014 elections.
European election results - year 2019

Voter turnout - over 50.00% 

Graph: https://election-results.eu/

1. EPP (European People’s Party): 182 seats
2. S&D (Progressive Alliance of Socialists and Democrats): 154 seats
3. RE “Renew Europe” former Alliance of Liberals and Democrats for Europe + Rennaisance + USR PLUS: 108 seats
4. GREENS/EFA (Greens / European Free Alliance): 74 seats
5. ECR (European Conservatives and Reformists): 62 seats
6. EFDD (Europe of Freedom and Direct Democracy): 73 seats
7. GUE/NGL (Confederal Group of the European United Left - Nordic Green Left): 41 seats
8. NI (Non-attached Members): 57 seats

3 The composition of the groups presented here is preliminary. Changes in numbers and transitions from one group to another may occur after the work of the new Parliament begins. Groups may also change their names.
4 The group has changed its name at the insistence of French President Macron, who wants to bring about other progressive forces as well. However, even though it no longer contains the label “Liberal” this group will be considered as such in this composition as well.
5 Graph: https://election-results.eu/
European election results - year 2014

Voter turnout

42.61%

The battle for leadership positions in key EU institutions

Changes in the EU in the election year were not limited to the European Parliament. Those elections were just an introduction to changes at the top of other institutions, including the European Commission and the European Council. From the very announcement of the European Parliament’s results, consultations on the election of the new President of the European Commission have begun. The first question that had to be clarified in this process was whether the principle of the so-called Spitzenkandidat – according to which Jean Claude Juncker was elected for President five years ago – would be respected.

The European Parliament had insisted on adhering to this principle as it would increase the influence of this institution in relation to the member states in the Council. The European Parliament also referred to the Lisbon Treaty, which states that such an election of the President of the European Commission has grounds. But the member states, at least some of them, wanted the Council to have the power to decide who would be in charge of the European Commission. They did not want the principle of “leading candidate” to be accepted by default. The biggest opposition to this principle was publicly expressed by the prime ministers from the liberal parties and make up a considerable number in the European Council among the heads of states and governments.

If the will of the largest party that has secured the most seats in the European Parliament - EPP - was respected, then its candidate, Manfred Weber, from the Christian Social Union of Bavaria, Germany, should have been the elected successor of Juncker at the head of the European Commission.

Having clarified who would be in charge of the Commission, as the largest EU institution with more than 40,000 employees, this would then be followed by the election of key people to other posts such as the President of the European Council, President of European Parliament, President of the European Central Bank and EU High Representatives for Foreign Policy and Security.

These negotiations proved to be very complex and difficult because they aimed to achieve a geographical, political, ideological and gender balance. Therefore, these negotiations were not easy, and it was not known for sure if everything would be resolved in a timely manner in order to make the transition as scheduled.9

The European Parliament’s first defeat was the refusal of EPP candidate Manfred Weber to be the Chairman of the Commission. In this way, at the insistence of France and the Netherlands in particular, the Spitzenkandidat principle was rejected. Neither the reserve candidate, who was also a Spitzenkandidat but from among the Socialists, Frans Timmermans, did receive the necessary support.

As a compromise, EU heads of states or governments agreed after three days of difficult negotiations that Jean Claude Juncker’s successor would be the then German Minister of Defense, Ursu-

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7 This designation in German is used for leading candidates who, before European elections, are nominated by party groups for the post of President of the European Commission, although they do not appear as candidates on the electoral rolls.

8 In fact, the Treaty does not directly mention the principle of “leading candidate” but merely states that the outcome of European elections must be taken into account when electing the President of the European Commission.

9 The mandate of the Commission led by Jean Claude Juncker expired on October 31 with the new Commission due to start work on November 1, 2019. But this was postponed for one month after the European Commission was not timely confirmed by the European Parliament.
la van der Leyen. The President of the European Council was elected the then Prime Minister of Belgium, Charles Michel, the High Representative was elected Josep Borrell from Spain, then Minister of Foreign Affairs, while the European Central Bank will be headed by Frenchman Cristine Lagard. The President of the European Parliament had to be from among the Socialists, and David Sasolli of Italy took the post.

All of these new leaders of the EU institutions are in favor of continuing enlargement and for even greater engagement in the Western Balkans.

It is important for Kosovo to see how the High Representative for Foreign Affairs will act, certainly because he will be the person who will also have the role of facilitator in the dialogue between Kosovo and Serbia, a role that first had Catherine Ashton until 2014 and then Federica Mogherini.

The fact that this post went to Spanish Foreign Minister Borrell has raised the question of how suitable he will be to facilitate the dialogue after publicly speaking aggressively against Kosovo’s independence in several occasions. At European Parliament hearings, Borrell warned that Pristina would be the first destination to visit when taking up the new post, and that he would be committed to reaching an agreement between Kosovo and Serbia.

There was also a lot of curiosity to see as to who would become the Commissioner to deal with the enlargement issue and what mandate and priorities s/he would have in the next five years. In the current European Commission mandate, as Jean Claude Juncker had foreseen at the beginning of the mandate, the EU was not enlarged although some steps were taken with some countries in the region. Despite the fact that the timing of any WB country’s membership in the EU in the next five years cannot be predicted, expectations were that at least there would be further alignment in this regard.

In the last two terms, from 2009 to 2019, there has not been a Commissioner who was solely responsible for enlargement, but this was combined with European policy towards its neighbors. First it was the Commissioner for Enlargement and European Neighborhood Policy and then the Commissioner for Neighborhood and Enlargement Negotiations, which further reduced the enlargement policy to the European Commission’s priorities.  

The new European Commission President assigned this task to the candidate from Hungary. First it was Laszlo Troscany who was rejected by the European Parliament’s Legal Affairs Committee on allegations of conflict of interest. Later on, Hungarian Prime Minister Viktor Orban nominated the country’s Permanent Representative to the EU, Oliver Varhelyi, who, despite some problems, successfully passed the test before the European Parliament’s Foreign Policy Committee. Regardless of the personal qualities and experience of the new commissioner, some find it problematic that he comes from Hungary especially since in the enlargement process the key criterion for advancement is respect for the rule of law and the independence of the judiciary - and Hungary has problems with both of these aspects. The question arises as to how much a politician from this state is in position to demand from the candidate countries on behalf of the EU to respect these values.

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10 Olli Rehn was the last Commissioner to cover only enlargement in 2004-2009, Štefan Fule from 2010-2014 was formally listed for “Enlargement and European Neighborhood Policy” while in his last term Johannes Hahn is Commissioner for Enlargement and Negotiations for Enlargement.
Impact on EU enlargement

The European election process and the subsequent developments in the Commission and the Council of the EU have shown that the opposition to enlargement, or more specifically the skepticism to the process, has not been so much mentioned by far-right parties or by populists as it was mentioned by liberal parties. For example, France and the Netherlands continue to be the most problematic states when it comes to adopting decisions on EU enlargement, with liberal parties in power in both these countries. This was also seen at the last EU summit in October 2019 when the necessary consensus was not reached on the decision to open negotiations with the Republic of Albania and Northern Macedonia.

The “Renaissance” list of French President Emmanuel Macron has contributed significantly to the growth of liberals. However, although pro-European, representatives of this political group have often voiced opposition to accelerating EU enlargement.

The French head of state has on many occasions mentioned that he opposes enlargement before the completion of internal reforms of European institutions. Such an open position by Emmanuel Macron on the eve of the launch of the Sofia Summit in May 2018 was described as discouraging for the whole event, which was planned to be historic, since for the first time in 15 years it brought together Western Balkans and EU leaders to discuss the European future of the region.

Even during the pre-election campaign in France, the issue of enlargement has been actualized in some cases with declarations against this process by the very forces which are considered to be pro-European. In this way, Nathalie Loiseau, the head of the “Renaissance” list just days before the European elections, had said her party would continue to block enlargement processes. Loiseau, former European affairs minister, confirmed in an interview with French media that she “[had] personally blocked the decision to open negotiations with Albania and Macedonia in June 2018” and warned that the French state would continue to hold this position.

“I was in Northern Macedonia to say no, because you [Macedonians] are not ready, because we are not ready. There will be no [EU membership] negotiations in June. We will be against and we will continue to be against it. They are geographically in Europe, and we need to help them, but enlargement is a no.”

That she was right was confirmed in the blocking of the decision for the two candidate countries in October this year.

The issue of enlargement has not been part of the pre-election debates among the so-called Spitzenkandidats. The only one who spoke in this regard is the representative of the largest political group, the European People’s Party, Manfred Weber, who, despite failing to become European Commission President, has a strong influence because he is the head of the EPP group in European Parliament. He defends official Berlin’s position that enlargement should be stopped only in the case of Turkey.

“We want to have good and solid close relations between Turkey and the EU, but I think we have to be honest and that means Turkey cannot become a member of the EU.”\footnote{Weber. (April 2 2019, Euronews, \url{https://www.euronews.com/2019/04/23/turkey-cannot-become-a-member-of-the-eu-says-epp-leader-manfred-weber}.}

Following these elections and the launch of the mandates of the new institutions, it will be clear how the process of enlargement of the European Union will proceed. In the past, this process has been a priority, and now it is either not mentioned at all or it is mentioned in the negative context. “Better not to mention enlargement at all than to talk about it as a threat to the EU,” a senior European Commission official said for this paper, commenting on the election campaign in some EU countries.\footnote{Authors’ conversation with a senior European Commission official.}

Many diplomats in Brussels consider that opposition to the enlargement process would diminish for Western Balkan countries if the decision to suspend membership negotiations with Turkey is taken. “When enlargement is mentioned, European citizens think of Turkey and are afraid. That is the main reason why they are opposed to enlargement in such large numbers,” says a diplomat from a large EU member state.\footnote{Authors’ conversation with a diplomat from an EU member state.}

Even Germany, though not opposed, is in no hurry to support the enlargement process. The ruling coalition in Germany is a coalition of center-right parties CDU / CSU with the SPD’s center-left Social Democrats.

How undesirable the enlargement issue has been in the campaign is also showed by the pressure on the European Commission to delay the issuance of the enlargement package and the annual country reports for this year. Instead of approval and publication in April, it was decided to postpone the publication following the European elections. That is why the reports were published on May 29. There is no doubt that there will be enough support for enlargement in the European Parliament - because decisions are made by a majority. But in the EU Council, where decisions are made by the consensus of all member states, it will be much harder in the future.

\begin{quote}
The European election process and the subsequent developments in the Commission and the Council of the EU have shown that the opposition to enlargement, or more specifically the skepticism to the process, has not been so much mentioned by far-right parties or by populists as it was mentioned by liberal parties.
\end{quote}
Conclusions and recommendations

The 2019 European elections have changed the political scene and the ratio of forces in the European Parliament. But these changes have nothing to do with the rise of far-right or left-wing parties. The biggest changes had to do with the decline of the two main center-left and center-right parties, and the growth of liberals and greens. For the first time since the establishment of the European Parliament the two main parties, the center-right EPP and the center-left S&D, will not be able to make a majority together. Therefore, the cooperation of these parties with at least one or two other parties is not a matter of goodwill but an issue of obligation.

Despite the growing support for populist parties in some EU countries, especially France and Italy, at the European level there is no danger of any far-right forces. The results of the European elections have shown that in most cases the fear of extremist parties has been exaggerated. But these forces still pose a risk if their agenda becomes acceptable by traditional center-right parties.

European elections have shown that there is a growing interest of citizens for the EU. This was seen in the percentage of voters who went to the polls marking for the first time an increase in the turnout. The EU is happy with the fact that there has been higher turnout, especially among young people.

The European Parliament is expected to continue its support for the enlargement process in its new composition as well. While there may be less enthusiasm to support Kosovo, it is expected that this support will continue, especially with regard to visa liberalization.

Inter-parliamentary cooperation between Kosovo and the European Parliament is expected to continue. The process of constitution of the European Parliament and the establishment of relevant committees and delegations is now complete. The Parliament also has another delegation for Kosovo that will meet regularly with Kosovo Assembly delegation. This delegation will be headed by Franz Romeo from the German Greens. The Parliament has also chosen the rapporteur for Kosovo, as well as the one for the entire Western Balkan countries, as was the case in previous mandates. This post will also be occupied by a member of the German Greens – MP Viola von Cramon-Taubadel.

How much the EU enlargement process with the Western Balkan countries will be a priority will depend not only on the Parliament but also on the leading structures in other key EU institutions. These structures will undergo changes based on the outcome of the European Parliament elections. As has been the case in the European Parliament, the Council and the Commission, there has been a wider distribution of posts between the main political groups. Therefore, at present European institutions are not in a situation where the largest group, the EPP, has almost all the main posts, as has been the case in the last ten years.
Recommendations

For the European Parliament:

Keep the focus on the countries of the Western Balkans and not fall under the influence of forces in the member states that want to slow down the enlargement process even further.

Not hesitate when it comes to demands for recognition of Kosovo’s independence as a political message, even though those demands have no binding legal force on member states.

Not reduce standards for Kosovo and other countries in the region in terms of democratic development, rule of law, fight against organized crime and corruption, for the sake of maintaining relations with ruling politicians.

Increase the focus on respect for freedom of expression and civil society.

Keep up the pressure on member states to assess the needs of citizens and countries by not imposing politically motivated barrier.

Insist so that the European Commission does not diminish the administrative capacity for enlargement policy.

For Kosovo institutions:

Further develop relations with the European Parliament in its new composition.

Have a more serious approach to the joint work of inter-parliamentary delegations, avoiding internal political problems in Kosovo to hinder joint work.

Work with all serious political groups in the European Parliament.

Kosovo’s political parties should continue to cooperate with the ideologically affiliated groups, while those parties that are not yet connected should continue their efforts to join party groups at the European level.

Take seriously the requests, remarks and suggestions arising from the Reports and Resolutions of the European Parliament.

Continue to engage with MEPs to maintain support for the recognition of Kosovo’s independence.

Seek greater help in enhancing the capacity of the Assembly of Kosovo and raising awareness of the role of Parliament in a parliamentary democracy.
European elections have shown that there is a growing interest of citizens for the EU. This was seen in the percentage of voters who went to the polls marking for the first time an increase in the turnout. The EU is happy with the fact that there has been higher turnout, especially among young people.
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