

Event Report

“Assessing the EU Accession Experience of the V4 Countries” A methodological discussion

The event took place on January 28, 2013, as the kick-off meeting of the project entitled “Online Platform on the EU accession experiences of the V4 Countries” bringing together the representative of the four participating think tanks from the Visegrad countries. Based on drafts circulated before the meeting, the participants discussed the research design and the methodology of the one-year long research project funded by the Standard Grant of the International Visegrad Fund. The work of the four Visegrad organizations is helped by the feedback and contribution of seven partner organizations based in the countries of the Western Balkans.

Participants of the meeting

Vladimir Bilcik (RC SFP, Slovakia)
Aleksander Fuksiewicz (IPA, Poland)
Viera Knutelska (AMO, Czech Republic)
Bogdan Radu, Hana Semanic, Zsuzsanna Vegh (CENS, Hungary)

Western Balkan partners involved in the project

Albanian Institute for International Studies (Albania)
Belgrade Fund for Political Excellence (Serbia)
Civic Alliance (Montenegro)
Kosovar Civil Society Foundation (Kosovo)
The Foreign Policy Initiative BH (Bosnia-Herzegovina)
The Progress Institute (Macedonia)
The Institute for International Relations (Croatia)

Agenda

- 1) Introducing the project (idea, origin, relevance, stakeholders, goals, WB partners)
- 2) Discussion about research design and methodology
- 3) Platform
- 4) Deliverables, deadlines and financial issues
- 5) Dissemination (Concluding conference and strategies in the WB countries)

Outcomes of the meeting

Research design

In the project application submitted to IVF, we decided to explore the evolution/involution of democratic institutions (institutions broadly understood), according to the four elements of the first, political aspect of the Copenhagen criteria:

1. stability of the institutions safeguarding democracy
2. rule of law
3. human rights
4. respect for and protection of minorities

Due to reasons of financial and practical feasibility, the partners agreed to analyze and **focus on one of these elements** in this one-year project, according to the most pressing needs for reform/change as identified by the EU and by our Balkan partners.¹

After studying the most recent Progress Reports of the European Union from 2012 about the Western Balkan countries, CENS identified the **issue of human rights** as a crucial area where most Western Balkan countries face serious challenges.

An additional reason why the issue of human rights is a good starting point is comparability. We find that the adoption, the implementation and the creation of institutional guarantees of international human rights norms and regimes are more comparable among countries than the other elements of the first Copenhagen criteria. Thus, we assume that the Visegrad experience will be maybe the most relevant concerning this element.

In order to have a brief overview about how EU conditionality worked in the case of human rights in the V4 countries and works potentially in the Western Balkan countries, CENS will prepare a **short review of the existing literature on EU conditionality in relation of human rights**. This will serve as the theoretical background of the research and will help us to identify the added value of the research and position our findings in the already existing body of literature. It will also need to take into account that the Western Balkan countries face a stricter conditionality than the V4 countries did. This short overview, which may be extended in the course of the project, **will be prepared by Zsuzsanna Vegh (CENS) by February 15, 2013**.

The idea of focusing on human rights in the research was circulated among the **Western Balkan** partner. Their feedback showed that it is an important and relevant issue where the Visegrad experience can help their countries. Almost all feedbacks highlighted that the real problem is not the adoption of international human rights norms as legal texts or the creation of institutional

¹ Narrowing down the scope will allow for testing the way the research is conducted and to improve the methodology also by incorporating the feedback and accommodating the needs of the Western Balkan partners **at a future stage when the project would be extended** as part of a bigger project. Besides **extending the research**, the continuation of the project could also include sharing the lessons and the experience with the Western Balkan partners in the form of **dissemination events and trainings** in their own countries.

settings, but much rather the **implementation and the safeguarding of these norms and laws**, occasionally the implementation of rulings of supranational bodies (e.g. the European Court of Human Rights). In line with these comments, a specific interest in how different pre-accession instruments were used also occurred from one partner's side.

Concerning which **specific areas of human rights** our Western Balkan partners would be interested, we only got limited replies. One of them pin-pointed anti-discrimination, while another feedback identified an extensive list of areas of civil and political rights (prison condition/system, access to justice, freedom of expression, freedom of assembly and association, freedom of thought, conscience and religion), economic and social rights (women's rights and gender equality, rights of the socially vulnerable and/or persons with disabilities, anti-discrimination policies, labor and trade union rights) as well as protection of minorities (minorities and Roma).

Our partners from Bosnia-Herzegovina and Montenegro draw our attention to their publications concerning the [EU accession process of the country](#) and the [human rights situation](#) which will be studied by CENS as well before finalizing our focus.

Discussing the feedbacks and considering their domestic backgrounds, the V4 partners agreed that they will focus their study on the implementation of certain human rights norms and legislation. It was mutually agreed that since the situation of minorities in the V4 countries is very different from the situation in the Western Balkans, this issue are will not be studied at this instance.

The participants agreed that in order to identify the area if human rights on which the research will focus on they need to further study the record of their countries. **They will identify two issue areas out of the followings:**

- Civil and political rights:

- Prevention of torture and ill-treatment;
- Prison conditions/system;
- Access to justice;
- Freedom of expression;
- Freedom of assembly and association;
- Freedom of thought, conscience and religion.

- Economic and social rights:

- Women's rights and gender equality;
- Children's rights;
- Rights of the socially vulnerable and/or persons with disabilities;
- Anti-discrimination policies;
- Labor and trade union rights;
- Property rights.

The selected issues should be problematic, challenging areas for the given country which they either tackled well with the help of the European Union, its instruments and funds, or where they still/again face challenges even after the EU accession.

The topics with a short justification will be collected by CENS by February 15, 2013. Out of the two issues, **each partner will focus on one and prepare an in-depth case study** as part of the project. If we find enough overlapping among the cases of at least three partners, all four researchers will focus on that topic. If the key areas appear to be all different in the four cases, we will go for four different topics.

Both approaches have their benefits: If one single issue is selected, the Western Balkan partners will receive a very extensive study about tackling one problem potentially in multiple different ways. If different areas are studied, the partners will receive a broader overview and changes are better that everybody can take away lessons learnt from the project.

Even though we suggest focusing on human rights, this would not be a legal study. We would like to approach the issue from a political science perspective.

Our main questions are/revolve around:

- 1) **Solved issues and successful reforms:** In what areas, issues did the EU, or the pressure exerted by the EU, contribute to their resolution? How? What methods did the V4 countries use here?
- 2) **Unresolved issues:** What was not solved either pre- or post-accession maybe even despite EU pressure? Why?
- 3) **Backlashes:** Where did deterioration occur? Why? What did the EU do?

Apart from sharing the “best practices” (1st Q), we want to draw the partners’ attention to the possible “dangers” – areas to which they might want to pay more attention. The EU can also learn from this, and monitor potential hard areas more closely in the case of the Western Balkans.

Methodology

Indicators constructed and collected in comparative contexts, for either academic and/or evaluating purposes, by Freedom House, Transparency International, Economist Intelligence Unit or funding agencies (among which the EU is very important in the context of this project, UN institutions, WB, IMF), etc. will be identified in order **to gain a general background about the evolution of the situation of human rights in the four Visegrad countries over time.**

The information collected through available indicators will serve as background information for each country, and will be used also as **the “preface” for the online platform.** We look at both pre-accession and post-accession periods for the V4 countries and use these indicators also to **identify critical junctures** in the evolution of human rights conditions. These critical junctures are the points which should deserve more attention in the case studies.

Bogdan Radu from CENS has already started working on identifying relevant indicators and will share information with the partners about them.

We need to emphasize (as multiple feedbacks touched upon these indicators) that we intend to use this information as a background, starting point for the research that helps us orient our focus. This will not influence the methodology of **the case studies – which will be definitely qualitative**. However, we are convinced that by using such a complex and innovative tool as an online platform, qualitative and quantitative information can be combined and can valuably complement each other.

Concerning the case studies, our goal is to find out how the EU institutions and EU conditionality influenced reform/change related to the specific human rights issue area. The background information might indicate some sort of co-variations, which can orient us, but this way we could not establish causality yet. For this reason, we decided to conduct **qualitative case studies** in order to understand how people “in charge” saw (in retrospect) the effects of EU accession measures/pressures on how the given elements of the criteria were “respected”.

Therefore, each team will do the following after the case studies are agreed upon:

1. **Prepare the narrative description of the case** using factual data, which will later on be complemented by the information gathered through interviews with people involved in the processes. Document the progress during pre-accession and post-accession in the chosen case, and **identify the relevant moments/critical junctures in the processes**. The indicators can help to identify the critical junctures and to follow the evolution of the reforms.²
2. **Identify potential interviewees from three spheres** (1. governmental (decision makers, advisors), 2. civil society (human rights organizations, watchdogs and whistleblowers), 3. academics (think tanks, professors)) who were/are involved either directly or as observers in the process of human rights reforms during the EU accession and in the post-accession period.
As a target, **2-3 interviewees from each sphere** should be identified. Interviews will be anonymous.
3. **Conduct interviews with the identified people:** focus on their understanding/perceptions of the importance of EU accession processes, funds, instruments and EU conditionality in the context of human rights. The researchers will ask them about the critical junctures they have identified and also whether they think the adopted reforms were the optimal ones or another way to go about it would have been better. Their views about how relevant/contingent their experience (i.e. the experience of each country) was, and how relevant it is/could be/could be made for (potential) EU candidates would also be valuable.
Guidelines for the interviews will be prepared by the researchers at CENS by February 15, 2013. It will identify the main aspects the interviews should focus on and will again clarify whom should be interviewed.

² Here, we would like to thank Dane Taleski from the Progress Institute for commenting this section of the draft methodology and drawing our attention to potential uncertainties in our wording.

At the final conference, the focus will be on the stories told and their potential for becoming lessons (both best practices and major challenges).

Deliverables

1) One research paper per country which will be put together in a final publication structured as follows:

Theoretical background (CENS)

Methodology (common work)

Case studies (4 x 6000 words) including lessons learnt and recommendations

Common conclusions

CENS will send out **guidelines about the structure of the papers by February 15, 2013.**

The deadline for the draft case studies is July 15, 2013, and the final version shall be ready for proofreading and editing by September 30, 2013.

2) The online platform

The background information collected through the indicators and the publication will be uploaded to the website. Also a visual interface will be created where excerpts of the papers will be easily accessible in several categories.

The platform will be under CEU domain in order to reduce costs and ensure the sustainability of the resource.

CENS will outsource the designing of the platform in the second half of 2013. The platform shall be operational in October 2013.

Partners are asked to collect ideas for the platform, and share them with CENS.

Initially we were looking at the following platforms for inspiration:

<http://www.ecfr.eu/scorecard/2013>

<http://medialaws.ceu.hu/>

<http://www.eap-index.eu/>

Dissemination and sharing the experience

1) Partnerships in the Western Balkans

Identifying the impact of the EU accession process and EU conditionality on the adoption and implementation of the political element of the Copenhagen criteria is only one aspect of the project. It is equally important to share the experience of the Visegrad countries with current and potential candidates in the Western Balkans. In order to guarantee that our findings reach the target audience, CENS built partnerships with the following institutions from the Western Balkan countries:

The Foreign Policy Initiative BH in Bosnia-Herzegovina,

The Progress Institute in Macedonia,
The Institute for International Relations in Croatia,
Albanian Institute for International Studies,
Civic Alliance in Montenegro,
Kosovar Civil Society Foundation,
Belgrade Fund for Political Excellence in Serbia.

The dissemination strategies of the research findings will be designed in the individual countries building on the help and cooperation of these organizations. We also count on their cooperation in the potential future continuation of the project in which we would extend the focus of the research and the span of the activities.

2) Concluding conference

The concluding conference of the project will be organized on **November 18, 2013, in Budapest**, Hungary. Both the V4 organizations and the WB partners will be invited to participate. The online platform will be launched and introduced on the conference. The V4 researchers will introduce their findings, using also the online resource to illustrate how it works. The WB partners will be given the opportunity to evaluate the research, provide their constructive criticism and analyze how the V4 experience can be used in their countries.

High-level guest will also be invited from the European Commission, the Representation of the European Union, embassies (especially EU and WB countries), governmental bodies, etc. with a potential role as speakers in a panel. Representatives of the civil society (watchdog and whistleblower organizations) and academics working on the issue will also be invited to the audience. The conference will be open to the public and the press.

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