

The Hungarian Presidency of the Council of the European Union: Focus on the Neighbourhood and on a European Roma Strategy

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This article attempts to offer a concise overview of the main developments relating to the Hungarian presidency, notably in the areas of regional stability and interethnic relations.

The first year in office of the new Hungarian government—elected with unprecedented popular support in April 2010—was characterized by groundbreaking legislative changes and fevered domestic political debates (especially on a new media law and on the new constitution).¹ These debates received broad media coverage and public attention both at home and in the international arena, which threatened to overshadow Hungary's turn in the presidency of the European Union (EU). In this context the Hungarian government attributed outstanding importance to its performance during the rotating presidency semester.

As with each member state, during its presidency Hungary attempted leave a strong imprint of its own vision on European politics. In the first half of 2011 three main policies reflect this approach: efforts to strengthen economic cooperation in the EU, the improvement of regional cooperation in Central Europe, and the adoption of a European Roma Strategy.

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The EU Council and the Hungarian presidency

There are two main approaches to understanding the role of the presidency. One school of thought argues that the EU Council presidency is a supranational, technical role which, although a great responsibility for the state that holds it, does not return any particular political power.² It offers no significant opportunities to member states to pursue their own agenda, but is restricted to the management of a common EU policy agenda. However, a second school of thought promotes a more intergovernmental approach, arguing that the presidency offers a unique opportunity for member states to lead the European agenda and to pursue their national interest from a privileged position.³ One can find relevant periods in the history of European integration that support both interpretations, but a convincing argument is perhaps that:

[...] the significance of the Presidency for the member states has varied throughout the process of European integration in accordance with the transformation of this institution and that such transformation has been driven by the institutional decisions taken by the member states at critical points in the history of European construction.⁴

From this perspective, since the Lisbon Treaty entered into force the role of the member state holding the presidency has been more limited than before—both in its competencies and in its shared role with the permanent president of the European Council— reflecting a lower profile position than in earlier phases of integration. We thus need to take into consideration Hungary's restricted ability to manoeuvre in accordance with its own priorities and initiatives. In fact the main elements of the presidency's program are broadly reflective of issues that have been on the EU policy agenda for a longer period of time—for example, enlargement, closer economic cooperation, and macro-regional strategies. However, prioritization is important here and may provide the best indication of the political preferences of the member state

presidency. Hungary's strong support for closing accession negotiations with Croatia, its support for Romania and Bulgaria in their quest to join the Schengen group, and the promotion of regional cooperation through the Danube Region Strategy, all underpinned the importance of neighbourhood relations. The adoption of a Roma Strategy was quite uniquely associated with Hungary's long-time policy to address problematic minority issues, including within the EU.

Hungary took over the Presidency of the Council of the European Union from 1 January 2011, launching its program under the slogan, "Strong Europe with a Human Touch". The Hungarian government identified four main priorities: growth and employment for preserving the European social model; strengthening EU policies in the field of energy, food and water; the creation of a citizen friendly Union; and the promotion of enlargement. These stated priorities clearly serve both the deepening and widening of European integration. The need for a legislative package on economic governance was one of the driving forces behind deepening the union, while the priority of promoting Croatia's membership reflected a strong commitment to future enlargements.⁵

An overview of the main decisions adopted by the Council during the six months of the Hungarian Presidency indicates that economic issues dominated the agenda. Besides the legislative package on economic governance, the introduction of the new system of the "European semester"⁶ to improve coordination of economic policies, and the decision to set up the European Stability Mechanism (ESM), this economic focus is further highlighted by initiatives in the field of energy policy and the Danube Region Strategy.

That said, however, the Hungarian government was also keen to call attention to the 'human dimension' of European integration. Three main issues can be

identified in this respect: the adoption of the Council Conclusions on the “European Framework on National Roma Integration strategies up to 2020” was perhaps the most important achievement of this presidency; in January 2011, a regulation was signed which contained detailed rules on European Citizens’ Initiatives; while the third element of the ‘citizen-friendly’ agenda was the extension of Schengen zone to Romania and Bulgaria.⁷

Focus on the Roma Strategy and regional cooperation

A closer look at the real impact of the Hungarian presidency suggests that two major issues should be addressed in more detail, notably: the strong commitment of the Hungarian government to the conclusion of accession negotiations with Croatia, and the adoption of a specific Roma Strategy.

The situation of Roma in the European Union began to receive more attention in the context of the 2004 enlargement, when countries with relatively large Roma populations joined the EU.⁸ Concerns about their social integration, and their access to employment, education and social services were reflected in a number of European Parliament resolutions in 2005, 2006, 2008, and 2009. The European Commission also made efforts to include the Roma in its programs, and to improve cooperation between its institutional units and different initiatives. The Spanish–Belgian–Hungarian Trio emphasized the importance of Roma inclusion programs in the Cordoba Declaration, and the Hungarian government committed itself to elaborate and adopt the Roma Strategy under its term of presidency. While Hungary’s activism in this field is almost certainly the result of the serious problems it has faced in integrating marginalized social groups of predominantly Roma origin, its motivation is also rooted in a desire to share its positive experiences in fighting discrimination

and advancing the social integration of Roma.⁹ Hungary was active in promoting the idea of a Roma Strategy from the beginning, and its final adoption at the Council in June 2011, is considered as a significant achievement for the Hungarian presidency.

In April 2011, the European Parliament adopted a resolution on the EU strategy on Roma inclusion.¹⁰ The EP resolution urged the Commission to adopt priority areas for implementation of the strategy, for example in education, healthcare, culture, employment, and so on. The European Parliament also asked the Commission to define objectives for member states, and to develop an appropriate monitoring mechanism for the supervision of the implementation of the future strategy.

Hungarian Member of the European Parliament (MEP) Lívía Járóka played a crucial role in elaborating the resolution, as she was responsible for the initial EP report.

The Hungarian government warmly welcomed the adoption of the resolution. As a second step, the European Commission released its Communication on “An EU Framework for National Roma Integration Strategies up to 2020” on 5 April 2011, which formed the basis for the adoption of the Strategy in the Council. The Commission focused on the economic and social problems of Roma in EU member states, arguing for the potential economic benefits of Roma inclusion in many countries. Both the EP Resolution and the Commission’s Communication argue for the adoption of a framework for national strategies, and underline the importance of the significant differences between the member states with regard to the number of Roma living on their territory and their respective starting points. These differences underpin the need to develop separate national strategies in each country, without adopting EU-wide legislation or a strategic program for the Roma. It is important to note that besides the stated need for enhanced efforts to combat discrimination, the Commission’s proposal is silent on the potential minority rights claims for preserving

the identity and culture of Roma community. MEP Lívía Járóka stated in a televised interview that this socioeconomic approach to integration was intentional. The idea was to seek broad consensus among all 27 member states, and the problems addressed in the strategy reflect the hidden economic potential of a large, marginalized, and socially disadvantaged population.¹¹ Thus the question of minority rights was not made a priority in this context. As a matter of fact the EP Resolution—although it mentions the Council of Europe Framework Convention for the Protection of National Minorities as a reference—similarly avoids any reference to member states’ duties or commitments for the protection of minority rights. Apparently EU institutions only see the problems of economic and social integration, ignoring minority rights arguments.

The EU Framework Roma Strategy is expected to name the areas where member states’ inclusion strategies should be implemented, and to establish a “robust monitoring mechanism” to ensure concrete results. The European Commission formulated specific integration goals in four areas: access to education, employment, healthcare, and housing. It also identified concrete goals to be achieved in these areas: i) to ensure that all Roma children complete at least primary education; ii) to cut the employment gap between Roma and the rest of the population; iii) to reduce the gap in health status between the Roma and the rest of the population; and iv) to close the gap between the share of Roma with access to housing and to public utilities (such as water, electricity and gas) and the rest of the population. National strategies are expected to be developed in accordance with the Common Basic Principles on Roma Inclusion.¹² In this regard the Commission’s commitment to the introduction of a strict monitoring mechanism is particularly important. The Commission foresees an annual report evaluating progress achieved in the integration of Roma and in the

implementation of member states' national strategies. The idea is to create a monitoring mechanism that allows for a comparison of the progress made by member states in this area and provides a realistic assessment. However additional budgetary resources will not be provided to member states, as the Commission points out the unused potential of existing communities programs.

Another important policy goal could be identified in the reinforcement of regional cooperation in Central Europe, an aim which was reflected in the elaboration of the Danube Strategy and in the support of neighbouring countries in their EU integration. The decision to launch an EU Strategy for the Danube Region was taken by the European Council in June 2009. At the request of the Council, the Commission elaborated the main challenges and opportunities of this macro-regional program, and published an action plan to implement the strategy.¹³ The General Affairs Council adopted the strategy in April 2011,¹⁴ and the document was finalised at a Council meeting on 24-25 June 2011.

This strategy is primarily focused on closer economic, environmental and social cooperation between the states of the Danube region. The Commission Communication highlighted that this region is characterized by great socioeconomic difference, comprising both richer and poorer countries, and that "it possesses a striking cultural, ethnic and natural diversity".¹⁵ Taking into consideration that the Danube Region covers eight EU-countries and six non-EU countries—including Ukraine, Bosnia-Herzegovina, and Serbia—it is clear that the participating countries' societies are also characterized by great diversity. Though both the Council Conclusions and the Commission's Action Plan focus on the economic potentials of the region (transport, energy, environment, etc.), the Action Plan includes a chapter on "Culture and tourism, people to people contacts". It highlights the importance of

the preservation of cultural sites, improvement of cultural relations, common festivals, trainings and so on. While this is a different perspective, again the Council did not see an opportunity to openly include ethnic and national minorities within the concept of 'diversity', even if the importance of preserving such diversity was nevertheless acknowledged. However there is no doubt that the strategy could build confidence relations between EU member states and non-EU neighbouring countries, just as the improvement of critical transport connections and the development of a 'regional identity'¹⁶ could improve interstate relations. That said, the exclusion of any reference to interethnic relations shows how cautious the states involved remain on these issues.

Another important priority was to conclude accession negotiations with Croatia by the end of June. In this respect, the Hungarian government argued that Croatia's accession was essential for creating stability in the Western Balkans. Moreover Croatia could open the door for Serbia and the Former Yugoslav Republic of Macedonia (FYROM) in obtaining EU candidate state status. Making southern enlargement a priority during the Hungarian presidency was not only motivated by Croatia's timely progress towards membership, but also reflected a deeper understanding of EU membership as the best instrument for maintaining stability.¹⁷ Shortly before the end of the presidency, serious progress was made by Croatia in the accession process when it closed all critical chapters by the end of May. So accession negotiations could potentially be concluded before the end of June, which would also be considered a great success for Hungary.¹⁸ Taking a broader perspective, Hungarian governments are generally keen to advocating for the integration of their neighbours into the EU structures, as this could serve to improve bilateral relations in a neutral field even if serious debates on delicate issues—like the situation of Hungarian minorities—are likely to remain burdensome. This stance was also reflected in the

strong support given by the Hungarian government to extension of the Schengen regime to Romania and Bulgaria.¹⁹

Overall evaluation of the Hungarian Presidency

This overview of the six months of Hungarian Presidency will be concluded by a short reflection on the debates that have arisen within EU institutions with regard to domestic political developments. It is regularly true that the member state that takes over the presidency immediately receives greater attention from the media, and obviously not only on EU-related matters but on its domestic policies. However international media coverage of the legislative actions of Hungary's new government was much broader and more critical than one might have expected.²⁰

The package of laws which regulated a new framework for the media was adopted in November 2010 and entered into force on 1 January 2011. It was widely criticized both by journalist associations, opposition parties and opposition press.²¹ Part of the criticism was focused on compliance with EU law.²² Critical views appeared in international media as well as within the Orbán cabinet, and the new media legislation was also discussed in the EU institutions. Even at the beginning of the presidency, when Prime Minister Viktor Orbán gave a speech at the plenary session of the European Parliament on 19 January 2011 to introduce the priorities and program of the Hungarian presidency, much of the discussion was dominated by the media law.²³ Partly in response to this criticism, the Hungarian government entered into consultation with the European Commission, which resulted in a number of technical modifications to the law by the Hungarian parliament in March 2011.²⁴ This modification was welcomed by the Commission and reflected constructive cooperation that met all the requirements formulated by Commissioner Kroes on

compliance with EU law.²⁵ Nevertheless the political debate continued in the parliament and, with the votes of the Socialist, ALDE and Green/EFA groups, a resolution on the matter was adopted on 10th March 2011.²⁶ This increased political attention to sensitive issues could also be seen in the European Parliament during the adoption of the new Hungarian constitution.²⁷

At the end of the Hungarian presidency of the Council, it can be noted that while contested domestic developments have received strong public attention in the European Parliament, the Hungarian government was nevertheless successful in managing its original presidency agenda. Success and failure in this respect are highly relative, since major decisions depend on obtaining consensus among member states, and crucial issues (like closing accession negotiations with Croatia, or the accession of Romania, Bulgaria to the Schengen regime) remained open until the end of the presidency. However the conclusion of accession negotiations with Croatia clearly needed an active and supportive Presidency. And the adoption of a European Roma Strategy, is undoubtedly a visible sign of EU support for Roma integration. Although it will only take the form of a framework for coordinating national Roma strategies—as opposed to an EU-wide joint program, or as a basis for a future legal regulation—it still represents an important step forward in translating general EU commitments in this field into concrete action.

The Hungarian presidency showed tangible support for both goals relating to the extension of European integration, that is, the conclusion of accession negotiations with Croatia, and inclusion of Romania and Bulgaria with the Schengen zone. This showed that, despite criticism of its national domestic political program, the Hungarian government remained committed to strengthening regional stability and bilateral relations, including through the institutions of European integration.

Notes

- 1 At the 2010 parliamentary elections the right-wing 'Fidesz' party—together with its satellite party Christian Democrat Party [Kereszténydemokrata Néppárt (KDNP)]—gained an unprecedented majority in the parliament, which enabled it to modify the constitution and any other laws requiring a two-thirds majority. This presented it with an opportunity to introduce new legislation in fields where any changes had previously been hampered by the lack of a broad consensus between opposition and governing parties. With its new overwhelming majority, there was no need for the new government to seek broad consensus on such delicate issues, and this was greeted with heavy criticism by the parliamentary opposition.
- 2 See, among others, Metcalfe, D. 'Leadership in European Union negotiations: the Presidency of the Council'. *International Negotiation* 3(3) (1998), 413–434.
- 3 See, among others Tallberg, J. 'The agenda-shaping powers of the EU Council presidency'. *Journal of European Public Policy* 10(1) (2003), 1–19; and *id.* 'The power of the presidency: brokerage, efficiency and distribution in EU negotiations'. *Journal of Common Market Studies* 42(5) (2004), 999–1022.
- 4 Fernández, A.M. 'The EU Council presidency dilemma: an historical institutionalist interpretation'. *Les Cahiers européens de Sciences Po* 1 (2008), 25.
- 5 'Strong Europe with a Human Touch'. Strategic Framework. January–June 2011. Available at <http://www.eu2011.hu/files/bveu/documents/HU_PRES_STRONG_EUROPE_EN_3.pdf>.
- 6 As a part of the EU's stability and growth pact, this is a new element in the coordination of member states' economic policies. Press Release, ECOFIN 3030th Council Meeting, 13161/10 PRESSE 229 PR CO 14. 7 September 2010; and Council Conclusions, EUCO 10/11, 24–25 March 2011.
- 7 See e.g. 'Bulgaria, Romania may make it into Schengen by Fall 2011'. *Sofia News Agency*, 13 May 2011. Available at <http://188.40.98.135/~novinite/view_news.php?id=128207>.
- 8 Cf.: Vermeersch, P. 'EU enlargement and minority rights policies in Central Europe: explaining policy shifts in the Czech Republic, Hungary and Poland'. *Journal on Ethnopolitics and Minority Issues in Europe* (1) 2003, 1–32. Vizi, B. 'The EU and the situation of Roma in Hungary in the accession process'. *Central European Political Science Review* VI(20) (2005), 66–91.
- 9 Hearing of Minister Zoltán Balog in the European Parliament, 25 January 2011. Available at <<http://www.eu2011.hu/news/hearing-minister-zoltan-balog-european-parliament>>.
- 10 European Parliament resolution on the EU strategy on Roma inclusion, 2010/2276(INI), Provisional edition, P7_TA-PROV(2011)0092, 9 March 2011.
- 11 Interview with Lívía Járóka on Hungarian television. 'Ma reggel', 17 March 2011. Available at <<http://jarokalivia.hu/hu/cikk/309/>>.
- 12 The 10 Common Basic Principles on Roma Inclusion were presented at the first Platform meeting on 24 April 2009. They were annexed to the Council conclusions of 8 June 2009. They comprise: 1) constructive, pragmatic and non-discriminatory policies; 2) explicit but not exclusive targeting; 3) intercultural approach; 4) aiming for the mainstream; 5) awareness of the gender dimension; 6) transfer of evidence-based policies; 7) use of EU instruments; 8) involvement of regional and local authorities; 9) involvement of civil society; and 10) active participation of Roma.
- 13 Communication from the Commission - European Union Strategy for Danube Region, COM(2010) 715 final, 8 December 2010. *Action Plan*, SEC(2010) 1489 final.
- 14 Council conclusions on the European Union Strategy for the Danube Region, 3083rd General Affairs Council Meeting, Brussels, 13 April 2011. There will not be any extra budget assigned to the strategy.
- 15 *Op.cit.* note 14, Section 2.2.

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- 16 This may be helped by the promotion of the Danube Region as a ‘European brand’. See the Action Plan, *op.cit.* note 14, 28.
- 17 See Prime Minister Orbán’s statement during his visit to Ljubljana in October 2010. ‘Hungary to back Croatia, Serbia’s integration into EU’. *The Telegraph*, 21 October 2010.
- 18 ‘Sikeres EU-elnökség? Újabb zavarok a horvát csatlakozásánál’. *Kitekinto.hu*, 26 May 2011; see also ‘Croatia: four negotiation chapters left open’ Available at <<http://www.eu2011.hu/news/croatia-four-negotiation-chapters-left-open>>.
- 19 ‘Presidency keeps Schengen enlargement on the agenda’. Press release, 19 May 2011. Available at <<http://www.eu2011.hu/news/presidency-keeps-schengen-enlargement-agenda>>.
- 20 See e.g. ‘Charlemagne: Hungary’s other deficit’. *The Economist*, 6 January 2011.
- 21 As a protest against the law, in December 2010 the opposition print media, *Élet és Irodalom* and *Magyar Narancs*, both printed blank front pages, while on 3 January 2011 daily newspapers close to the opposition Socialist Party, *Népszabadság* and *Népszava* dedicated their front pages to protests against the law.
- 22 For critical evaluations of the media regulation see: Centre for Media and Communication Studies of the Central European University. ‘Resources: new media laws in Hungary’. Available at <<http://www.cmcs.ceu.hu/node/297/#Positions>>. Fears that the new legislation would empower state authorities to control the media also led to the organization of civil demonstrations. On 13 January 2011 and on the national holiday of 15 March 2011, large street demonstrations demanded withdrawal of the law.
- 23 The media law was also discussed at the Committees of Culture and Education, and Liberties, Justice and Home Affairs where a representative of the Hungarian government promised to amend the law in accordance with the Commission’s proposals. Committees: Civil Liberties, Justice and Home Affairs/Culture and Education. ‘Hungarian media law sparks controversy at the European Parliament’. Press Release, 18 January 2011.
- 24 Referring to the Treaty on the European Union and to the Charter of Fundamental Rights, Commissioner Neelie Kroes pointed out that the request for “balanced information” should not be extended to on-demand media services; that the law should respect the “country of origin” principle in procedures against violations of the law; and that media authorization and registration requirements should not be applied to on-demand media content.
- 25 See: ‘Commission Vice-President Kroes welcomes amendments to Hungarian media law’. MEMO 11/89, Press Release, 16 February 2011.
- 26 European Parliament resolution of 10 March 2011 on media law in Hungary, B7-0191/2011.
- 27 Rather unusually—as constitutions generally form the core of national legislative sovereignty—the new Constitution of Hungary (adopted by the governing coalition in parliament) was debated in the Committee of Constitutional Affairs and in the Committee on Liberties, Justice and Home Affairs (LIBE) on 18 April 2011 and 25 May 2011 respectively. Both the quickness of the procedure and some of the provisions of the new constitution were heavily debated in Hungary. At the request of the Hungarian government, the Council of Europe Venice Commission began to analyse the law for compliance with Hungary’s obligations under EU law. Later, LIBE invited the secretary of the Council of Europe Venice Commission to present its evaluation of the new constitution. However there was a consensus that the new constitution was not relevant to Hungary’s compliance with its international legal obligations. Still, it is likely that the debate will continue at the European level, since the LIBE committee is willing to return a discussion of the issue following the publication of an upcoming report by the CoE Venice Commission, due at the end of June 2011.