Due to the new treaty provisions of the Lisbon Treaty and the economic crises the enlarged EU of 27 member states is on the search for a new modus operandi while also continuing membership talks with candidate countries. The EU-27 Watch project is mapping out discourses on these and more issues in European policies all over Europe.

Research institutes from all 27 member states and the four candidate countries give overviews on the discourses in their respective countries.

The reports focus on a reporting period from December 2009 until May 2010. This survey was conducted on the basis of a questionnaire that has been elaborated in March and April 2010. Most of the 31 reports were delivered in May 2010. This issue and all previous issues are available on the EU-27 Watch website: www.EU-27Watch.org.

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Border dispute resolution changes social policies

Andreja Jerončič and Danijel Crnčec

In the last six months, the Slovenian foreign policy was characterised by the Arbitration Agreement regarding the ongoing border dispute between Croatia and Slovenia and by the Brdo process concerning the future of the Western Balkans that started in March 2010 with the Brdo Conference. Additionally, the government’s decision to reform the pension system, employment policy and the family code were among the most discussed issues. All of the mentioned are discussed separately in the following paragraphs.

Slovenia and Croatia to move forward on the border dispute resolution

By signing the Arbitration Agreement between Croatia and Slovenia in Stockholm in November 2009, the two countries agreed to establish a five-member arbitration court empowered to resolve the nearly 20-year border dispute. According to Article 3 of the Arbitration Agreement, “the Arbitral Tribunal shall determine the course of the maritime and land boundary between the Republic of Slovenia and the Republic of Croatia, Slovenia’s junction to the High Seas and the regime for the use of the relevant maritime areas.”

After the prime ministers of both countries signed the Arbitration Agreement, it had to be ratified in the national parliaments. Before its ratification by the Slovenian parliament, the Slovenian government referred the agreement for review to the constitutional court, which found that the agreement is not inconsistent with the Slovenian constitution and the basic constitutional charter, as it does not, in fact, stipulate a border between the two countries but only establishes a mechanism, i.e., an arbitration court, to find a peaceful solution to the border dispute. Although the opposition was strongly against it and boycotted the vote in parliament, the agreement was ratified in April 2010.

However, Slovenian voters had yet to confirm or reject the Arbitration Agreement on a referendum scheduled for 6 June 2010. The referendum was open to all citizens registered to vote in the Republic of Slovenia, and the outcome of 51.5 percent in favour of the agreement is scant but final. The referendum campaign began on 7 May 2010. The official position of the Republic of Slovenia is that the Arbitration Agreement is a historical opportunity for the two countries to finally resolve the conflict. It takes into account vital national interests, the benefits of future generations and the stability of relations between the neighbouring countries, thus sending a positive message to East European countries, the EU and the international community if the border issue is resolved.

On the other hand, all the opposition parties, some experts (Marko Pavliha), some veteran thinkers (France Bučar, Tine Hribar and Boris Pahor) and some civil society groups (Civil Initiative for the Border in Istria) believe the Arbitration Agreement is harmful for Slovenia, due to the fact that it does not ensure territorial access to the High Seas and that it consequently means the loss of the Slovenian status as a maritime country and an injury to its economic interests. Public opinion reflected these substantial disagreements expressed by politicians and experts regarding the Arbitration Agreement. One of the latest surveys had found that there were still more of those who would support the referendum on the Arbitration Agreement, but that the share of opponents had risen up to April 2010. The Slovenian-Croatian Arbitration Agreement was backed by 37.6 percent of those questioned, while 32.9 percent said they would vote against it and 29.5 percent were undecided.

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New family code subject of fierce debate

In December 2009, the government approved the proposal for a new family code, which should introduce many novelties (in the area of arranging marriage and relationship between spouses, cohabitation, and the relationship between children and their parents or adoptive parents). What caused most of the public controversy is that this new family code would redefine marriage, introduce a new concept of family and allow the option of same-sex couples to adopt children. The position of the government of the Republic of Slovenia is that the recognition of rights to same-sex partners means a shift towards a more tolerant society as a whole. The new family code reflects a social reality where different forms of family already exist. It comprehensively regulates the field of family law, enables the protection of the rights of all children and eliminates systemic discrimination on the basis of sexual orientation. The opposition political parties, the Catholic Church and some civil initiatives are strongly against the new family code, especially due to the equalisation of homosexual
communities with heterosexual communities and the alleged devaluation of the traditional family.\textsuperscript{18} The family code is currently in its second reading in the national assembly.\textsuperscript{19} The opposition already declared that it would launch an initiative for a referendum in the case of the family code being adopted in its current form. If that happens, Slovenia is to become the first Central European country to legalise same-sex marriage and adoptions. However, according to a survey made in March 2010,\textsuperscript{20} only 21 percent of those questioned support the new family code.

\begin{footnotesize}
\begin{itemize}
\item[18] STA: V koaliciji družinski zakonik spet v parlamentu (Coalition mostly support the new family code, opposition is against it), 3 December 2010, available at: http://www.sta.si/vest.php?s=s&id=14594704&pr=1 (last access: 17 May 2010).
\end{itemize}
\end{footnotesize}
Questionnaire for EU-27 Watch, No. 9

Reporting period December 2009 until May 2010 – Deadline for country reports 21 May

All questions refer to the position/assessment of your country’s government, opposition, political parties, civil society organisations, pressure groups, press/media, and public opinion. Please name sources wherever possible!

1. Implementation of the Lisbon Treaty

On the 1 December 2009 the EU-reform ended with the entering into force of the Lisbon Treaty. However, the new treaty provisions still have to be implemented. Some procedures and conditions have to be determined. In other cases, procedures, power relations, and decision-making mechanisms will change due to the new provisions.

- How is the work of the new President of the European Council, Herman Van Rompuy, assessed in your country? Which changes to the role of the rotating council presidency are expected?
- How is the work of the new High Representative of the Union for Foreign Affairs and Security Policy, Catherine Ashton, assessed in your country? Please take into particular consideration both her role within the European Commission and her relationship to the Council of the European Union.
- On 25 March 2010 a “Proposal for a Council Decision establishing the organisation and functioning of the European External Action Service” was presented. How is this concept perceived in your country? Which alternatives are discussed?
- On 31 March 2010 the European Commission presented a proposal defining the rules and procedures for the European Citizens’ Initiative (ECI). What are the expectations for the ECI in your country? What are the various positions concerning the rules and procedures?

2. Enlargement and European Neighbourhood Policy

The European Commission has given its opinion on Iceland’s application for EU-membership and a decision from the Council is expected before the end of June. Croatia seems to have settled its border dispute with Slovenia. Against this background:

- Which countries does your country expect to become members of the European Union in the next enlargement round? What are the opinions in your country on the membership of these countries?
- How are the membership perspectives of those countries discussed, which are not expected to become a member in the next enlargement round?

The Eastern Partnership and the Union for the Mediterranean were the last major projects dealing with the European neighbourhood:

- How are these projects assessed in your country?

3. European economic policy and the financial and economic crisis

The European Council agreed on 25/26 March on the key elements of the Europe 2020 strategy, the successor of the Lisbon strategy. While not being on the formal agenda the economic and financial situation in Greece was discussed. The European Council agreed on a finance package combining bilateral loans from the eurozone and financing through the International Monetary Fund.

- How is the finance package for Greece assessed in your country? Are there any opinions on the process, how the agreement on the package was reached?
- Which lessons should be drawn from the Greek case for a reform of the Stability and Growth Pact?
- How is the idea of “a strong coordination of economic policies in Europe” perceived in your country? What concepts of an European economic governance are discussed in your country and which role do they assign to the Euro group?
- How is the Europe 2020 strategy discussed in your country? What are the priorities for the Europe 2020 strategy from your country’s perspective?

4. Climate and energy policy

The climate conference in Copenhagen took note of the Copenhagen Accord but did not reach a binding agreement. The next conference of the parties (COP 16 & CMP 6) will take place at the end of November 2010.

- How is the Copenhagen conference assessed in your country? Please take into consideration the negotiation strategy of European Union and the results of the conference.
- Does the European Union need to change its own energy and climate policy in order to give a new impulse to the international negotiations?
- Is a global agreement within the UNFCC the best strategy to fight climate change? If not, which alternative strategy should the European Union follow?
- What is your country’s position on financing mitigation and adaptation efforts in developing countries?

5. Current issues and discourses in your country

Which other topics and discourses are highly salient in your country but not covered by this questionnaire?