

ABSTRACTS

Rudolf Hrbek

The 2014 European Elections in Germany without a Barrier Clause? The Decision of the Federal Constitutional Court of November 2011 and its Consequences

Since 1979, European elections in Germany were held under an electoral law containing a five per cent barrier clause, which the Federal Constitutional Court, in its ruling of May 1979, had declared as compatible with the constitution. In 2011, however, the Court – called upon again – decided that the threshold would violate basic norms of the constitution. The parliament, which had to amend the electoral law, now introduced a three per cent barrier clause. Several smaller parties have immediately called upon the Court, which has to deal with the issue again. This article informs on the Court's two rulings and its reasoning; on the criticism against the Court's 2011 ruling (including the dissenting vote of two judges); and on the reasons in favour of a threshold, focussing on key conditions for the European Parliament's ability to perform its functions (now with greater powers) properly.

Andres Kasekamp

Baltic States and the European Union: A rocky Road from the “Outside” towards the “Core”

After the Baltic States gained independence from the Soviet Union they had the choice between orientation towards the East or the West. Although in hindsight it seems a natural choice to pursue European integration, at the point it was not. This article reviews the transformation the three Baltic States went through from obtaining independence to becoming members of the European Union and establishing themselves as such. It describes their post-accession attitude which evolved from initial reservations to strong support for the Lisbon Treaty and the Euro zone, defining their aim to belong to the “core” of Europe. Main policies supported by Estonia, Latvia and Lithuania on Union level are highlighted. The article closes with an analysis of the challenges of the rotating council presidency for Lithuania and gives an outlook on future trends.

Sebastian Bersick and Jörn-Carsten Gottwald

So much for Civil Power: 10 Years of EU-China Strategic Partnership

In 2003, the People's Republic of China and the European Union upgraded their bilateral relationship to a strategic partnership. Since then not only have trade and investments flows increased but so has the number of fora and bodies for bilateral cooperation. In the beginning the bilateral relationship explicitly pursued the objective of introducing China to global norms and standards in economy, law and politics, which are also shared by the European Union. Meanwhile, especially with regard to economic and financial relations, it becomes apparent how much the European Union relies on the support of this new emerging global leading power, how limited the European Union's normative self-claim has become and how little input Beijing expects from Brussels in terms of domestic change and reforms.

Cathleen Berger

Between Law Enforcement and Intelligence Analysis. Consequences of the Europeanization of the Cyber Security Policy for Germany

Cyber security is a very dynamic policy field. Within only a few years, a wide range of measures dealing with the topic has been adopted on both, European and national level. Strategy papers of the European Union, operational successes and joint activities led by European institutions, such as Europol or ENISA, shape the policy-making process. The dominant approaches are comprehensive security concepts which are based on a combination of instruments of internal and external security, law enforcement and intelligence. However, the alignment of the Federal Republic of Germany with such concepts threatens to undermine the informational “imperative of division” between law enforcement and intelligence agencies.

Manuel Sarrazin

Little Hope for a quick Resolution of the Cyprus Conflict: Collateral Damage of the Financial Crisis?

The European Union was successful in avoiding a Cypriot bankruptcy in spring 2013. Thereby, the EU prevented their member states from severe fiscal disruptions and a huge loss of influence in the conflict-prone Eastern Mediterranean area. However, both the populist debate and the way the bankruptcy was avoided did hamper the solution of the two key conflicts: the partition of the island since 1974 and the conflict about the exploitation of natural gas reserves. A conflict resolution could improve the economic conditions both in the Greek-Cypriot Southern as well as the Turkish-Cypriot Northern part of the island. It is likely that the last window of opportunity for a reunion of the island might close soon, though. The unified efforts of the EU, Cyprus and Germany are needed. Therefore, the actors should improve their crisis management and intensify their commitment in the peace process.