

ABSTRACTS

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The European Constitutional Crisis and the Strategy of Patience

While there have been a number of initiatives by Europe's top politicians on the present constitutional crisis recently, on the whole these have merely amounted to an inchoate package of proposals that rather convey a sense of helplessness. This article takes a systematic look at the options being proposed. From this analysis, it becomes clear that all models have their particular risks of a failure whereby those based on renegotiations are confronted with even higher uncertainties in terms of achievable results and the likelihood of full ratification. Hence, the authors conclude that the reflection period needs to be expanded, the ratification process in countries with a formidable parliamentary majority continued, and the ratification problem in France, which holds the key to Europe's constitution, be solved in 2007. The best strategy is one of patience which invests in the enlargement of the group of constitution-positive member states in order to minimise the group of constitution-negative countries before trying to broker a final deal.

Peter Becker

Continuation of the Status Quo – The EU's new Financial Framework ,Agenda 2007-2013'

After two years of intense negotiations and a grand finale of around 30 hours at the European Council meeting in Brussels, the enlarged EU finally managed to agree a new financial framework for 2007–2013 in mid-December 2005. Although relief initially outweighed fears that a settlement had long seemed unlikely, in the weeks thereafter the compromise itself and the negotiation process in particular were subject to increasingly severe criticism. This criticism became most manifest when the European Parliament rejected the financial framework on 12 January 2006. This article first analyses the compromise that was reached at the European Council in mid-December before tracing the negotiation process between December 2003 and 2005. In conclusion, it examines the member states' win-lose logic that lies at the heart of this process, identifying it as the core problem behind the enlarged-EU's inability to reform.

Dominik Düsterhaus

“European Citizens who Study”: the Growth and Significance of a Special Legal Privilege

Fostering the mobility of students and academics is a stated objective of European education policy. But while education and science does not feature prominently among EU policies, great strides have nonetheless been made in establishing the legal framework for removing restrictions to mobility in education. This is mainly due to the European Court of Justice, which has consistently strengthened the rights of the Union's students over the past decades. Directive 2004/38 EC, which is due to be implemented in April 2006, should also go some way to consolidating these achievements by bringing into line the existing reservations of Member States. In addition to providing an overview of these developments, this article throws light on a surprising discrepancy between the constant evolution of the legal norm of equal treatment and the actual marginal differences in mobility when seen from different perspectives.

Sammi Sandawi

Power Constellations in the Black Sea Region: Ramifications for Turkey's EU Accession and that of other Applicants

Ever since the opening of Turkey's accession negotiations on 3 October 2005, the EU has increasingly been forced to examine its role in the future of the Black Sea Region. Although the area

around the Black Sea had long been little more than a peripheral interest of Brussels – both geographically and politically – the EU's interest in the Euro-Asian border region is now increasingly growing. For, the greater Black Sea Region not only represents the world's second most abundant source of fossil fuels (both crude oil and natural gas), also as a chief transit route to the main recipient countries in western Europe and North America, but also because it has traditionally been seen as the gate to the "treasure trove" of Asia. At the same time, the region around the Black Sea also sees itself at the mercy of numerous tensions and conflicts of interest that have so far blocked the development of an effective system of multilateral security and cooperation. More than ever, therefore, it is imperative that the EU undertakes a thorough examination of its strategic interests and ambitions in the region.

Barbara Lippert

Association plus a pan-European Federative Association of Tasks: A Plea for a More Assertive EU Neighbourhood Policy

The EU is in a dilemma. The current 25 Member States can neither work up the courage to collectively say "Yes" to further enlargement, nor can they sustain a collective "No" over the long term. In such a dilemma, it is imperative for the EU to win back its power to shape developments by investing more confidence and wider appeal in its Neighbourhood Policy. As a successor to the soon expiring Partnership and Cooperation Agreements a new type of Association Agreement shall be concluded with the countries of Eastern Europe. These are conceived in terms of a partnership towards modernisation and stability but should not contain an explicit reference to the option of membership. Furthermore, the EU should establish a "pan-European Federative Association of Tasks" with Eastern European neighbours. This is meant to provide long-term functional co-operation in the course of which common decision-making procedures and institutions will be developed. The pan-European Federative Association of Tasks has the prospect to provide the basis for building a community in its own right and to contribute to re-ordering the continent.

Übersetzung aus dem Deutschen von Graham Holliday.