

# Small states and the accession negotiations with the EU

How have Cyprus, Estonia and Malta handled the accession negotiations with the EU and how can differences in success be explained?

Autor: Ariane Litjens

Student number: s1815253

Date: June 17, 2019

Supervisor: Dr. W. Veenendaal

Second Reader: Prof. dr. Ingrid van Biezen

Course: Small States in World Politics

Word Count: 8283

## **Table of content**

<b>Introduction</b> .....	2
<b>Theoretical Framework</b> .....	3
Why small states join the EU .....	3
Accession negotiations between the EU and candidate member states .....	4
The negotiation strategies of small states .....	7
Research question.....	8
Expectations .....	9
<b>Research method</b> .....	11
Conceptualisation and operationalisation.....	11
Research design and the method of data collection .....	12
<b>Data analysis</b> .....	14
Estonia.....	14
Malta.....	16
Cyprus .....	19
<b>Conclusion</b> .....	22
<b>Bibliography</b> .....	25
<b>Appendix 1 – List of transitional arrangements per country</b> .....	29
<b>Appendix 2 – Interview with Patrick Tabone</b> .....	30
<b>Appendix 3 – Interview with Alar Streimann</b> .....	33

## Introduction

On 13 December 2002, the Council of Europe took a very important and historical decision. The Council decided that on the 1<sup>st</sup> of May 2004 ten new countries would become a member of the European Union (EU). Three of these new member states can be classified as a small state, namely Cyprus, Estonia and Malta according to the definition of the World Bank (2019) and the Commonwealth Secretariat (2015), which classifies states with less than 1.5 inhabitants as small states. Becoming an EU member is a very complex process, which can take many years (Schimmelfennig & Sedelmeier, 2002; Schneider, 2009). The accession negotiations between the EU and the candidate member states are an important and very complex aspect of the enlargement process of the EU. This thesis will focus on the accession negotiations between Cyprus, Estonia, Malta and the EU; how these small states have handled the negotiations and how differences in success can be explained.

There is very little literature about the accession negotiations between small states and the EU. It is unclear how small states have handled the accession negotiations with the EU, if they used special strategies during these negotiations and if they were successful or unsuccessful during these negotiations. There is a great deal of literature about the negotiation strategies that small states use during negotiations within international organizations (e.g., Panke, 2010; Panke, 2012b; Bailes & Thorhallsson, 2013). In the current literature about the negotiation strategies of small states several conflicting assumptions are made about the negotiation strengths of small states (e.g. Panke, 2012b, Steinsson & Thorhallsson, 2017).

Current research within the IR discipline has largely focused on great powers, leaving smaller states as a residual category. Still, Ingebritsen et al. (2006) and Veenendaal & Corbett (2014) argue that studying small states has an enormous intellectual pay off and can generate important insights about the current and new literature of the discipline of International Relations. This thesis could broaden the current literature about negotiations strategies and the negotiation success of small states by focusing on the accession negotiations between the EU and small candidate member states and it can test the contradicting assumptions about the strength of the negotiation capacity of small states. This thesis will also contribute to the current literature about EU enlargement as it sheds light on the accession negotiations between small states and the EU. The insights from this thesis can be very relevant for other small states, which want to join the EU or another organization.

## Theoretical framework

### Why small states join the EU

The different grand theories within the discipline of International Relations each have their own answer to the question why small states would join an international organization, such as the EU. Realists are skeptical about international organizations since they believe that states will only abide by the rules if these rules fit their interests (Thorhallsson, 2018, p. 23). From a realist perspective a (small) state is willing to join an international organization such as the EU if this a way to obtain a balance of power or to increase power (Schimmelfennig & Sedelmeier, 2002, p. 511). Constructivist and liberals do believe that international organizations can work, and that international cooperation is possible. From a constructivist perspective, the degree to which an organization shares the same identity and beliefs as the candidate member state is very important for possible accession (Schimmelfennig & Sedelmeier, 2002, p. 513). From a liberal perspective, it is expected that small states are especially interested in joining regional organizations (Thorhallsson, 2018, p. 24). Small states face many risks, such as economic vulnerability and military insecurity because of their size (Thorhallsson, 2018, p. 20). International organizations help small states to survive and to achieve favorable outcomes (Thorhallsson, 2018, p. 24).

In the current literature, based on the liberal perspective the membership of the EU is perceived as very beneficial, it has both political and economic advantages (Schneider, 2009; Pace, 2002). The EU acts as a stabilizing force in the region and increases the survival prospects of small states (Pace, 2002; Thorhallsson, 2018). Another advantage of EU membership for small states is linked to the management of their external political and economic environment (Pace, 2002, p. 26). EU integration helps small states to deal with the challenges of globalization (Pace, 2002, p. 26). EU membership, for example, enables small states to make regulation for global corporations more effective (Pace, 2002, p. 26). EU membership also made small states wealthier (Schneider, 2009, Pace, 2002). Small states have a small domestic market and are not able to realize economies of scale in most sectors. This can be overcome by joining the EU and joining its internal market (Pace, 2002, p. 26). Based on these insights one can argue that becoming an EU member is very beneficial for small states.

### Accession negotiations between the EU and candidate member states

The accession negotiations between the EU and the candidate member states are a primary aspect of the accession process to the EU (Schimmelfennig & Sedelmeier, 2002; Emmert & Petrovi, 2014; Copeland, 2013). During these negotiations, the EU and candidate member states try to agree on the implementation of the whole body of European law, namely the *acquis communautaire*, and the future rights and future duties of the candidate member states. Rights of the member states are for example the amount of funds member states receive from the structural and cohesion funds and duties of member states are for example the contribution of the member states to the budget of the EU. The result of the accession negotiations differs for each candidate member state (Verheugen, 2002; Toshkov, 2009) and is written down in an accession treaty (Verheugen, 2002).

Although the accession negotiations about the body of European law are based on the principle that the candidate member state take over the whole body of European law, there is some room for negotiations (Schneider, 2009; Nicolaides, 1998). During these negotiations temporary or sometimes permanent exemptions of the implementation of some EU policies are agreed on. The number of exemptions granted to each candidate member states differs (Toshkov, 2009). The most common form an exemption of an EU law is a transitional arrangement (Nicolaides, 1998; European Commission, 2003a). Transitional arrangements are temporary exemptions of EU laws and help to enable the economy and the public administration of the candidate member state to adjust to the conditions of EU membership (Nicolaides, 1998, p. 9). Candidate member states are almost never allowed a permanent exemption of a certain EU rule of policy, these permanent exemptions are called permanent derogations (Nicolaides, 1998, p. 11).

Liberal intergovernmentalism is one of the main approaches to EU integration (Schneider, 2009; Peterson, 2011). The liberal intergovernmentalist theory considers states to be the most important actors in the process of European integration (Schneider, 2009; Peterson, 2011). During the process of enlargement member states, often represented by the European Commission, and candidate member states indeed have a key role since they determine the negotiation pace and negotiation strategy (Schneider, 2009; Emmert & Petrovi, 2014). Moravcsik & Vachudova (2003, p.44) argue that applicant countries have a weaker negotiations position compared to the European Union and are unsuccessful during the

accession negotiations based on the bargaining approach of the liberal intergovernmentalism theory.

The idea of this bargaining approach is relatively simple, namely that the party with the strongest preference for an agreement is willing to compromise the most and will have a weaker bargaining position (Moravcsik, 1993; Moravcsik & Vachudova, 2003). This also suggests that the outcome of the accession negotiations depends on the relative bargaining power of the negotiators (Moravcsik & Vachudova, 2003; Schneider, 2009). This relative bargaining power is determined by the preference of the existing EU members for enlargement and the preference of the government of the candidate member state for EU membership (Moravcsik, 1993). The bargaining position of the candidate member state will often be relatively weak compared to the bargaining position of the existing EU members. Both the current EU members and the candidate member state benefit from EU enlargement, but the candidate member state usually benefits the most and will thus have the strongest preference for an agreement (Moravcsik & Vachudova, 2003; Emmert & Petrovi, 2014). Since the existing EU members have much more bargaining power, they can insist on far-reaching reforms of the legal system to make sure that the *acquis communautaire* is transposed into the legal system of the candidate country (Emmert & Petrovi, 2014, p. 1358). The accession of for example Greece and Ireland has followed this pattern, the bargaining demands of the candidate member state were taken away and the deal mostly reflected the demands and wishes of the EU and the current member states (Moravcsik & Vachudova, 2003, p. 45).

As has been discussed before, liberal scholars assume that small states are particularly interested in joining an international organization such as the EU (e.g. Thorhallsson, 2018, p. 24) as EU membership has economic and political advantages for small states (Pace, 2002, pp. 25-27). The EU and its current member states will gain relatively little from the accession of a small state compared to the accession of a larger state, since most small states have a relatively small economy and have a small civil service with less expertise (Lee, 2004, pp. 336-339). This makes the relative bargaining power of small candidate member states especially weak. Small candidate member states also face extra difficulties during negotiations due to size-related disadvantages organizations (Panke, 2012a; Panke, 2012b). For example, they often have less negotiators available during negotiations compared to larger candidate member states (Panke, 2012a). These size-related disadvantages will be discussed in the next section of the theoretical framework. Based on these insights it can be expected

that the bargaining position of small states was very weak and that small states, therefore, were unsuccessful during these accession negotiations.

The concept of a two-level game was introduced by Putnam (1988). Putnam (1988, p. 434) argues that neither an analysis of the domestic or international realm is enough to analyze international negotiation. According to the two-level game concept negotiators operate on two levels (Putnam, 1988, p. 434). Negotiators need to make a deal that is acceptable both on the domestic level (level II) and on the international level (level I) (Putnam, 1988, p. 436). Developments on the national level could influence the possible outcomes of the negotiations on the international level, but events on the international level could also influence the domestic level (Putnam, 1988).

This two-level game is very relevant for the negotiations about EU membership. If there is a high degree of domestic support for EU membership in the candidate member state, the negotiators of the candidate member state have a lot of flexibility to accept the demands of the EU. Conversely, if there is less domestic support for EU membership the negotiations will be much more complex, and it will be more difficult for the negotiators to make a deal that is acceptable both on the domestic level and the international level. In this case, the negotiators of the candidate member state have less flexibility and cannot accept all of the demands of the EU, which might have a negative impact on the candidate country since this could cause a decline in support for EU membership (Moravcsik & Vachudova, 2003; Schneider, 2009). Enough support for EU membership is crucial since the outcome of the negotiations needs to be ratified by the candidate member state. Poland, for example, warned the European Commission during the negotiations that the deal would not pass in a referendum (Moravcsik & Vachudova, 2003, p. 51). This could give candidate member states some extra bargaining power (Moravcsik & Vachudova, 2003, p. 51). Based on the literature it can be expected that the candidate member states with a low level of domestic support for EU membership are more successful during the accession negotiations with the EU than the countries with a higher level of support for EU membership.

### The negotiation strategies of small states

Small states face extra difficulties during international negotiations due to size-related disadvantages compared to larger states or large international organizations (Panke, 2012a; Panke, 2012b). The fact that small states are usually economically weaker than other states has an impact on the effectiveness of their negotiation strategies; small states have more difficulty making credible threats (Panke, 2012a, p. 318). Small states also face difficulties during the negotiations due to the characteristics of their administration; they have fewer civil servants, diplomats and experts available during negotiations compared to bigger states (Panke, 2010; Steinsson & Thorhallsson, 2017; Panke, 2012a). This results in the fact that the civil servants from small state handle negotiations on a variety of topics and that the individual workload for civil servants becomes higher (Panke, 2012a, p. 318). The higher the workload, the less times negotiators have to engage in networking, to draft bargaining demands or to prepare their negotiations (Panke, 2012a, p. 318). This firms up the expectation that small states were unsuccessful during the accession negotiations with the EU.

Although small states face several disadvantages, they are not necessarily weak (Panke, 2012a, p. 319). Small states can compensate for their lack of expertise, diplomatic resources, and structural power. One strategy to compensate for this, is to prioritize their efforts on certain issues (Thorhallsson & Steinsson, 2017; Panke, 2010). When small states choose to direct more resources to one specific issue they can exert as much influence as larger states on these issues (Thorhallsson & Steinsson, 2017, p. 9). The fact that small states focus on a limited set of issues does not have to be a disadvantage since they will have a more limited set of issues, which are important to them compared to larger states (Thorhallsson, 2017, p. 9).

Small states can also take advantage of their small and flexible diplomatic force (Panke, 2012a; Steinsson & Thorhallsson, 2017). Their bureaucracies can make decisions much faster compared to the diplomatic force of bigger states (Steinsson & Thorhallsson, 2017, p. 12). Decision-making can also happen more informally since civil servants often know each other (Steinsson & Thorhallsson, 2017, p.12). In small states diplomats and civil servants can negotiate with more authority since they have the autonomy to make a lot of decisions by themselves, this also makes negotiations much easier (Thorhallsson, 2002; Thorhallsson & Steinsson, 2017). Based on this literature it can be expected that small states are successful during the accession negotiations.



It is assumed in the current literature about the negotiation strategies of small states, that small states mainly use persuasion-based strategies during international negotiations instead of bargaining-based strategies (Panke, 2012b, Panke & Gurol, 2019; Grimaud, 2018). Small states have little bargaining power due to their small size, which makes bargaining-based strategies less effective. Examples of persuasion-based strategies are legal, moral and normative argumentation and examples of bargaining-based strategies are value-claiming or bargaining (Panke, 2012b, p. 390). Based on this literature can be expected that small states mostly used persuasion-based strategies during the accession negotiations with the EU.

### Research question

The following research questions will be answered in this thesis: *How have Cyprus, Estonia, and Malta handled their negotiations with the EU about accession? And how can differences in success be explained?*

The current research within the IR discipline has largely focused on great powers, leaving smaller states as a residual category. Still, Ingebritsen et al. (2006) and Veenendaal & Corbett (2014) argue that studying small states has enormous intellectual pay off. There is currently very little literature about the accession negotiations between the EU and small states. It is unclear how small states have handled the accession negotiations with the EU, if they used special strategies during these negotiations and if they were successful or unsuccessful during these negotiations. There is a great deal of literature about the negotiation strategies that small states use during negotiations within international organizations (e.g. Panke, 2010; Panke, 2012b; Bailes & Thorhallsson, 2013). In the current literature about the negotiation strategies of small states several conflicting assumptions are made about the negotiation strength of small states (e.g. Panke, 2012b, Steinsson & Thorhallsson, 2017).

This thesis will test the conflicting assumptions about the negotiation strength of small states and will tell something about the negotiation strength of small states during the accession negotiations with the EU. This thesis will also broaden the current literature about negotiations strategies and the negotiation success of small states by focusing on the accession negotiations between small states and the EU. Furthermore, this thesis will also contribute to the literature about EU enlargement as this thesis sheds lights on the way small states handled the accession negotiations between the EU. The insights from this thesis can be very relevant for other small states, which want to join the EU or another international organization. An

example is Montenegro, this country is currently negotiating with the EU about EU membership.

### Expectations

Based on the theoretical framework four expectations about the will results of the analysis of this thesis are formulated and these preliminary expectations give a direction to the research which will be conducted.

The first expectation is based on the current literature about negotiation strategies of small states (e.g. Panke, 2012b; Panke & Gurol, 2019; Grimaud, 2018). This literature suggests that small states have similar strategies. These states mainly use persuasion-based strategies, such as moral arguing and legal arguing (Panke, 2012b, p. 390). It is thus expected that Cyprus, Estonia, and Malta used said persuasion-based strategies during the negotiations with the EU about accession.

The second expectation is based on the liberal intergovernmentalist theory, the liberal theory and the literature about the negotiations between small states and the EU. The liberal intergovernmentalist theory assumes that the candidate member states were unsuccessful during the accession negotiations as they have a weak bargaining position (Moravcsik, 1993; Moravcsik & Vachudova, 2003). The liberal theory assumes that small states are especially interested in joining the EU (Thorhallsson, 2018, p. 24). Yet the EU gains relatively less from the accession of a small candidate member state (Lee, 2004, pp. 336-339). This makes the relatively bargaining position of small candidate member states even weaker. Small states also face several size-related disadvantages during international negotiations (Panke, 2012b). Based on these insights it can be expected that the bargaining position of Cyprus, Estonia and Malta was especially weak during the accession negotiations with the EU and that these countries were unsuccessful during these negotiations.

The third expectation is based on the current literature about the negotiation strategies of small states (e.g. Panke, 2010; Panke, 2012b; Thorhallsson & Steinsson, 2017). Although small states face several disadvantages, they are not necessarily weak during international negotiations (Panke, 2012b). Small states can compensate for their weaknesses and take advantage of their small and informal diplomatic force (Thorhallsson & Steinsson, 2017;

Panke, 2012a) This literature suggests that Cyprus, Estonia and Malta are successful during the accession negotiations.

The fourth expectation is based on the two-level game, which is introduced by Putnam (1988). Less domestic support for EU membership can paradoxically improve the bargaining position of candidate member states during the accession negotiations (Moravcsik & Vachudova, 2003, p. 51). Therefore, it can be expected that the candidate member states with high level of support for EU membership were unsuccessful during the accession negotiations with the EU and that countries with low level of support for EU membership were successful during the accession negotiations with the EU.

## Research Method

### Conceptualization and operationalization

In order to provide an answer to the research questions of the thesis, it is important that several important concepts are conceptualized and operationalized. The first concept is ‘small state’. A state is a country that fulfils the criteria written down in the Montevideo convention (Maass, 2009, p. 68). Cyprus, Estonia and Malta fulfil these criteria as they have a permanent population, a defined territory, a government and the capacity to enter relations with other states. The World Bank (2019) and the Commonwealth Secretariat (2015) consider states to be small if they have less than 1.5 inhabitants. This thesis defines ‘a small state’ based on this criterion, and among the new EU members Cyprus, Estonia and Malta fulfil this criterion. The second concept are the ‘negotiation strategies’ of small states, this concept can be defined as the strategies that small states use in order to make sure their opinions are heard, and the way states influence discourses or policy outcomes (Panke, 2012a, p. 317). There are different forms of negotiation strategies, Panke (2012b, p. 390) argues that small states mostly used persuasion-based strategies and not bargaining-based strategies. Examples of persuasion-based strategies are legal, moral and normative argumentation and examples of bargaining-based strategies are value-claiming or bargaining (Panke, 2012b, p. 390).

A third concept that needs to be conceptualized and operationalized is ‘bargaining success’. According to Bailer (2004, p. 100) states are successful during negotiations if they manage to draw the outcome of the result closer towards their preferred position. In this thesis, bargaining success will be measured using two different methods. Firstly, the analyses of the (chief) negotiators about the accession negotiations will be used in order to determine whether a candidate member state was successful during these negotiations. Secondly, the number of transitional arrangements and permanent derogations about the body of EU law, Cyprus, Estonia and Malta have been granted during the negotiations will be compared to the number of transitional arrangements and permanent derogations other candidate member states which also became an EU member in 2004, have been granted.

Comparing the number of transitional arrangements and permanent derogations granted to measure bargaining success is arguably the most important indicator, since it is a more objective method as it is not biased by personal opinion. Still it is important to compare the two methods to measure bargaining success, since the analysis of (chief) negotiators can give more context and strengthen the outcome. Getting transitional arrangement and permanent

derogations can be classified as a bargaining success since the accession negotiations are based on the principle that the candidate member state takes over the whole body of European law before the accession and little exemptions are granted to the candidate member states (Nicolaidis, 1998). This thesis does not consider all separate stages of the accession negotiations in order to determine the bargaining success of the selected cases and mostly focuses on the negotiations about the body of EU law.

The fourth concept is 'support for EU membership' in the candidate member state. The support for EU membership will be determined by the position of the major political parties in the candidate member states and the amount of public support which is measured by the Eurobarometer and other local opinions. Political parties with a significant number of votes namely parties, namely with at least ten percent of the votes, will be considered in order to determine the domestic support for EU membership.

### Research design and the method of data collection

In order to answer the research question, a comparative case study of three cases will be conducted. A case study is an intensive study of one or more cases for the purpose of understanding a larger class of similar units (Gerring, 2011, p. 7). The cases will be selected using the most similar system design. When using this method, the researcher looks for cases, which have similar scores on all possible causal factors, but demonstrate different outcomes (Gerring, 2008). In reality, it is challenging to find cases that have similar scores on all other possible causal factors (Seawright & Gerring, 2008, p. 305). The goal is to identify those key features that are different among otherwise mostly similar systems and which account for the observed outcome (Esser & Vliegenhart, 2016, p. 6). Cyprus, Estonia, and Malta are the selected cases since these are all small states, placed at the border of the EU and they joined the EU simultaneously in 2004. This thesis will try to establish which variables have caused the different outcome of the accession negotiations. The result of the research can be interesting for other small states, which want to join the EU or any other international organization, since this research sheds light on the key features that determine the outcome of the accession negotiations between small states and an important international organization. An example is North-Macedonia, which is expected to open the accession negotiations with the EU soon.

The data will be collected through different qualitative research methods since qualitative research methods also look at the contextual factors (Bryman, 2012, pp. 402-403), which is important for answering the research questions. Combining more than one research method is called triangulation and this results in greater confidence in the findings since inaccuracies or biases in the individual sources can be controlled for (Bryman, 2012; Thies, 2002). Process tracing is one of the selected research methods as this method focuses on the unfolding of events over time (Collier, 2011, p. 824). This method will be used to identify the causal process that lead to the outcome of the accession negotiations. Two other research methods will be used to carry out this strategy, namely a content analysis and a semi-structured interview.

A content analysis is associated with the study of reports, newspapers, books, journals and all other forms of documentation (Prior, 2014). The main sources for the analysis are the analyses negotiations from the (chief) negotiations. These analyses can be found in the book of George Vassiliou (2007) named *The Accessions Story* and in published documents from the governments and think tanks of the candidate member states. The problem with these sources is that they might be biased since they will mostly reflect the opinion of the (chief) negotiator of the candidate member states. Other sources will be used to counterbalance this possible bias. These sources will be documents from the European Commission and the European Parliament and current scientific literature. The sources will be analyzed and selected on the basis of their relevance for the research question.

The second research method is a semi-structured interview. This is an interesting contribution to the analysis since the insights of a person with insight knowledge can give context and nuance, especially if mainly documents are analyzed (Bryman, 2012, p. 55). Mr Tabone was interviewed, he was part of the core negotiation team of Malta. Mr Streimann was willing to answer two questions via email; he was the chief negotiator of Estonia. There is a disbalance in the amount of data, which results from the interviews. It was not possible to interview someone from Cyprus and mr Alar Streimann only wanted to answer two questions via the email. For these countries the analyses from the chief negotiators have been analyzes more closely and have, if possible, other sources been used as well.

## Data analysis

### Estonia

#### Before the start of the accession negotiations

Before the start of the accession negotiations there was a strong wish among the politicians of Estonia to join the EU (Raik, 2004; Streimann, 2007). The chief negotiator of Estonia Streimann (2007, p. 158) argued that EU membership for Estonia was of immense importance and a foreign policy priority. However, the EU was hesitant about Estonia becoming an EU member before the start of the accession negotiations. Estonia had to implement many reforms in order to be considered as a candidate member state by the EU (European Commission, 1999a; Streimann, 2007). Another point of concern for the EU was the reaction of Russia if Estonia became an EU member (Palmer, 1995; Streimann, 2007). These developments contributed to a theoretically weak bargaining position of Estonia.

#### The accession negotiations

The accession negotiations started in March 1998 and lasted until December 2002 (Rannu, 2009). There was broad consensus among the political leaders of Estonia during the accession negotiations about EU membership, which facilitated the negotiations as it smoothed the accession process (Raik, 2004; Streimann, 2007). On the other hand, this broad consensus made the political parties very uncritical about the actions of the negotiators (Raik, 2004, p. 589). There was little discussion about EU-related issues within the parliament (Raik, 2004, p. 589). The membership negotiations were mostly handled by top civil servants and political control by the parliament and by the government was weak (Raik, 2004, p. 587).

Despite the broad consensus among the political elite of Estonia the public support was much lower as Estonia was one of the most Eurosceptic candidate member states (European Parliament, 1999a). During the last two years of the negotiations, only 31% to 38% of the population of Estonia supported EU membership (European Commission, 2002a; European Commission, 2003b). The negative experience about being in a union, namely the Soviet Union and certain unpopular government policies linked to EU accession were some of the reasons for the low level of public support (Mikkel & Pridham, 2004, p. 725). According to Mr Streimann (Appendix 3) the low level of support did not have a big influence on the negotiators of Estonia, as the Estonian public opinion about the course and conduction of the accession negotiations was high.

The negotiation team of Estonia faced several disadvantages resulting from being a small and young country. Estonia had relatively limited staff resources and a very inexperienced civil service (Streimann, 2007, pp. 161-163). The civil service of Estonia was small and overburdened with work (Streimann, 2007; Raik, 2004). One strategy to overcome these problems was to send as many civil servants as possible to Brussels for screening meetings and to arrange regular study-visits (Streimann, 2007, p. 162) Another strategy was to focus on the most important issues during the negotiations, these were the issues on which some progress was expected (Streimann, 2007, p. 163). Especially this last strategy is a common mean of small states to compensate for their size during negotiations (Panke, 2012; Thorhallsson & Steinsson, 2017).

Important topics during the accession negotiations were the taxation system, the energy supply in Estonia, the environmental agreements and the future of the agricultural sector (Streimann, 2007; Ranu, 2009). Some demands were met during the negotiations about the agricultural chapters, mostly because of arguments with an emotional undertone (Streimann, 2007, p. 173). In the analysis of the chief negotiator Streimann (2007) mentions several other examples of persuasion-based tactics, such as the use of legal or technical argumentation during the negotiations about shipping and tax-free sales on ferries (Streimann, 2007, pp. 174-175). There were no examples found of bargaining-strategies in the analysis of the negotiators (Streimann, 2007; Rannu, 2009; Oro, 2009; Kisel, 2009; Gromov, 2009; Kevvai, 2009). This confirms my first expectation, that small states mainly use strategies based on persuasion during the negotiations.

#### The outcome of the negotiations

Estonia became a member of the EU in 2004 together with ten other states. Based on the outcome of the negotiations the chief negotiator Streimann (2007, p. 186) considered the negotiations to be a success, despite that the negotiators described several occasions they had to accept policies they would rather not (Streimann; 2007; Rannu, 2009; Oro, 2009; Gromov, 2009; Kevvai, 2009). For example, Estonia had to reform its corporate income tax, despite the fact the negotiators of Estonia did not want to accept this measure (Oro, 2009, pp. 47-48). The statement of Streimann (2007, p. 186) is in contrast with the relatively low amount of transitional arrangements which Estonia received compared to other candidate member states (Appendix 1). The average number of transitional arrangements per candidate member states is twenty and Estonia was granted only seventeen transitional arrangements.



This outcome seems to confirm the second expectation, namely that the bargaining position of Estonia was weak, and that Estonia was unsuccessful during the negotiations. It is likely that the weak bargaining position of Estonia influenced the outcome of the negotiations. This outcome does not confirm expectation three, that Estonia was successful during the negotiations. Expectation four, namely that the candidate member states with a lot of support for the EU are unsuccessful and state candidate member states with low support are successful during the accession negotiations can only be confirmed partly. Although the public support for EU membership was relatively low during the accession negotiations, the major political parties did support EU membership.

## Malta

### Before the accession negotiations

Since Malta became an independent country in 1964, the political domain has been polarized by two parties: The Nationalist party, NP, and the Labour Party, MLP (European Parliament, 2000, p. 7). The NP has always been in favor of EU membership, while the MLP is traditionally much more critical of EU membership (Pace, 2002; Tabone, 2007). The MLP has even froze Malta's membership application in 1995 when they were elected over the NP (Tabone, 2014; Caruana, 2007). When the NP came back in power the Maltese government submitted a new application for EU membership (European Parliament, 2002, p. 7). This event demonstrated that the support for EU membership before the start of the negotiations was divided among the political elite of Malta (Vassiliou, 2007, p. 111). Yet the EU was very positive about opening the negotiations with Malta about EU membership after the new application for EU membership was submitted (European Commission, 1999b). This theoretically made the bargaining position of Malta stronger.

### The accession negotiations

The negotiations started in February 2000 and were finished in December 2002 (Caruana, 2009). After the renewed application for EU membership, the negotiators of Malta were very eager to align with the *acquis communautaire* as soon as possible in order to catch up with the countries which had started the accession negotiations earlier according to the chief negotiator of Malta Caruana (2007, pp. 268-269). During the negotiations, Malta faced difficulties from having a small civil service according to Mr Tabone (Appendix 2). The Maltese negotiators focused on the most important issues (Appendix 2), which is a common mean of small states

to compensate for their size during negotiations (Panke, 2012; Thorhallsson & Steinsson, 2017).

During the negotiations the government tried to win as much public support as possible for EU membership, knowing that full support in parliament would be very difficult due to the negative stance of the MLP (Caruana, 2007, p. 269). The MLP continued to express its objections. The government actively tried to incorporate as many organizations as possible during the negotiations to make sure everyone felt heard (Caruana, 2007; Pace, 2002). The government also tried to incorporate the wishes of the electorate of the MLP during the negotiations (Pace, 2002, p. 34). Examples of these wishes were the question whether the Maltese language would be admitted as an official EU language and the consequences of a possible influx of foreign workers (Pace, 2002, p. 34). Other issues which were equally important during the negotiations, were the future of the ship repair, the protective levies in trade with the EU and the future of the Maltese agricultural sector (Pace, 2002, Caruana, 2007). Despite these attempts the public support was low, around 40% of the population supported EU membership during the negotiations (European Commission, 2002; European Commission, 2003b).

The fact that the support for EU membership was relatively low made the negotiations extra difficult and meant that the Maltese negotiators had to prepare themselves really well in order to get the best deal possible according to Mr Tabone (Appendix 3). Mr Tabone explained (Appendix 3) that the negotiators were not only negotiating with the EU but also tried to make sure that anything that was negotiated would bear up to scrutiny locally. Mr Tabone argued that it is unsure whether the internal division led to a better deal for Malta (Appendix 3). As Mr Tabone put it (Appendix 3):

There were certainly times when we made it clear that every negotiated settlement would have to be approved by the Maltese public in a referendum and pushed to make sure that such settlements were as favorable and attractive as possible. Whether that led to us being granted better terms would be impossible to say (Appendix 3).

The negotiators had two general stances to persuade the negotiators (Pace, 2002, p. 34). The negotiators argued that the small size of Malta justified their demands. They also argued that the demands were very important from a Maltese perspective, but were insignificant for the

entire EU (Pace, 2002, p. 34). Examples of other persuasion tactics which were used during the negotiations can be found in the analysis of the accession negotiations of Caruana (2007). For example, the use of arguments which were strengthened by economic and scientific data (Caruana, 2007, p. 282) or emotional arguments (Caruana, 2007, p. 283). This analysis confirms expectation one since Malta has mainly used persuasion tactics during the negotiations.

#### Outcome of the negotiations

Malta joined the EU in 2004. All-important topics of the negotiations were handled to the satisfaction of the negotiators from Malta according to the chief negotiator Caruana (2007). Maltese became an official language, there was a statement made about the neutral diplomatic status of Malta, Malta got many transitional arrangements in the agricultural sector, got some important agreements about the fisheries chapter and got a good financial package according to Caruana (2007, 277). Caruana (2007, p. 204) considered the negotiations to be successful and felt that the EU had adjusted to the specific needs of Malta.

When comparing the amount of transitional arrangements that Malta received with the amount of transitional arrangements other countries received (Appendix 1), can be concluded that the outcome of the negotiations was indeed very successful. Malta has been granted many transitional arrangements, namely 30, only Poland was granted more transitional arrangements (Appendix 1). Besides these transitional arrangements Malta was also granted one permanent derogation, about the acquisition of real estate by non-residents of Malta (Caruana, 2007; Commission, 2003a). Getting a permanent derogation is very unlikely during negotiations and can be considered as a big success (Nicolaidis, 1998). Malta was the only candidate member state that had received a permanent derogation during the accession negotiations (European Commission, 2003a). The derogation that Malta got does not disrupt the internal EU market, and has very little impact on the EU, while it is very important for Malta (Pace, 2004, p. 38), which is a possible explanation for why the derogation was granted.

This outcome confirms the third expectation, namely that Malta was successful during the accession negotiations. This outcome does not confirm my second expectation that the bargaining position of Malta was very weak, and that Malta was unsuccessful during the negotiations. The bargaining position of Malta was even relatively strong. This analysis seems

confirms the fourth expectation, namely that countries with a low support for EU membership are successful during the accession negotiations, but Mr Tabone (Appendix 3) argued that it is impossible to say whether the internal division led to a better deal for Malta.

## Cyprus

### Before the accession negotiations

The Cypriot island has been split into a Turkish part and a Greek-Cypriot part. The government of Greek-Cypriot considers the Turkish part to be an occupation and there is a long-lasting conflict over the division of the island (Vassiliou, 2007) called the 'Cyprus dispute'. The lack of a solution to this problem and the need for security were the main reasons why the Greek-Cypriot government wanted to become an EU member (Vassiliou, 2007; Tocci, 2002). The perceived need for accession was so strong that the chief negotiator and former president of Cyprus George Vassiliou (2007, p. 121) deemed every effort and sacrifice justified. The bargaining position of Cyprus compared to the EU was weak, knowing that the chief negotiator was willing to accept anything in order to become a member of the EU. For a long time, it was very unsure if the EU would accept Cyprus as a candidate member state as the EU doubted if it was beneficial if a country with such great political instability would join the EU (Vassiliou, 2007, p. 121). The EU also feared the reaction of Turkey if Cyprus joined the EU (Yinagou, 2002, p. 7). This made the theoretical bargaining position of Cyprus even weaker.

### The accession negotiations

The accession negotiations started in March 1998 and were concluded in December 2002 (Vassiliou, 2007). EU membership was supported by all political forces on the Greek-Cypriot part of the island (Vassiliou, 2007; Tocci, 2002). The public support for EU membership was also relatively high, during the last two years supported around 50% of the population of the Greek-Cypriot part of Cyprus EU membership (European Commission, 2002a; European Commission, 2003b). During the negotiations was the focus on the quick implementation of the *acquis communautaire* to make sure Cyprus would become an EU member as soon as possible (Vassiliou, 2007). This resulted in the fact that the control by the parliament was weak (Vassiliou, 2007, p. 123). Also, the role of outside organizations was minimal during the negotiation process (Vassiliou, 2007, p. 123).

The division of the island was, of course, an important issue during the negotiations, but

the negotiations about a solution to the 'Cyprus dispute' and the accession negotiations were treated as different processes (European Commission, 1997 Christou, 2004). The negotiations about a solution to the 'Cyprus dispute' was left in the hands of the UN (European Commission, 1997; Christou, 2004). The Cypriot negotiators were conducting the negotiations about a solution to the 'Cypriot dispute' separately from the accession negotiations with the EU. Vassiliou (2007, p. 125) argues that the difficult topics during the accession negotiations with the EU were the single market, the competition policy, the future of the agricultural sector, taxation policies and environmental policies.

The accession negotiations created a big push to restructure and modernize the civil service, to make sure the Greek-Cypriot civil service could handle the workload of the accession negotiations (Vassiliou, 2007; European Commission, 2001). The civil service was facing a shortage of staff (Vassiliou, 2007, p. 122) and over the course of the negotiations more than 200 new posts were created (European Commission, 2002b, p. 16). This problem was so pressing in the legal department that even lawyers from abroad were hired to help (Vassiliou, 2007, p. 122). The Cypriot negotiators used several persuasion-based strategies during the negotiations. for example, they used official data to strengthen their arguments (Vassiliou, 2007, p. 134). In the analysis of the Vassiliou (2007) no examples are found of bargaining strategies. This observation aligns with the first expectation that small states use persuasion tactics during the negotiations.

### Outcome

Cyprus became a member of the EU in 2004. The implementation of the *acquis communautaire* in the Turkish Part of Cyprus, the area which is not under control of the Greek-Cypriot government, was suspended until a solution was found about the division of Cyprus (European Commission, 2003a). It is doubtful whether the negotiations can be considered a success as the Cypriot negotiators had to accept many policies it would rather not. An example is the closure of hundreds of meat and milk processing establishments to ensure that only those were open, which could meet the EU criteria (Vassiliou, 2007, p. 127). Nevertheless, Vassiliou (2007, 124) considers the negotiations to be a success based on the results of the accession negotiations. This statement is not strengthened if the results of the accession negotiations of Cyprus are compared with other candidate member states. Cyprus got fourteen transitional agreements, which a low number of transitional agreements

compared to the other candidate member states and far below the average of twenty transitional arrangement (Appendix 1).

This outcome seems to confirm my third expectation, that Cyprus had a weak bargaining position and was unsuccessful during the accession negotiations. It is likely that the weak bargaining position of Cyprus influenced the negotiations. The wish of Cyprus to join the EU was much larger than the wish of the current EU member to enlarge, which influenced the bargaining positions of the negotiators. This outcome does not confirm my second expectation that Cyprus was successful during the accession negotiations. The fourth expectation is confirmed, namely that states with a high level of support for EU membership are unsuccessful during the accession negotiations.

## Conclusion

This research has looked into the accession negotiations between small states and the EU. Four expectations regarding the negotiations were formulated based on my theoretical framework. These expectations were tested by different qualitative research methods. The first expectation was: *Cyprus, Estonia and Malta mainly use persuasion-based strategies during the negotiations.* Cyprus, Estonia and Malta have indeed mainly used persuasion-based strategies. Thereby these findings confirm the current literature about the negotiation strategies of small states (e.g. Panke, 2012a; Thorhallsson & Steinsson, 2017).

The second expectation was: *Cyprus, Estonia and Malta were successful during the accession negotiations.* This expectation is partly confirmed by my analysis. Only Malta can be considered successful during the accession negotiations since Malta received many transitional arrangements and was the only candidate member states which received a permanent derogation. The third expectation is: *it can be expected that the bargaining position of Cyprus, Estonia, and Malta was very weak during the accession negotiations and that these countries were unsuccessful during these negotiations.* The bargaining position of Estonia and especially Cyprus were relatively weak, while the bargaining position of Malta was relatively strong. Malta was successful while Estonia and Cyprus were unsuccessful during the accession negotiations. It is likely the bargaining position of the candidate member states has influenced the outcome of the negotiations. The bargaining position is based on the preference of the EU to enlarge and the preference of the candidate member state to join the EU.

The fourth expectation is: *It can be expected that the candidate member states with a high level of support for EU membership are unsuccessful during the negotiations and that countries with a low level of support for EU membership are unsuccessful during the accession negotiations.* This expectation can only be verified partially. In Cyprus there was strong support for EU membership and Cyprus was unsuccessful during the accession negotiations, this supports my expectation. In Malta relatively little support for EU membership was present and Malta was successful during the negotiations, which supports my expectation as well. The case of Estonia was slightly different. Only the public support for EU membership was low, while the political support for EU membership was strong, yet Estonia was unsuccessful during the accession negotiations. This mix in support does not confirm or reject my expectation. Based on these results it could be assumed that the impact

of the support of political parties for EU accession is larger than the impact of the public opinion on the outcome of the accession negotiations. It seems that a lot of political support contributed to the unsuccessful outcome of the accession negotiations of Estonia and Cyprus. Further research is necessary to test this expectation.

The main question of my thesis was: *How have Cyprus, Estonia, and Malta handled the negotiations with the EU about accession? And how can differences in success be explained?* As my analysis shows, these countries handled the negotiations very differently. A striking difference between the countries is the way these states they tried to involve the civil society during the negotiations. Malta was the only case, which actively tried to involve other organizations during the negotiations. Further research could investigate possible explanations for this difference in involvement of the layers of society in small states. Other dissimilarities were found in the structure of the negotiation team of the selected cases, what the priorities during the negotiations were and how long the negotiations took. The differences stem from the fact that Cyprus, Estonia and Malta are different countries, with different political and foreign policy situations and different wishes before entering the negotiations. The main similarity is that all these states used persuasion tactics during the negotiations. The effect of these persuasion tactics on the outcome is unclear.

Malta was very successful, while Estonia and especially Cyprus were relatively unsuccessful during the accession negotiations. The most important reason for the differences in success seems to be the bargaining position of these cases. The bargaining position of the cases is based on the preference of the EU to enlarge and the preference of the candidate member state to join the EU. It seems that the domestic political support for EU membership also has influenced the negotiations and that a lot of domestic political support is another explanation for the unsuccessful outcome of Estonia and Cyprus. Further research is necessary to test this causal relation.

This thesis contributed to the current literature about small states negotiations and EU enlargement in several ways. Firstly, this thesis has confirmed an important view in the current literature about the negotiations of small states, namely that small states mainly use persuasion-based strategies instead of bargaining-based strategies during international negotiations. In contrast to some literature this thesis demonstrated that small states are not necessarily unsuccessful during international negotiations as Malta handled the negotiations



successfully. Not the size of a state but state the bargaining position of a state seems to be the most import indicator of bargaining success during the accession negotiations and the bargaining position of small candidate member states is not necessarily weak. This bargaining position can be influenced by the physical and economic size of state but also by for example geopolitical arguments. The successful outcome of Malta is also in contrast with the assumption of the liberal intergovernmentalist theory that candidate member states are mostly unsuccessful during the accession negotiations with the EU. Lastly, this thesis also proved the relevance of the two-level game during the accession negotiations. Since the support for EU membership in Malta and Estonia was low, negotiators of Malta and Estonia were constantly making sure that the outcome would be accepted both on the national and the international level. The results for this thesis can be relevant for other small states, which want to join the EU or any other IO in the future. North Macedonia is, for example, expected to open the accession negotiations with the EU soon.

## Bibliography

- Baier, S. (2004). Bargaining Success in the European Union. *European Union Politics*, 5(1), 99-123.
- Bailes, A., & Thorhallson, B. (2013). Instrumentalizing the European Union in Small State Strategies. *Journal of European Integration*, 35(2), 99-115.
- Bryman, A. (2012). *Social Research Methods*. New York: Oxford University Press Inc.
- Caruana, R. (2007). The accession of Malta to the EU. In G. Vassiliou, *The Accession story* (pp. 259-278). New York: Oxford University Press.
- Christou, G. (2004). *The European Union and Enlargement*. New York: Palgrave Macmillan.
- Cini (2004). Culture, institutions and Campaign effects: Explaining the outcome of Malta's EU accession referendum. *West European Politics*, (27)4, 584-602.
- Commonwealth Secretariat (2015). What Are Small States? In Commonwealth Secretariat, *Small States: Economic Review and Basic Statistics, Volume 18*. London: Publication section Commonwealth Secretariat.
- Esser, F., & Vliegenthart, R. (2016). Comparative Research Methods. In J. Matthes, R. Potter & C. Davis, *International Encyclopedia of Communication Research Methods* (pp. 1-22). London: Wiley-Blackwell.
- Egström, O., & Jönsson, C. (2000). Negotiation in the European Union: bargaining or problem-solving. *Journal of European Public Policy*, 7(5), 684-704.
- Emmert, F., & Petrovi, S. (2014). The Past, Present, and Future of EU enlargement. *Forham International Law Journal*, 37(5), 1350-1417.
- European Commission. (1993). *The challenge of enlargement. Commission opinion on Malta's application for Membership*. Retrieved from: <http://aei.pitt.edu/5761/1/5761.pdf>
- European Commission (1997). *Agenda 2000. For a stronger and wider Union*. Retrieved from: [https://ec.europa.eu/agriculture/sites/agriculture/files/cap-history/agenda-2000/com97-2000\\_en.pdf](https://ec.europa.eu/agriculture/sites/agriculture/files/cap-history/agenda-2000/com97-2000_en.pdf)
- European Commission. (1999a). *Regular report from the commission on Estonia's progress towards accession*. Retrieved from: [https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/archives/pdf/key\\_documents/1999/estonia\\_en.pdf](https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/archives/pdf/key_documents/1999/estonia_en.pdf)
- European Commission, (1999b, February 17). *European Commission recommends opening of screening with Malta*. Retrieved from the European Commission press release database.
- European Commission (2001). *Making a success of enlargement. Strategy paper and report of the European Commission on the progress towards accession by each of the candidate countries*. Retrieved from: [https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/archives/pdf/key\\_documents/2001/strategy\\_en.pdf](https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/archives/pdf/key_documents/2001/strategy_en.pdf)
- European Commission (2002a). *Candidate countries Eurobarometer 2001*. European Commission.
- European Commission. (2002b). *Regular report from the commission on Cyprus's progress towards accession*. Retrieved from: [http://aei.pitt.edu/44554/1/cyprus\\_2002.pdf](http://aei.pitt.edu/44554/1/cyprus_2002.pdf)

- European Commission. (2003a). *Report on the results of the negotiations on the accession of Cyprus, Malta, Hungary, Poland, the Slovak Republic, Latvia, Estonia, Lithuania, the Czech Republic and Slovenia to the European Union*. Retrieved from: [https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/archives/pdf/enlargement\\_process/future\\_prospects/negotiations/eu10\\_bulgaria\\_romania/negotiations\\_report\\_to\\_ep\\_en.pdf](https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/archives/pdf/enlargement_process/future_prospects/negotiations/eu10_bulgaria_romania/negotiations_report_to_ep_en.pdf)
- European Commission (2003b). *Candidate countries Eurobarometer 2002*. European Commission.
- European Commission. (2004a). *European Economy*. European Commission. Retrieved from: [http://ec.europa.eu/economy\\_finance/publications/pages/publication451\\_en.pdf](http://ec.europa.eu/economy_finance/publications/pages/publication451_en.pdf)
- European Parliament. (1999, april 22). *Briefing No 41 Public opinion on enlargement in the EU member states and applicant countries*. Retrieved from: [http://www.europarl.europa.eu/enlargement/briefings/41a2\\_en.htm](http://www.europarl.europa.eu/enlargement/briefings/41a2_en.htm)
- European Parliament (2000). *Briefing no.5 Malta and Relations with the European Union*. European Parliament. Retrieved from: [http://www.europarl.europa.eu/enlargement/briefings/5a1\\_en.htm](http://www.europarl.europa.eu/enlargement/briefings/5a1_en.htm)
- Gerring, J. (2008). Case Selection for Case-Study Analysis: Qualitative and Quantitative Techniques. In J. Box-Steffensmeier, H. Brady, & D. Collier, *The Oxford Handbook of Political Methodology*.
- Gerring, J. (2009). The Case Study: What it is and What it Does. In C. Boix, & S. Stokes, *The Oxford Handbook of Comparative Politics*.
- Grimaud, J. (2018). *Small states and EU governance*. Palgrave Macmillan.
- Gromov, A. (2009). Environment–Related Negotiations – an Unforgettable Training Experience. In K. Tael, *Estonias way into the Eu* (pp. 55-54). Estonian Ministry of Foreign Affairs.
- Harwood, M. (2015). *Malta in the European Union*. Farnham: Ashgate.
- Ingebritsen, C., Neumann, I., Gstöhl, S., & Beyer, J. (2006). *Small states in International Relations*. Seattle: University of Washington Press.
- Kevvai, T. (2009). Estonia's accession to the European Union in the Agricultural sector. In K. Tael, *Estonias way into the Eu* (pp. 59-66). Estonian Ministry of Foreign Affairs.
- Kisel, E. (2009). Complicated negotiations in the Energy chapter. In K. Tael, *Estonias way into the Eu* (pp. 49-54). Estonian Ministry of Foreign Affairs.
- Kull, C. (2008). Pre-accession relations between Estonia and the EU. In K. Tael, *Estonias way into the EU* (pp. 16-23). Estonian Ministry of Foreign Affairs.
- Maass, M. (2009). The elusive definition of small state. *International politics*, 46(1), 65-83.
- Mikkil, E. & Pridham, G. (2004) Clinching the ‘Return to Europe’: The Referendum on EU Accession in Estonia and Latvia, *West European Politics*, 27(4), 716-748
- Moravcsik, A. (1993). Preferences and Power in the European Community: A Liberal Intergovernmentalist Approach. *Journal of Common Market Studies*, 4, 473-524.
- Moravcsik, A., & Vachudova, M. (2002). Bargaining among unequals: Enlargement and the Future of European Integration. *European Union Studies Association*, 15(4), 1-3.
- Moravcsik, A., & Vachudova, M. (2003). National interests, state power, and EU enlargement. *East European Politics and Societies*, 17(1), 42-57.

- Neumann, I., & Gstöhl, S. (2006). Introduction. In C. Ingebritsen, I. Neuman, S. Gstöhl, & J. Beyer, *Small states in International Relations* (pp. 3-39). Seattle: University of Washington Press.
- Nicolaides, P. (1998). Negotiating Effectively for Accession to the European Union: Realistic Expectations, Feasible Targets, Credible Arguments. *Eipascope*, 1-6.
- Oro, G. (2009). The Rocky Path of the Taxation Chapter in Accession to the European Union. In K. Tael, *Estonias way into the Eu* (pp. 36-81). Estonian Ministry of Foreign Affairs.
- Pace, R. (2002). A Small State and the European Union: Malta's EU. *South European Society & Politics*, 7(1), 24-42.
- Pace, R. (2003). Malta and EU Membership: Adaptation, Change and Modernisation. *Agora without Frontiers*, 8(4), 365-379.
- Pace, R. (2004). Malta's EU membership: Chapter 1 concluded, Chapter 2 just started. *Mediterranean Politics*, 9(1), 114-121.
- Palk, P. (2009). Estonians' Attitude toward the European Union. In K. Tael, *Estonias way into the EU* (pp. 162-176). Estonian Ministry of Foreign Affairs.
- Palmer, J. (1995, December 5). *Estonia signs up to join the EU*. Retrieved from The Guardian: <https://www.theguardian.com/world/1995/dec/05/eu.politics>
- Palk, P. (2009). Pre-accession relations between Estonia and the EU. In K. Tael, *Estonias way into the EU* (pp. 162-168). Estonian Ministry of Foreign Affairs.
- Panke, D. (2010). Small states in the European Union: structural disadvantages in EU policy-making and counter-strategies. *Journal of European Public Policy*, 17(6), 799-817.
- Panke, D. (2012a). Dwarfs in international negotiations: How small states make their voices heard. *Cambridge review of international affairs*, 25(3), 313-328.
- Panke, D. (2012b). Small states in multilateral negotiations. What have we learned? *Cambridge Review of Interational Affairs*, 23(3), 387-398.
- Panke, D., & Gurol, J. (2019). Small state in the European Union. In *Oxford Research Encyclopedia of Politics*. Oxford University Press.
- Peterson, J. (2001). The choice for EU theorists: Establishing a common framework for analysis. *Europan Journal of Political Research*, 39(3), 298-319.
- Prior, L. (2014). Content Analysis. In P. Leavy, *The Oxford Handbook of Qualitative Research*.
- Putnam, R. (1988). Diplomacy and Domestic Politics: The Logic of Two-Level Games. *International Organization*, 42(3), 427-460.
- Raik, K. (2004). EU Accession of Central and Eastern European Countries: Democracy and Integration as Conflicting Logics. *East European Politics and Society*, 4, 567-594.
- Rannu, K. (2009). Accession negotiations 1998-2002. In K. Tael, *Estonias way into the Eu* (pp. 36-44). Estonian ministry of Foreign Affairs.
- Seawright, J., & Gerring, J. (2008). Case selection techniques in case study research. *Political Research Quarterly*, 61(2), 294-308.
- Schimmelfennig, F., & Sedelmeier, U. (2002). Theorizing EU enlargement: research focus, hypotheses, and the state of research. *Journal of European Public Policy*, 9(4), 500-528.
- Schneider, C. (2009). *Conflict, Negotiation and European Union Enlargement*. New York: Cambridge University Press.

- Streimann, A. (2007). The accession of Estonia to the EU. In G. Vassiliou, *The Accession story* (pp. 157-187). New York: Oxford University Press.
- Steinsson, S., & Thorhallsson, B. (2017). Small State Foreign Policy. In C. Thies, *Oxford Research Encyclopedia of Politic*. Oxford University Press.
- Tabone, P. (2014). *Malta's EU story*. The today public policy institute.
- The Worldbank (2019). The World Bank In Small States. Retrieved The World Bank: <https://www.worldbank.org/en/country/smallstates>
- Thies, C. (2002). A pragmatic guide to qualitative historical analysis in the study of international relations. *International studies perspectives*(3), 351-372.
- Thorhallsson, B. (2018). Studying small states: A review. *Small states & Territories*, 1(1), 17-34.
- Thorhallsson, B., & Steinsson, S. (2017). Small state foreign policy. In C. Thies, *Oxford Research Encyclopedia of Politics*. Oxford University Press.
- Thorhallsson, B., & Wivel, A. (2006). Small states in the European Union: What do we know and what we would like to know. *Cambridge Review of International Affairs*, 19(4), 651-688.
- Tocci, N. (2002). Cyprus and the European Union Accession Process: Inspiration for peace or incentive for crisis? *Turkish Studies*, 3(2), 104-138
- Toshkov, D. (2009). Between politics and administration: compliance with EU law in Central and Eastern Europe (Doctoral Thesis). Leiden University.
- Vassiliou, G. (2007). The Accession of Cyprus to the EU. In G. Vassiliou, *The Accession story* (pp. 117-143). New York: Oxford University Press.
- Veenendaal, W., & Corbett, J. (2014). Why small states offer important answers to large questions. *Comparative Political Science*, 48(5), 527-549.
- Vetik, R. (2003) E'lite vs. People? Eurosceptic public opinion in Estonia. *Cambridge Review of International Affairs* (16)2, 257-271.
- Verheugen, G. (2002). The Enlargement of the European Union. *European Foreign Affairs Review* (5), 439-44.
- Vilpisauskas, R. (2003, March 27-29). The final stage of the EU-accession game: The Baltic states- the likely victims of their own success? Paper presented at EUSA Conference, Ljubljana.
- Yiangou, G. (2002). The accession of Cyprus to the EU: Challenges and Opportunities. *Journal on Ethnopolitics and minority issues in Europe* (2), 1-15.

## Appendix 1. – List of transitional arrangement per country

Table. 1 List of transitional arrangements per country (European Commission, 2003a).

Countries	Transitional arrangements
Cyprus	14
Czech Republic	11
Estonia	17
Hungary	21
Latvia	25
Lithuania	20
Malta	30
Poland	35
Slovakia	12
Slovenia	15
Average number:	20

## Appendix 2. Interview with Patrick Tabone

Mr. Tabone was the chief of staff to the Maltese Minister of Foreign Affairs and part of the chief negotiation team of Malta during the accession negotiations with the EU.

Location: I interviewed him via the telephone

Data and time: May 12, 2019 – 14:00

Interviewer: Ariane Litjens

Length: 10;15 minutes

Ariane: Hallo mister Tabone my name is Ariane Litjens and I am writing my thesis about the accession negotiations between Malta and the EU. I was wondering if I could ask you some questions about this subject?

Mr. Tabone: Yes of course

Ariane: Is it okay if I record this interview?

Mr Tabone: That is okay. I was wondering how long the interview will take place, since I have a busy day.

Ariane: No more than ten minutes.

Ariane: I was wondering how did you experience the accession process?

Mr. Tabone: I was wondering how did you find me? Did you see the paper I wrote about the accession negotiations?

Ariane: Yes, I have read the paper you have written.

Mr. Tabone: So, the question was?

Ariane: How have you experienced the accession process?

Mr. Tabone: Personally, or professionally?

Ariane: I was wondering about both aspects.

Mr. Tabone: It was an intense period. The process itself was extremely complex and it was also politically very intense. We have a two-party system, with two main parties. These two parties were completely at odds with each other about EU membership. So, we were not just negotiating with the EU, but also, we had to ensure that anything that was negotiated would bear up to scrutiny locally.

Ariane: Did the internal division of EU membership made the negotiations more difficult?

Mr. Tabone: Yes, it made the process extra difficult. It meant that we went into everything a bit more deeply than other candidate member states did and really tried to get the best deal.

Ariane: This this internal division have an impact on the outcome of the negotiations?

Mr. Tabone: There were certainly times when we made it clear that every negotiated settlement would have to be approved by the Maltese public in a referendum and pushed to make sure that such settlements were as favorable and attractive as possible. Whether that led to us being granted better terms would be impossible to say. But certainly, the fact that we knew that every element of the negotiation was going to be scrutinized meant that we always went the extra mile to get the possible deal.

Ariane: Thank you for you answer.

Ariane: Did Malta experience any problems resulting from the fact that Malta is a smaller country with a relatively small civil service.

Mr. Tabone: Yes of course it was the most difficult and complex exercise the civil service had to do. Because our country is slightly smaller there are several issues which are also less important. There were some issues where we did not have to go into much detail. Since Malta has a small civil service, a large part of the civil service was very actively engaged in this process in one way or another. It was a challenge that brought out the best of the civil service. We managed it well in the end.



Ariane: So, during the negotiations you tried to prioritize

Mr. Tabone: Of course. Very early in the process we made list of priorities. Our strategy to get what Malta.

Ariane: The outcome of the accession negotiations between Malta and the EU was very good in comparison to the outcome of the other candidate member states. Do you have a reason for this success?

Mr. Tabone: We were very realistic, and we did not try to take anything or to win anything that we did not need. If Malta did need something during the negotiations, we made sure we made a good case for it. We told the negotiators from the EU that we were going to present the result of the negotiations during a referendum and that we needed the best result in order to win the referendum. At the same time we did very good technical homework, we prepared ourselves well. If we wanted something during the negotiations, we strengthen our case with data. A combination between a strong political appeal for the best deal and at the same time doing a lot of technical work made it easier for the commission to make the exceptions which we needed.

Ariane: Thank you for your clear answer. My final question is about the UK. I was wondering about the role of the UK during the accession negotiations. Did they support Malta during the negotiations?

Mr. Tabone: At the time our biggest friend would have been Italy as closed neighbour and the UK because of our rich history. Both countries and several other countries promised to help us during the negotiations. There was help, mostly in the form of technical assistance. They would for example sent an expert. The help was much appreciated but cannot be seen as a reason for the outcome of the negotiations.

Ariane: Thank you for your answers and your time. Your answers are very helpful for my thesis I will not take more time out of your busy day.

Mr. Tabone: Thank you very much. Bye.

### Appendix 3. Interview with Alar Streimann

Mr. Tabone was the chief negotiator of Estonia during the accession negotiations with the EU.

I could ask him two questions over the e-mail.

**Question 1:** During the accession negotiations the support for Estonian membership under the population was relatively low. I was wondering whether (and if so in what form) this impacted the accession negotiations?

True, support for the EU was quite low, less than 50%. On the other hand, in Estonia public opinion about the course and conduct of accession negotiations was also regularly measured, and this remained constantly very high, I believe around 70%. So from that point of view, the answer is no, I/we did as good as we could and we did things what we believed in and which were realistically achievable. But obviously, I remained constantly aware, in fact from the very start of negotiations, when I was drafting elements for our starting position, that the final results would have to be accepted many years later by the public opinion at the referendum. Which means that the targets which were set had to be in correlation with results that I expected, and I wanted to be sure that years later I would still be able to answer to any word in our starting position.

**Question 2:** I was wondering what you considered to be the biggest success during the accession negotiations?

It is difficult to answer to this question because the process was long and complex one. It was both a kind of huge management exercise, and a personal challenge. Partly the answer to this question is the end of the previous one. Almost all goals that I had set when we started off in early 1998, with zero knowledge and very limited resources and experience, were in fact fulfilled and achieved five years later, whether in concrete results for concrete negotiation areas, or either in broader public acceptance. But then, there were many-many small happy moments, which, at the end of the day, were perhaps the best. Consider visa freedom issue that I threw into our opening statement only a few hours before the start of the opening ceremony – and a few months later Europe was open for Estonians, a negligent issue for negotiations, but psychologically important real life and public opinion victory played out at right moment. And there were many others. In fact it was quite obvious – not perhaps for the broader public back then – that many of detailed negotiation issues would be forgotten years

later when their actuality had diminished, even if they were fiercely debated then. In fact, it happened quite soon. So from this point of the view the biggest success was no particular negotiating subject but the fact of bringing Estonia, which only ten-twelve years before had been nonexistent for international community, smoothly, with solid public support, into the EU and setting the country at par with any other.