

# New Europe College Yearbook 2009-2010



---

CRISTIAN CIOCAN  
CRISTIAN DANIEL  
MIRCEA GRAȚIAN DULUȘ  
CLAUDIU GAIU  
DIANA GEORGESCU  
DAN LAZEA  
VERA MARIN  
DANIEL NIȚU  
TOADER POPESCU  
SAMUEL PAKUCS WILLCOCKS

---

Editor: Irina Vainovski-Mihai

Copyright – New Europe College  
ISSN 1584-0298

New Europe College  
Str. Plantelor 21  
023971 Bucharest  
Romania

[www.nec.ro](http://www.nec.ro); e-mail: [nec@nec.ro](mailto:nec@nec.ro)  
Tel. (+4) 021.307.99.10, Fax (+4) 021. 327.07.74



## DAN LAZEA

Born in 1974, in Timișoara

Ph.D. in Philosophy and Philosophical Hermeneutics, Babeș-Bolyai University  
Cluj / University of Turin (2007)

*Thesis: Luigi Pareyson: Existential Personalism, Hermeneutics,  
Ontology of Liberty*

Lecturer, West University of Timișoara, Faculty of Political Sciences,  
Philosophy and Communication

### Scholarships:

Eiffel Excellence Scholarship of French Ministry of Foreign and European  
Affairs, University Montesquieu Bordeaux IV (2010 – 2011)

Study of the United States Institute on U.S. Foreign Policy, University of Florida  
(2009)

Global Supplementary Grant of Open Society Institute, University of Turin  
(2002 – 2003)

International conferences: Bulgaria, France, Germany, Italy, Netherlands, Peru,  
Poland, Spain, UK, United States

Several articles and book chapters in philosophy and political science

**Book:**

*Filosofia lui Pareyson. Personalism existențial, hermeneutică, ontologia  
libertății*, Timișoara University Press, Timișoara, 2009

# THE EUROPEAN UNION'S EXTERNAL RELATIONS: FROM THE PRINCIPLE OF NON-INTERVENTION TO POLITICAL CONDITIONALITY

## Introduction

For most of modern history, nation-states have been seen as the ultimate holders of political power in the conduct of external affairs. In International Relations as an academic discipline, the state has also been regarded as the most important element in analyzing world politics. The international system developed mainly after the Peace of Westphalia (1648) placed at its core the idea that nation-states are equal units that cannot intervene in the internal affairs of other states, an idea which ultimately led to the conclusion that a state of anarchy is the final reality in international affairs. Is political conditionality, as developed in recent decades, compatible with the Westphalian philosophy on which the contemporary international system is based? If not, how has political conditionality succeeded in challenging the legitimacy of the old paradigm? The article answers these general questions by placing them into the framework of the external relations of the European Union (EU)<sup>1</sup>, using a historical perspective and following a constructivist research agenda.<sup>2</sup>

It is not the aim of this article to analyze the consistency of political conditionality through all forms of EU external relations. Nor is it to question the effectiveness of this strategy; therefore it will not try to measure how effective political conditionality has been in bringing about democracy and improving the human rights record in target countries. The present article seeks to explore how the EU came to use this mechanism in its external conduct, despite strong opposition to the very idea that one state could have the right to question what happens inside another. There are actually two related, yet different, issues at stake: the first refers

to the development of political conditionality as a legitimate discourse in international relations, while the second tries to explain how the EU came to be recognized as the most important international actor using political conditionality in its external relations. Challenging the realist account of recent international relations history,<sup>3</sup> the article suggests that the context of the 1990s in the immediate aftermath of the end of the Cold War cannot fully explain the importance political conditionality has assumed in the conduct of foreign policy in general and of EU external affairs in particular. The article's main argument is that the EU has had a history of practicing political conditionality long before the end of the Cold War, thus before this conditionality was regarded as a "mechanism" and formalized into a "policy" of the EU. This history has opened the door to the normative discourse practiced by the EU in its foreign affairs during the 1990s, and made it more credible by the same token. Although European states started from a critical position at the end of the Second World War, because of the long European colonial history in Africa and Asia, they succeeded in making political conditionality a cornerstone in foreign affairs by offering the model of the European Community (EC) political project and by practicing the same policy in a persuasive manner regardless of the interests at stake. By doing so, the EU delegitimized the discourse that accused any type of normative discourse in European foreign affairs as a new form of "standard of civilization".<sup>4</sup>

This article is divided into four parts. The first part will identify explicit or implicit references to democracy, democratization, and human rights protection in the European Communities' relations with Greece, from the signing of the Association Agreement and through the "freezing" period, until democracy was reinstalled and negotiations for the EC accession reopened. By doing so, it will spotlight the origins of what developed later in the 1990s into the doctrine of political conditionality, as used in the process of European integration of former Communist states. This part will be followed by a shift towards the relation between the EU and countries which belonged as colonies to EU member states. Also known as African, Caribbean and Pacific (ACP) countries, this group is diverse in terms of both cultural background and economic potential. Nevertheless, they share a recent history of gaining independence from European powers, and the difficulties encountered in building up their own economic and political systems. The development of EU-ACP relations serves this argument by showing how the EU position starts from outright denial of any interference in the internal affairs of newly independent states and

arrives at the recognition of principles of democracy and human rights protection as essential conditions in official agreements between the parties. The third part of the article will present the main changes in both the vocabulary of international relations and in the international political context, changes that have gradually softened the doctrine of sovereignty and non-interference by introducing the concept of international protection of human rights. The Helsinki Final Act introduced into the divided Europe of the 1970s the idea that human rights could be an object of international concern (3.1). At the same time, dynamics inside the EU institutions and the increasing role of the European Parliament (EP) provided the basis for a post-national European arena and a model of a supra-national system of human rights protection (3.2). Moreover, after several situations involving human rights violations, corruption, and authoritarian regimes in third countries with which the EU had various types of agreements, a revision of the doctrine of absolute sovereignty was needed more than ever (3.3). However, the idea that a treaty may be suspended because of gross human rights violations has only become possible through the evolution of international law and after the important Law of Treaties entered into force (3.4). Finally, the last part of the paper follows the implications of these evolutions by presenting the generalization of political conditionality and the evolution towards a systematic approach in the EU's external relations.

## **1. The EC-Greece relationship: association, freezing, integration**

The history of EC-Greece economic cooperation starts very early, in 1962, with the coming into force of the Association Agreement, usually called the Athens Agreement, between the two parties, signed 9<sup>th</sup> July 1961. The Athens Agreement was the first association agreement signed by the EC and its legal basis was Article 238 of the Treaty of Rome, which states that the Community may conclude with third country agreements creating an association. The Athens Agreement covers several policies, from customs and agricultural policies to transport and competition. The development of the economy of Greece was also included in the Agreement and, consequently, Greece was able to obtain loans of up to \$125 million from the European Investment Bank during the first five years of association.

There is no provision, neither in the main text of the Agreement, nor in the preamble, which may resemble the future mechanism of political conditionality: no reference to democracy and no reference to human rights. Still, references to democracy and human rights entered the scene through another gate. The Athens Agreement is not only an economic document; it is also the first legal document of the EC which speaks of the possibility of EC enlargement. Indeed, recognizing the aspiration of Greece to become a member of the Community, the legal reference is no longer Article 238, but Article 237, which provides that any European State may apply to become a member of the Community. The EC, as a *common* project, was founded upon certain values and the Preamble of the Agreement clearly refers to them: peace and liberty are common European ideals, and the document once again calls any European country to join this initiative. Concluding, the Athens Agreement had an implicit political dimension beyond the overall economic goal. More than that, speaking for the Council about the Association Agreements with Greece and with other early associated states, Mr. Harmel acknowledged their future full membership in the Community in terms of a voluntary association of peoples sharing the same democratic values and a long parliamentary tradition, an idea reaffirmed several years later, in 1976, by Mr. Van der Stoep, President in office of the Council, upon the occasion of Greece restarting the process of negotiating admission to the EC.<sup>5</sup>

The two parties agreed to establish a number of common bodies to supervise and coordinate the agreement, but also to solve disputes arising from its enforcement: a Joint Council of Association and a Mixed Parliamentary Committee. The Committee was to be formed by an equal number of Greek and European MPs, and its main task was to supervise the implementation of the agreement. Precisely because of its mixed membership, the functioning of the Committee was questioned during the military regime in Greece, as will be shown below.

The Athens Agreement evolved normally in the first years. For example, a document of the Directorate General for Agriculture of the EC Commission from June 1965 briefly summarizes Greece-EEC relations in this policy area. It notes that, although a final agreement on harmonization for certain products had yet to be reached, the Council of Association had finalized negotiations on other produce and continued to work through the manifold problems involved. Furthermore, another paragraph in the document is significant for the general optimistic atmosphere concerning prospective political development: "The Community (...) takes the view



that direct participation in the institutional machinery of the common agricultural policy must be considered in the terms of subsequent Greek membership of the Community (...)."<sup>6</sup>

However, five years later, an event changed the development of the agreement. Indeed, the *coup d'état* by Greek army officers on 21<sup>st</sup> April 1967 and the military regime installed in the aftermath of the *coup* radically transformed EEC-Greek relations. The seven years of junta regime was marked by the suspension of democratic political life and by a number of human rights violations: arbitrary arrest and detention, political purges and torture, etc.<sup>7</sup> The first institution that stood up and reacted to the new political situation in Greece was the European Parliament, in contrast with the rather slow and vague reaction of the European Commission. At the beginning of May, the EP adopted a resolution in which it expressed its concern over the suspension of democratic life in Greece and its hope that democracy would be soon reestablished. Moreover, and this is a very important point for the argument developed here, the resolution expressed its view on the future application of the Association Agreement, considering that this should be delayed. The reasoning behind this was that no step in the framework of the Agreement could be taken until the mixed Parliamentary Association Commission met again. And the *condition* for the Commission to function would have been the existence of a Greek democratic Parliament, suppressed, at that time, by the authoritarian regime.

For the EC, responding to the anti-democratic developments in Greece represented a real challenge and a way to clarify its own fundamental values. In terms of international law, the European Commission insisted that there was no ground for suspending or terminating the Athens Agreement as a commercial treaty between two independent parties. In fact, in the area of trade and tariffs, the Agreement continued to produce effects. Only those areas where the parties had to continue negotiating in view of harmonization, for example in the field of agricultural policy, were subject to 'freezing'. As far as the political justification is concerned, a series of oral and written questions addressed by the members of the EP helped clarify the matter and created a precedent upon which the future enlargement policy would be based: acknowledging the intention of Greece to become a member of the Community, the Agreement ceased to be a mere economic treaty and became a political document.<sup>8</sup>

Therefore, following intense pressure by the European Parliament, the European Commission started a unilateral 'freezing' of the Agreement.

Indeed, even though certain commercial provisions continued to produce effects, all agricultural negotiations were interrupted and discussions about accession were suspended for an indefinite period.<sup>9</sup> The 'freezing' period ended immediately after the conclusion of the military regime in Greece and the theme of Greece entering the EC accompanied the democratic transformation of the country.<sup>10</sup> Can one explain the success story of the democratization of Greece and its European integration in terms of political conditionality? From a legal perspective, of course not, because there was no such conditionality policy expressed in legal terms in the official documents between the EC and Greece. However, the economic consequences of the 'freeze' and the political isolation of the regime definitely played a certain role in the gradual erosion and final overthrow of the junta.

A further clarification is needed in order to understand the democratic evolution of Greece after 1974. As argued by some authors, other factors in the post-junta political system led the process of democratization in a more direct manner than the European institutions. In the analysis of Spourdalakis, the key factors in democratic consolidation were related mostly to internal characteristics of Greek society: "the 'format' and the 'mechanics'" of the new party system, "as well as the system's relation to society and the role of the newly formed democratic institutions, articulated by the leading political elites of the forces who controlled the transition process".<sup>11</sup> Greece's strategy of aiming for European integration can also be understood not in economic terms, but as the logical choice in the aftermath of the highly traumatic experience of the 1974 Cyprus crisis. The invasion of the island of Cyprus by Turkey – an allied partner under the NATO umbrella – reoriented Greek foreign policy and "the adoption of a more sophisticated 'external balancing' strategy became, in the minds of Greek policy-makers, the only way to enhance Greek deterrence."<sup>12</sup> The EC appeared in this context as the most important actor capable of counterbalancing NATO support for Turkey's policy in the region, and this reason is powerful enough to explain on its own the European path of the Greek state.

It is outside the scope of this article to analyze the efficiency of political conditionality or to explain the democratization of Greece in terms of pressure coming from outside, i.e. from the EC. However, by delineating attempts by European institutions to introduce explicit political conditions into the dialogue with an Associate country in the decades before 1989, this part of the article has offered support for the idea that developments

in the 1990s were anticipated and made possible by previous experience gained during the Cold War.

## **2. Introducing implicit conditionality in EC relations with ACP countries**

Relations between the EC and former colonies of the Member States were regulated in a special part of the 1957 Treaty of Rome. The fourth part of the Treaty establishes the 'association' status of the colonies, called, in the Treaty, "overseas countries and territories" or, more exactly, "non-European countries and territories which have special relations with Belgium, France, Italy and the Netherlands". The Treaty asserts that the purpose of the association is "to promote the economic and social development of the countries and territories and to establish close economic relations between them and the Community as a whole."<sup>13</sup> The phrase "special relations" was meant to cover a large range of unresolved issues in the process of transformation in each European state and, therefore, even more difficult to negotiate within the Community framework. In France, for instance, the legal framework concerning its *territoires* was anything but clear at the time of negotiating the Rome Treaty. The situation is very well described by Paule Bouvier: "Le stade de l'Union française était dépassé, celui de la Communauté française n'était pas encore atteint et l'on se trouvait en pleine mise en oeuvre de la « Loi cadre »."<sup>14</sup>

The Treaty of Rome created the Association Agreement between the two parties, the EC on the one hand, and "overseas countries and territories" on the other hand, for a period of five years. Precisely this period saw a succession of developments, and around 1960 the vast majority of African countries declared their independence. The main question in the new context was how to continue economic cooperation of the newly independent states with the EC, and whether the association could continue as if nothing happened. If a new framework of association was needed, what legal basis could be used as its foundation: the special fourth part of the Treaty of Rome speaking about "special relations", or the general Article 238<sup>15</sup> which provides the framework for association with EC of any independent state in the world?

Moreover, it was not only on the African side that things changed in the years following the signing of the Treaty of Rome. Once the EC was

established as such after 1958, the newly created institutions (the European Commission, first of all) could claim the leading role in negotiating Association Agreements with third countries. Indeed, this was one of the first tensions between the new European supranational institutions and the Member States. After a compromise was reached, a common team of the European Commission and Member States representatives conducted the negotiations for reaching the new Convention between the Six and the eighteen associated African States and Madagascar (AASM). The document, signed on 20<sup>th</sup> July 1963 in Yaoundé, reconfirms the Association Agreement resulting from the Treaty of Rome. In order to understand the complex historical situation in which Yaoundé I was signed, it suffices to mention that the Soviet Union had already put pressure upon recently independent African states to interrupt the new framework of economic relations with the EC. The Association Agreement was denounced as a mask for old colonialism, and the First Secretary of the Communist Party of the Soviet Union, Nikita Khrushchev, described the EC as a “state-monopoly agreement of the Western European financial oligarchy that threatened the vital interests of all peoples and the cause of peace in the entire world”.<sup>16</sup> After another period of five years, a second Yaoundé convention was signed on the basis of the same principles.

During the existence of the Yaoundé II convention, important events played out on the international scene, among them the first enlargement of the EC, which added three new members to the six founding states; Ireland, Denmark, and the United Kingdom. For the current purpose of this article, United Kingdom accession to the EC is of overwhelming importance, for it adds a long list of new “overseas” entities with whom the EC had to establish “special relations.” In fact, during negotiations for enlargement, three options were envisioned for the 20 independent states of the Commonwealth, once the United Kingdom became a member of the EC: (a) to join the Convention replacing Yaoundé II, (b) to sign an Association Agreement under Article 238 of the Treaty of Rome or (c) to conclude simple trade agreements with EC.<sup>17</sup> Furthermore, United Kingdom membership in EC structures created new conditions for a more “global” approach for European assistance and cooperation with developing countries, counterbalancing the French “regional” approach, which favored former African colonies.

The task of reaching an agreement was so difficult that negotiations took 18 months. Finally, the document was signed in the capital of Togo, Lomé, on 28<sup>th</sup> February 1975, and entered into force on 1<sup>st</sup> April, 1976.

The Convention comprised 46 African, Caribbean and Pacific (ACP) states and 9 EC states, proving its ambition to embrace a comprehensive EC policy regarding development cooperation with third countries. Among the many innovations of Lomé I is the replacement of the Yaoundé I & II principle of reciprocity by a unilateral system of trade advantages.<sup>18</sup> This means that while almost all goods originating in the ACP states could enter Community's market in unlimited quantities, products coming from the EC could be subject to unilateral limitation and taxation by ACP countries.

This and other provisions favoring the ACP countries cannot be understood outside the logic of the Cold War. Although it is true that ACP countries showed a striking unity during negotiations – in sharp contrast with the different voices expressed in the EC camp – their power to achieve their political ends through diplomatic negotiations would have been much weaker without the constant pressure exercised by the Soviet Union and its effective support for anti-capitalist regimes around the world, as events in Korea, Vietnam or Cambodia demonstrated. It would have been even more difficult to introduce any political considerations into the Convention, any attempt in this direction constituting proof that former colonial powers were still trying to interfere in the internal affairs of newly independent states. It is also true that the international framework regarding the protection of human rights was still in a nascent state and that the political situation, especially in African countries, was so unclear that it was difficult to point out who should be blamed for human rights violations. Furthermore, US foreign policy, centered on the doctrine of containment, supported undemocratic regimes in various countries considered of strategic importance in the battle against the spread of Communism, thus complicating any discourse about democracy and human rights in international relations.

Therefore, negotiations for the first conventions between the EC and ACP countries were marked by opposing constraints. On one hand, from an economic perspective, the EC export market was highly important for ACP countries and thus for their development, as were the financial mechanisms and development funds directed towards them by the EC. On the other hand, from a political perspective, the EC countries had limited negotiation power due to internal disagreements, the colonial past of some Member States, and the logic of the Cold War. As a result, the general doctrine of the time regarding international relations was encapsulated in the principle of sovereignty, non-interference in the internal affairs of a state, and diplomatic dialogue between equal parties.

In 1979, in a memorandum to be discussed with ACP countries during negotiations for Lomé II,<sup>19</sup> the Commission expressed the idea of an explicit reference to human rights in the Preamble of the future convention.<sup>20</sup> Even though the EC succeeded in this attempt only five years later by introducing such a reference in Lomé III, it is significant that the first attempt took place at the end of the 1970s, proving a striking correlation with what was happening in the same period in the case of Greek accession to EEC. Still, the reference is not a legal provision in the main text of Lomé III, but only part of a symbolic declaration in the Preamble, stating that the parties adhere to the principles of the UN Charter and affirming “their faith in fundamental human rights, in the dignity and worth of the human person”.<sup>21</sup> This kind of policy has been called “implicit conditionality” because it is the result of combining a non-binding provision in an international document with *de facto* consequences in situations in which systematic human rights violations have occurred in third countries.

In the fourth Lomé convention of 1989, Article 5 represents a first formulation of what thenceforward became a common practice in EC external relations. Thus, the article underlines that at the core of development policy lies the idea that man is “the main protagonist and beneficiary of development, which thus entails respect for and promotion of all human rights”. Further, the document stresses that “cooperation operations shall thus be conceived in accordance with the positive approach, where respect for human rights is recognized as a basic factor of real development and where cooperation is conceived as a contribution to the promotion of these rights”.<sup>22</sup> This legally binding provision allowed the Community to put pressure on third countries in the case of human rights violations, given the legal basis for suspension or termination of the treaty. As the next part will show, international law has codified this idea in the doctrine of “material breach of a bilateral treaty” in which case parties are entitled to “invoke the breach as a ground for terminating the treaty or suspending its operation in whole or in part”.<sup>23</sup>

### **3. A new vocabulary of international relations in a changing world**

In order to understand the history of European integration and the subsequent process of institutionalization of the EC’s external dimension,

the whole process should be placed in the general framework of the international scene. The beginning of the Cold War, the creation of the United Nations and the beginning of the decolonization process, all shaped the setting in which European politicians had to decide for their states. It is not by chance that at the opening of the UN Charter of 1945, Article 2 indicates the “sovereign equality” of all Member States as a founding principle for the Organization: “The Organization is based on the principle of the sovereign equality of all its Members.” The same article 2 also explains the principle of non-intervention in the internal affairs of a country:

“Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter.”<sup>24</sup>

Underlying both the principle of sovereignty and that of non-intervention was a normal solution in the historical context.<sup>25</sup> Because of the rivalry between the US and the USSR, these principles had the role of guaranteeing each state the freedom to choose the ideology underpinning their form of government. Additionally, the USSR rejected any discussion related to any possible international surveillance in the field of atomic research. The refusal has to be understood against the background of American technological supremacy in the field and the Soviet Union’s fear that international surveillance of their atomic research program would prevent them from catching up with the US. Therefore, the Soviet Union worked hard to strengthen the principle of sovereignty and to denounce any attempt to establish international mechanisms of control as an intervention in the internal affairs of a state.

The so-called *détente* in East-West relations during the 1970s also represented a turning point in the Community’s approach towards ACP countries and, in a broader sense, towards the rest of the world. To understand the changing nature of the international system in the last two decades of the Cold War, it is important to consider the evolution of a new vocabulary of international relations, which developed alongside a series of events on the international scene.<sup>26</sup>

### ***3.1 The Helsinki Final Act and international concern for the protection of human rights***

First of all, there was growing concern for human rights and for the consequent development of international legal instruments for their protection and enforcement, mostly but not solely within the UN institutional framework. Of special importance was the Conference on Security and Cooperation in Europe (CSCE) and the signing of the Final Act (Helsinki Act) in 1975.<sup>27</sup> Soviet propaganda presented the Conference and the Final Act as a great success of the Communist bloc, especially the recognition of borders as established after the end of the Second World War. However, as Cold War history later showed, another provision in the Final Act played a crucial role in the aftermath of the CSCE, although it was not in the first positions on the so-called “Decalogue” of the Final Act, officially named the “Declaration on Principles Guiding Relations between Participating States”.

Apparently, the document summarizes the fundamentals of the post-Westphalian order: it outlines the first principle as being sovereign equality and respect for the rights inherent in sovereignty, later supplemented by the sixth principle of non-intervention in internal affairs. Moreover, these principles are consistent with those related to the duty of states to refrain from threatening or using force, and to recognize the territorial integrity of other states and the inviolability of their frontiers. Together they fueled Soviet enthusiasm at the end of the Conference, and seemed to seal the post-war partition of Europe and Soviet domination in the Eastern part of the continent. Compared to the previously described principles, little attention was paid, at the time, to the principle calling for the respect for human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief. It was in fact Title VII of the Helsinki Final Act that provided the basis for various dissident movements in the Communist states fighting for fundamental civic and political rights. More than that, the very fact that human rights had entered the vocabulary of international relations was a cornerstone in the evolution towards the later development of political conditionality. That the Soviet Union acknowledged the international community’s legitimate concerns regarding the human rights situation in a particular state, represented an implicit recognition of the idea that there are certain limits to the sovereignty principle. In other words, what is challenged here is the idea that states are absolute sovereigns, and that there is no superior framework in which they can be questioned about what happens within their frontiers.



### ***3.2 The dynamics within European institutions and the role of the European Parliament***

In the late 1970s and early 1980s the idea of further European integration received new stimuli. The first direct elections in 1979 provided the EP with a new and reinforced legitimacy, and its members tried to make this visible to the Europeans and to the rest of the world. Although less powerful when compared to other EC institutions, the EP succeeded in playing a significant role in certain issues related to EC external relations. Among other roles, the EP could adopt common declarations on issues considered relevant for the Community, a role with non-binding consequences, but which holds, nonetheless, a symbolic power. Indeed, the EP adopted a series of declarations on human rights violations reported in certain countries with whom the EC had association agreements or simple trade agreements.

By contrast, the European Commission exercised rather a technical role and could not take any political position. In addition, it was much less directly influenced or affected by public opinion. The Commission's importance in making the policy of conditionality effective during direct negotiations or implementation processes is obvious, as is its significant work in clarifying and introducing a systematic approach in this regard. However, even in such situations, the impetus came from the EP, which usually asked the Commission to write a Communication on certain issues or to undertake particular measures in response to negative developments in third countries. Alongside the Commission, the Council was more a space for negotiating and accommodating divergent national interests than a coherent framework for common external action.

In this context, the EP has played a significant role both in stimulating the *prise de conscience* in Europe regarding human rights abuses in partner countries and in delineating the Community's profile on the world stage. By gaining decisive new powers after the enforcement of the Single European Act, the EP was able to shape EC foreign action more actively. Apart from the interventions previously referred to in this paper, regarding Greece and ACP countries, the EP was active in promoting democracy and human rights in many other situations. For instance, after several steps undertaken by the EC following the repression of Palestinian riots in Israel after 1982, the EP blocked protocols accompanying technical and financial instruments directed toward Israel, by adopting a resolution on 9<sup>th</sup> March 1988.<sup>28</sup> Alongside the European Parliament, the EU Court of

Justice has on several occasions ruled on issues related to the promotion human rights. These decisions were important milestones for furthering the human rights agenda, as the reasoning beyond them helped advance the vocabulary of conditionality.<sup>29</sup> Just as it has moved forward the EU agenda towards deeper integration, the Court of Justice has also played an important role in supporting political conditionality in all EU foreign relations.

### ***3.3 The challenges of human rights violations, corruption, and authoritarian regimes***

As reports on human rights violations have reached public opinion in Europe, more and more voices have echoed the question, “What types of governments should be refused what types of aid?”<sup>30</sup> Events such as the atrocities under the despotic regime of President Idi Amin Dada in Uganda in the 1970s have shaken both public opinion and decision-makers worldwide. In other words, should the EC stop or suspend development aid, cooperation or even trade relations with a country, as a reaction to such events? In the case of development cooperation, is it legitimate to question the final destination of European money inside a target country in which there are allegations of corruption or human rights abuses or is this kind of inquiry an “interference in the internal affairs” of a sovereign state? In fact, after several decades of experience in the field of development aid and cooperation, a sound conclusion has started to take shape beyond ideological disputes: it is not enough to transfer development funds to a government of a country in order to improve the situation, if the money will never reach people in need. Or, in other words, a required mechanism of control has to be put in place in order to prevent authoritarian governments from using money for their own prosperity or, even worse, to fight against their own people. Otherwise, as a popular saying has it, development aid is nothing other than a way of transferring money from poor people in rich countries to rich people in poor countries.<sup>31</sup>

It is important here to mention the 1989 report of the World Bank entitled *Sub Saharan Africa: From Crisis to Sustainable Growth. A Long Term Perspective*. The report is a milestone for the evolution of development aid and has particular significance for the current aim of this article because it was published before the end of the Cold War and is, therefore, less easily contested as the result of the “neo-liberal” economic philosophy of the '90s. It is also important because it provides

another argument for the claim that, rather than a consequence of post-Cold War neo-liberal optimism, political conditionality is the result of the accumulation of experience in various international frameworks. The main claim of the report, namely that Africa “needs not just less government but better government,” should thus be understood in its original context:

“A root cause of weak economic performance in the past has been the failure of public institutions. Private sector initiative and market mechanisms are important, but they must go hand-in-hand with good governance – a public service that is efficient, a judicial system that is reliable, and an administration that is accountable to its public. And a better balance is needed between the government and the governed.”<sup>32</sup>

Obvious here is the difficulty of introducing “good governance” as a policy-making concept against the background of an international system based on the principles of sovereignty and non-intervention. Nevertheless it seems that at the end of the 1980s, international institutions such as the World Bank were on the way to rendering sovereignty subservient to respect for human rights.

### ***3.4 The evolution of international law: how to suspend a treaty?***

The evolution of international law after the end of the Second World War under the auspices of the UN is highly indebted to the work of the International Law Commission established in 1948 by the General Assembly. One of the main tasks of the commission was to help the codification of existing practices in relations between states. After twenty years working on different drafts, the final text proposed by the Commission was adopted during the United Nations Conference on the Law of Treaties on 22<sup>nd</sup> May 1969, and after a due process of ratification, entered into force on 27<sup>th</sup> January 1980.

Therefore, only starting from this date could a state or international organization invoke a legal basis in the framework of the UN for suspending or terminating a treaty with a third country. The Law of Treaties clarifies this aspect in Article 60, which starts with the following statement: “A material breach of a bilateral treaty by one of the parties entitles the other to invoke the breach as a ground for terminating the treaty or suspending its operation in whole or in part” and continues a little further on by explaining: “A material breach of a treaty, for the purposes of this article,

consists in [...] the violation of a provision essential to the accomplishment of the object or purpose of the treaty."<sup>33</sup>

Indeed, as the case of EC-ACP relations has shown, since the Law of Treaties entered into force one can find the innovation of inserting binding references in the first agreement negotiated between two parties. From then on, this practice has been refined and has taken different forms, while developing throughout the 1990s as a general principle in almost all aspects of EU external relations.

#### **4. Concluding remarks: towards a systematic approach in EU external relations**

For Europe, the year 1989 meant more the fall of the Iron Curtain and the beginning of European reunification than the end of the Cold War between the two super-powers, namely the US and the USSR. Indeed, once Communist parties lost power, Central and East European countries reoriented their foreign policy towards the West, claiming their legitimate place in European political structures.<sup>34</sup> It is really difficult to measure the capacity of their leaders to persuade EU politicians to include Eastward enlargement as a priority on the post-Maastricht agenda. However, it is certain that both Eastern and Western politicians have at different moments employed rhetoric discourse based upon such ideas as the historic chance to reunify the continent and the obligation of a values-oriented EU to act in accordance with its principles.<sup>35</sup> If it is true that by doing so, the "drivers" of the enlargement process have succeeded in moving on the agenda, then their success was based on previous EC engagement for democracy and human rights during the 1970s and 1980s, as described in the previous parts of this article.

At the end of the 1990s, almost all Central and East European countries officially requested accession to NATO and the EU. Confronted with the idea of enlargement towards the East, the 1991 Intergovernmental Conference prepared the initial form of the text adopted in 1992 and known as the Treaty of Maastricht. For the current purpose of this paper, the original Article F deserves special attention, because it is the first time democracy and human rights are explicitly mentioned in an EU Treaty. The article states that the system of government of the Member States is founded on the principles of democracy and that the Union shall respect its citizens' fundamental rights. The provision was further developed with

the revision implemented by the Amsterdam Treaty (1997), which provides that in the case of serious and persistent breach of human rights principles, the Council may decide to suspend certain of the rights deriving from the application of the Treaty to the Member State in question. For such a procedure to be feasible, the rule could not allow the state in question to use its veto, so that the Treaty provides that the rule to be used is that of qualified majority rather than unanimity.

The human rights and democracy provisions in the EU Treaty are important for at least two reasons. First of all, the EU is, from then on, more credible in its external promotion of human rights once it has internalized its fundamental principles. Secondly, it is important as an example of how the concept of absolute sovereignty in international relations has changed over time. It is true that the EU is more than an international organization, but at the same time, it is less than a federal state.<sup>36</sup> Therefore, in the name of absolute sovereignty, one could denounce the idea of defending human rights of citizens under the jurisdiction of a Member State in terms of “external intervention in the internal affairs of a state”.

As a community of values, the EU defined the main lines of enlargement policy in accordance with the Maastricht Treaty, in a set of requirements adopted in the Concluding document of the European Council on 21<sup>st</sup>-22<sup>nd</sup> June 1993, usually referred to as the “Copenhagen criteria.” The explicit political conditionality regarding enlargement is based, in fact, upon this document and, more precisely, upon this phrase: “Membership requires that the candidate country has achieved stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities.”<sup>37</sup> However, the EU has already employed many of these ideas during previous years, in the Association Agreements concluded with Central and East European countries. Based on all this experience, the European Commission summarized and developed the mechanism of conditionality two years later, in a Communication on the inclusion of respect for democratic principles and human rights in agreements between the Community and Third Countries.<sup>38</sup> More than anything else, the document provided a necessary systematic approach regarding the matter of human rights and democracy clauses. The Communication also recommended concrete ways of improving future agreements with third countries and explained the difference of vision between two kinds of clauses, namely the “Baltic clause” and the “Bulgarian clause” – both related to Article 65 of the Vienna Convention but at the same time diverging from it. They are actually a form of “additional clause” to the

“essential element” clause, providing for an immediate response in case of human rights violations.

The so-called “Baltic clause”, employed only in the first agreements with the Baltic States, Albania and Slovenia, allows for unilateral suspension of the application of the agreement “with immediate effect” in cases of serious breaches of essential provisions (related to respecting the human rights) without consultation of any kind. This is a very severe formula and was duly substituted by a more flexible one, called the “Bulgarian clause”, used in the agreements with Romania, Bulgaria, the Russian Federation, Ukraine, Kyrgyzstan, Moldavia, the Czech Republic, Slovakia, Kazakhstan and Belarus. Except for cases of special urgency, this clause provides for a conciliation procedure, thus allowing the parties to exchange their opinions. Therefore, another difference between the two is that the second one “is also designed to keep the agreement operational wherever possible”.<sup>39</sup>

Considering the positive impact of this initiative, the EU has gradually extended to other geographical areas the use of the additional clause, a practice initially intended only for OSCE countries. For example, a similar provision has been introduced in the reviewed version of Lomé IV in 1995, confirming human rights as an “essential element”. In this way, the EU arrived at a mature form of the conditionality mechanism in cooperation development relations with third countries, in accordance with the provisions of Article 130 U of the Maastricht Treaty. The last development in the field took place with the Lisbon Treaty of the Reform Treaty of the EU. Besides being founded “on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities”, the EU now explicitly bases its external action on the same principles and, therefore, develops relations and builds “partnerships with third countries, and international, regional or global organizations *which share the principles* referred to in the first subparagraph” (my italics).<sup>40</sup>

In practice, the consistency of political conditionality may be limited by political and economic considerations of the EU as a whole or by divergent interests of its Member States. Nevertheless, the remarkable advancement of the EU’s doctrine of democracy and human rights throughout the last two decades is undeniable. As this article has argued, the recent advancement would not have been possible without earlier implicit political conditionality developed in relations with Greece and the ACP countries. Furthermore, the evolution of political conditionality

was possible in a particular context, in which the principles of sovereignty and non-interference have become more flexible and suffered serious limitations. Important stages in this development cannot be explained in terms of the interests of nation states or rational calculation by political actors. It is, thus, plausible to admit that once accepted into the realm of international relations, some ideas have gained a force of their own. Therefore, it is not a surprise that the EU, as “a community of values”, raised expectations that it would act in accordance with its principles on the international scene, nor consequently that these expectations influence the behavior of the EU as a global player.

## NOTES

- <sup>1</sup> In this study, the term “European Union” (EU) refers not only to the entity existing after the Maastricht Treaty (1992), but also to the organization in general, including its predecessors. However, in those parts where attention is focused on a narrower period of time before 1992, the term employed is “European Community” (EC). As a generic term covering all three initial Communities, EC will be used also for situations in which economic relations with a third country involved only one of the three, the Economic European Community.
- <sup>2</sup> The constructivist approach both in IR and in EU studies continues to be an umbrella for a variety of schools and authors. See for example: GUZZINI, S., and LEANDER, A., *Constructivism and International Relations: Alexander Wendt and His Critics*, London, Routledge, 2006. For the current article, the main reference in shaping the research agenda is the Special Issue (1999) of *Journal of European Public Policy*, especially CHRISTIANSEN, T., JORGENSEN, K. E., and WIENER, A., “The social construction of Europe”, in *Journal of European Public Policy*, No. 6:4 Special Issue, 1999.
- <sup>3</sup> Liberal intergovernmentalism is a form of neo-realism in European integration studies and Andrew Moravcsik its most important promoter; see MORAVCSIK, A., “Preferences and Power in the European Community: A Liberal Intergovernmentalist Approach”, in *Journal of Common Market Studies*, No. 31 (4) 1993 and MORAVCSIK, A., *The Choice for Europe: Social Purpose and State Power from Messina to Maastricht*, UCL Press, London, 1998. For a critical perspective on the EU democracy promotion in Africa, see OLSEN, G.R., “Europe and the Promotion of Democracy in Post Cold War Africa: How Serious Is Europe and for What Reason?”, in *African Affairs*, No. 97, 1998.
- <sup>4</sup> DONNELLY, J., “Human Rights: A New Standard of Civilization?”, in *International Affairs*, Vol. 74, No. 1, 1998. Donnelly compares the internationalization of human rights norms and institutions with the old “standard of civilization” used by former colonial powers in relation with their possessions overseas. Though they are European in origin and sometimes used to cover the interests and preferences of Western countries, Donnelly argues in favor of the human rights as being a step forward toward moral progress of humanity.
- <sup>5</sup> VAN DER STOEL, M., *Conference between the European Communities and Greece. First meeting at Ministerial level. Statement by the spokesman of the Communities, Mr. Max van der Stoel, Minister, President in Office of the Council, on the occasion of the opening of the negotiations for the accession of Greece to the European Communities, 27 July 1976*, Brussels, 1976 [EU Speech], available at <http://aei.pitt.edu/id/eprint/10847> (accessed



- April 15, 2010). He actually cites his predecessor, Mr. Harmel, and adopts his remarks “as his owns”.
- <sup>6</sup> UNSPECIFIED, *The European Economic Community and Greece. Newsletter on the Common Agricultural Policy No. 36, June 1965*, Brussels, 1965 [EU Commission - Brochure], available at <http://aei.pitt.edu/id/eprint/6428> (accessed April 15, 2010), p. 5.
- <sup>7</sup> COUFOUDAKIS, V., “The EEC and the ‘Freezing’ of the Greek Association 1967-1974”, in *Journal of Common Market Studies*, vol. XVI, No. 2, 1977, p. 114.
- <sup>8</sup> The idea as such was expressed by the President of the Commission, Mr. Schiller, on 28 November 1967. For a more detailed account of the exchange of views on the matter, see COUFOUDAKIS, V, “The EEC and the ‘Freezing’ of the Greek Association 1967-1974”, pp. 116-118.
- <sup>9</sup> COUFOUDAKIS, V., “The EEC and the ‘Freezing’ of the Greek Association 1967-1974”, p. 119. The pressure exercised by the EP has continued throughout the whole period of seven years; see for example VREDELING, H., “Question écrite No 700/72 de M. Vredeling à la Commission des Communautés Européennes : Violation de droits de l’homme en Grèce”, in *Journal officiel*, C 045, 23/06/1973, p. 0024 and GLINNE, E., “Question écrite No 416/72 de M. Glinne à la Commission des Communautés Européennes : Violation de droits de l’homme en Grèce et application de l’Accord d’association CEE-Grèce”, in *Journal officiel*, C 138, 31/12/1972, p. 0084.
- <sup>10</sup> SPOURDALAKIS, M., “Securing Democracy in Post-Authoritarian Greece”, in PRIDHAM, G, LEWIS, P. (eds.), *Stabilising Fragile Democracies*, London, Routledge, 1996, p. 169.
- <sup>11</sup> SPOURDALAKIS, M., “Securing Democracy in Post-Authoritarian Greece”, p. 167.
- <sup>12</sup> KOSTAS, I., “State Interests, External Dependency Trajectories and ‘Europe’. Greece”, in KAISER, W., ELVERT, J., *European Union Enlargement. A Comparative History*, London, Routledge, 2004, p. 86.
- <sup>13</sup> EEC, *Treaty of Rome*, Art. 131.
- <sup>14</sup> BOUVIER, P., *L’Europe et la coopération au développement. Un bilan : la Convention de Lomé*, Bruxelles, Editions de l’Université Libre de Bruxelles, 1980, p. 8.
- <sup>15</sup> Art 238: “The Community may conclude with a third country, a union of States or an international organization agreements creating an association embodying reciprocal rights and obligations, joint actions and special procedures”. EEC, *Treaty establishing the European Economic Community*, Rome, 1957, available at [http://europa.eu/legislation\\_summaries/institutional\\_affairs/treaties/treaties\\_eec\\_en.htm](http://europa.eu/legislation_summaries/institutional_affairs/treaties/treaties_eec_en.htm) (accessed May 16, 2010)

- <sup>16</sup> Cited in “Mr ‘K’, Africa and the Common Market”, in *Le Monde*, 1 June 1960, available at [http://www.ena.lu/mr\\_africa\\_common\\_market\\_le\\_monde\\_june\\_1960-2-1276](http://www.ena.lu/mr_africa_common_market_le_monde_june_1960-2-1276) (accessed May 21, 2010)
- <sup>17</sup> BOUVIER, P., *L’Europe et la coopération au développement*, p. 24.
- <sup>18</sup> ACP-EEC, *Convention of Lomé*, Feb. 28, 1975, 14 I.L.M. 595, 1975
- <sup>19</sup> ACP-EEC, *Second ACP-EEC Convention of Lomé*, Oct. 31, 1979, 19 I.L.M. 327, 1980
- <sup>20</sup> UNSPECIFIED, “La nouvelle convention CEE-ACP”, in *Lettre d’Information du Bureau de Genève*, Bureau de Presse et d’information des Communautés Européennes, No. 25bis, 1979, pp. 1-4.
- <sup>21</sup> ACP-EEC, *Third ACP-EEC Convention of Lomé*, Dec. 8, 1984, 24 I.L.M. 571, 1985
- <sup>22</sup> ACP-EEC, *Fourth ACP-EEC Convention of Lomé*, Dec. 15, 1989, 29 I.L.M. 788, 1990, art. 5.
- <sup>23</sup> UNITED NATIONS, *Vienna Convention on the Law of Treaties*, 23 May 1969, in UNITED NATIONS, *Treaty Series*, vol. 1155, 1969, available at: <http://www.unhcr.org/refworld/docid/3ae6b3a10.html> (accessed March 21, 2010)
- <sup>24</sup> UNITED NATIONS, *Charter of the United Nations*, 24 October 1945, available at <http://www.un.org/en/documents/charter/index.shtml> (accessed December 15, 2009)
- <sup>25</sup> For a reconstruction of the historical context and negotiation of the UN Charter, see RYAN, S., *United Nations and International Politics*, Macmillan Press, London, 2000
- <sup>26</sup> For an analysis from the period under scrutiny, see BERNIER, I., «Souveraineté et interdépendance dans le nouvel ordre économique international», in *Études internationales*, vol. 9, no. 3, 1978. Bernier suggests that there is a possible “middle ground” between the two extremes models of an “absolutist conception of sovereignty” and a “world government”.
- <sup>27</sup> CSCE, *Final act of the 1st CSCE Summit of Heads of State or Government*, Helsinki, 1975, available at <http://www.osce.org/mc/58376>, (accessed December 15, 2009)
- <sup>28</sup> DI FRANCO, P., “Il rispetto dei diritti dell’uomo e le ‘condizionalità’ democratiche nella cooperazione comunitaria allo sviluppo”, in *Rivista di diritto europeo*, No. 3, 1995, p. 566.
- <sup>29</sup> A good example for the way the Court of Justice reasons about human rights in EU external relations is the Case C-149/96 Portuguese Republic v Council of the European Union. For a larger analysis of Court of Justice activity related to human rights, see COPPEL, J. and O’NEILL, A., “The European Court of Justice: taking rights seriously?”, in *Legal Studies*, Volume 12, Issue 2, 1992.
- <sup>30</sup> SEERS, D., “What Types of Governments Should Be Refused What Types of Aid?”, in *IDS Bulletin*, Vol. 4, No. 2/3 (June), 1972. Cited in UVIN, P., “Do

- as I Say, Not as I Do': The Limits of Political Conditionality", in SORENSEN, G., *Political Conditionality*, Routledge, London and New York, 1993, p. 65.
- 31 See also: MURPHY, C., "Political Consequences of the New Inequality", in *International Studies Quarterly*, Vol. 45, No. 3, 2001
- 32 WORLD BANK, *Sub Saharan Africa: From Crisis to Sustainable Growth: a Long Term Perspective*, Washington, 1989, p. XII.
- 33 UNITED NATIONS, *Vienna Convention on the Law of Treaties*, Article 60.
- 34 Examples of such discourses are analyzed in FIERKE, K.M. and WIENER, A., "Constructing Institutional Interests: EU and NATO Enlargement", in *Journal of European Public Policy*, No. 6:5, 1999.
- 35 SCHIMMELFENNIG, F., "The Community Trap: Liberal Norms, Rhetorical Action, and the Eastern Enlargement of the European Union", in *International Organization*, Vol. 55, No. 1, 2001
- 36 WALLACE, W.: "Less than a federation – more than a regime: the Community as a political system", in WALLACE, H. , WALLACE, W., and WEBB, C. (eds.): *Policy-making in the European Communities*, 2nd edition, Wiley, Chichester, 1983
- 37 EUROPEAN COUNCIL, *Conclusions of the Presidency, Copenhagen, 21-22 June*, Brussels: General Secretariat of the Council, 1993, available at [http://www.europarl.europa.eu/summits/copenhagen/default\\_en.htm](http://www.europarl.europa.eu/summits/copenhagen/default_en.htm) (accessed April 8, 2010)
- 38 EUROPEAN COMMISSION, *Communication from the Commission on the Inclusion of Respect for Democratic Principles and Human Rights in Agreements between the Community and Third Countries*, COM (95) 216 final, 23.05.1995. In the same year another Communication focusing on the human rights promotion was issued: EUROPEAN COMMISSION, *The European Union and the External Dimension of Human Rights Policy: From Rome to Maastricht and Beyond*. Communication from the Commission to the Council and the European Parliament, COM (95) 567 final, 22.11.1995.
- 39 COM (95) 216 final.
- 40 EUROPEAN UNION, *Treaty of Lisbon*, Article 1 and Article 10A.

## REFERENCES

- ACP-EEC, *Convention of Lomé*, Feb. 28, 1975, republished in *International Legal Materials*, No. 14, 1975
- ACP-EEC, *Fourth ACP-EEC Convention of Lomé*, Dec. 15, 1989, republished in *International Legal Materials*, No. 29, 1990
- ACP-EEC, *Second ACP-EEC Convention of Lomé*, Oct. 31, 1979, republished in *International Legal Materials*, No. 19, 1980
- ACP-EEC, *Third ACP-EEC Convention of Lomé*, Dec. 8, 1984, republished in *International Legal Materials*, No. 24, 1985
- BERNIER, I., «Souveraineté et interdépendance dans le nouvel ordre économique international», in *Études internationales*, vol. 9, no. 3, 1978
- BOUVIER, P., *L'Europe et la coopération au développement. Un bilan : la Convention de Lomé*, Editions de l'Université Libre de Bruxelles, Bruxelles, 1980
- CHRISTIANSEN, T., JORGENSEN, K. E., and WIENER, A., "The social construction of Europe", in *Journal of European Public Policy*, No. 6:4 Special Issue, 1999
- COPPEL, J. and O'NEILL, A., "The European Court of Justice: taking rights seriously?", in *Legal Studies*, Volume 12, Issue 2, 1992
- COUFOUDAKIS, V., "The EEC and the 'Freezing' of the Greek Association 1967-1974", in *Journal of Common Market Studies*, vol. XVI, No. 2, 1977
- CSCE, *Final act of the 1st CSCE Summit of Heads of State or Government*, Helsinki, 1975, available at <http://www.osce.org/mc/58376>, (accessed December 15, 2009)
- DI FRANCO, P., "Il rispetto dei diritti dell'uomo e le 'condizionalità' democratiche nella cooperazione comunitaria allo sviluppo", in *Rivista di diritto europeo*, No. 3, 1995
- DONNELLY, J., "Human Rights: A New Standard of Civilization?", in *International Affairs*, Vol. 74, No. 1, 1998
- EUROPEAN COMMISSION, *Communication from the Commission on the Inclusion of Respect for Democratic Principles and Human Rights in Agreements between the Community and Third Countries*, COM (95) 216 final, 23.05.1995
- EUROPEAN COMMISSION, *The European Union and the External Dimension of Human Rights Policy: From Rome to Maastricht and Beyond*. Communication from the Commission to the Council and the European Parliament, COM (95) 567 final, 22.11.1995
- EUROPEAN COUNCIL, *Conclusions of the Presidency, Copenhagen, 21-22 June*, Brussels: General Secretariat of the Council, 1993, available at [http://www.europarl.europa.eu/summits/copenhagen/default\\_en.htm](http://www.europarl.europa.eu/summits/copenhagen/default_en.htm) (accessed April 8, 2010)

- EEC, *Treaty establishing the European Economic Community*, Rome, 1957, available at [http://europa.eu/legislation\\_summaries/institutional\\_affairs/treaties/treaties\\_eec\\_en.htm](http://europa.eu/legislation_summaries/institutional_affairs/treaties/treaties_eec_en.htm) (accessed May 16, 2010)
- EUROPEAN UNION, *Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community*, Lisbon, 2007, in *Official Journal of the European Union*, 2007/C 306/01
- FIERKE, K.M. and WIENER, A., "Constructing Institutional Interests: EU and NATO Enlargement", in *Journal of European Public Policy*, No. 6:5, 1999.
- GLINNE, E., "Question écrite No 416/72 de M. Glinne à la Commission des Communautés Européennes : Violation de droits de l'homme en Grèce et application de l'Accord d'association CEE-Grèce", in *Journal officiel*, C 138, 31/12/1972
- GUZZINI, S., and LEANDER, A., *Constructivism and International Relations: Alexander Wendt and His Critics*, London, Routledge, 2006
- KOSTAS, I., "State Interests, External Dependency Trajectories and 'Europe'. Greece", in KAISER, W., ELVERT, J., *European Union Enlargement. A Comparative History*, Routledge, London, 2004
- MORAVCSIK, A., "Preferences and Power in the European Community: A Liberal Intergovernmentalist Approach", in *Journal of Common Market Studies*, No. 31 (4) 1993
- MORAVCSIK, A., *The Choice for Europe: Social Purpose and State Power from Messina to Maastricht*, UCL Press, London, 1998
- MURPHY, C., "Political Consequences of the New Inequality", in *International Studies Quarterly*, Vol. 45, No. 3, 2001
- OLSEN, G.R., "Europe and the Promotion of Democracy in Post Cold War Africa: How Serious Is Europe and for What Reason?", in *African Affairs*, No. 97, 1998
- RYAN, S., *United Nations and International Politics*, Macmillan Press, London, 2000
- SCHIMMELFENNIG, F., "The Community Trap: Liberal Norms, Rhetorical Action, and the Eastern Enlargement of the European Union", in *International Organization*, Vol. 55, No. 1, 2001
- SEERS, D., "What Types of Governments Should Be Refused What Types of Aid?", in *IDS Bulletin*, Vol. 4, No. 2/3 (June), 1972. Cited in UVIN, P., "Do as I Say, Not as I Do': The Limits of Political Conditionality", in SORENSEN, G., *Political Conditionality*, Routledge, London and New York, 1993
- SPOURDALAKIS, M., "Securing Democracy in Post-Authoritarian Greece", in PRIDHAM, G, LEWIS, P. (eds.), *Stabilising Fragile Democracies*, Routledge, London, 1996
- UNITED NATIONS, *Charter of the United Nations*, 24 October 1945, available at <http://www.un.org/en/documents/charter/index.shtml> (accessed December 15, 2009)

- UNITED NATIONS, *Vienna Convention on the Law of Treaties*, 23 May 1969, in UNITED NATIONS, *Treaty Series*, vol. 1155, 1969, available at: <http://www.unhcr.org/refworld/docid/3ae6b3a10.html> (accessed March 21, 2010)
- UNSPECIFIED, "La nouvelle convention CEE-ACP", in *Lettre d'Information du Bureau de Genève*, Bureau de Presse et d'information des Communautés Européennes, No. 25bis, 1979
- UNSPECIFIED, *The European Economic Community and Greece. Newsletter on the Common Agricultural Policy No. 36, June 1965*, Brussels, 1965 [EU Commission - Brochure], available at <http://aei.pitt.edu/id/eprint/6428> (accessed April 15, 2010)
- VAN DER STOEL, M., *Conference between the European Communities and Greece. First meeting at Ministerial level. Statement by the spokesman of the Communities, Mr Max VAN DER STOEL, Minister, President in Office of the Council, on the occasion of the opening of the negotiations for the accession of Greece to the European Communities, 27 July 1976*, Brussels, 1976 [EU Speech], available at <http://aei.pitt.edu/id/eprint/10847> (accessed April 15, 2010)
- VREDELING, H., "Question écrite No 700/72 de M. Vredeling à la Commission des Communautés Européennes : Violation de droits de l'homme en Grèce", in *Journal officiel*, C 045, 23/06/1973
- WALLACE, W.: "Less than a federation – more than a regime: the Community as a political system", in WALLACE, H. , WALLACE, W., and WEBB, C. (eds.): *Policy-making in the European Communities*, 2nd edition, Wiley, Chichester, 1983
- WORLD BANK, *Sub Saharan Africa: From Crisis to Sustainable Growth: a Long Term Perspective*, Washington D.C., 1989