
Chapter 1

The European Dimension of the Czech Foreign Policy

THE AMBIVALENT POSITION OF THE RELUCTANT EUROPEAN

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Executive Summary: In 2017, the Czech European policy faced a number of challenges related to the great events of previous years (the migration crisis, Brexit, security policy, Eurozone reform) as well as the ongoing reflection process of the EU. Above all, the Czech approach was a typical example of reactive behaviour, and characteristic of responding to external stimuli coming from EU. There were also partial topics about which proactive assertions were made by the Czech Republic. The polarisation between the individual actors of foreign policy was low, though with some exceptions pertaining to the President of the Republic. In contrast, as regards politicisation, the European agenda was an example of a highly politicised area, which was crucially reflected also in domestic policy. The coherence of the Czech European policy can be referred to as problematic, as the Czech Republic was not able to make a substantial move in its main conceptual priorities, but only in partial areas. Finally, the predominantly critical tone of the Czech discussion on the EU had contributed to the Czech Republic's very low trust in the Union's policy, posing a threat to the fulfilment of the key goals of the Czech foreign policy.

BACKGROUND AND POLITICAL CONTEXT

In 2017, the Czech European policy logically continued in dealing with vital issues occurring already in the previous period, as the searches for solutions to these issues further resonated in the Union: migration policy, Brexit and EU reform, deepening the security and defence co-operation, and relations with Russia.¹ A major instigator of further development in the European Union was the elections in two key countries: France and Germany (and surprisingly also those in Britain). Their results were important for the Czech policy: they did not mean an arrival of anti-system forces or

a threat to the internal cohesion of the EU, which is the key interest of the Czech foreign policy. An expected and crucial step was the British trigger of the procedure of departing from the EU, which launched intensive and complex negotiations on the conditions of Brexit. Simultaneously, the Commission published the White Paper on the Future of Europe,² by which it reacted to the previous discussion on EU reform and provided its member states, in the form of scenarios, with powerful stimuli for ideas about the future of the European integration.

A key event with an impact on the Czech European policy was the October Czech parliamentary elections. They represented an opportunity to include more European topics in the public debate, which in fact happened during the pre-election debate. The most prominent topics were those that had polarised, yet at the same time also interested the Czech society on a long-term basis: especially the approach to European migration policy, the Czech Republic potentially joining the eurozone and the issue of Czech interests in the EU. Hence, the Czech policy towards the EU became one of the essential topics of the programmes of the majority of the political parties. As eight parties entered the Chamber of Deputies as a result of the elections,³ some of which were very critical toward the Czech Republic's EU membership (the substantially strengthened SPD, and KSČM), and the negotiations on the coalition government were unsuccessful, the minority government of the ANO movement, formed at the end of the year, could be under more considerable pressure to reflect the attitudes of other parliamentary parties in regard to the Czech European policy.

Since the new government was not appointed until December 13, for most of the year, foreign policy was still in the hands of the previous coalition government of ČSSD, ANO, and KDU-ČSL under the Prime Minister (PM) Bohuslav Sobotka. A unicolour minority government of the ANO movement, led by Andrej Babiš, subsequently succeeded this government. The elections represented a breaking point particularly in the area of human resources. Besides a new PM, as the PM traditionally co-ordinates the European policy, there was also a change in the post of one of the department leaders: after Lubomír Zaorálek (ČSSD), the new Minister of Foreign Affairs was Martin Stropnický (ANO). In contrast, continuity was maintained by the State Secretary for European Affairs. This post was taken up by Aleš Chmelař as early as in June, three months after his predecessor Tomáš Prouza had resigned. Due to the date of the appointing of the new cabinet, Babiš's cabinet did not have a chance to have a greater influence on European politics in 2017 (except for its participation in the December meeting of the European Council). The cabinet's policy statement itself, including its foreign political priorities, was not introduced until the next year.

The election year and the tense relations in the finishing government coalition did not offer much space for crucial steps that would meet the Czech strategic interests, which were defined in the Concept of the Czech Republic's policy in the EU:⁴ the main strategic interest was obtaining a full-fledged membership, the conditions of which were joining the Eurozone and maintaining a united European Union. On the other hand, we could see more centrifugal tendencies in the Czech politics. Owing to the elections and the pressure of opposition, but also to the continuing criticism of the

EU by a number of political elites, there was a more intensive debate on the meaningfulness of EU membership, possibly declaring a referendum on this issue and the impacts of a potential Cexit. Simultaneously, there was a continuing trend of critical attitudes of President Miloš Zeman towards a major part of the EU agenda. Even though the president's attempts at influencing the Czech European policy in fact did not pose a major threat to the government's position in most cases, together with other critical voices, they had an impact on the image of Czechia in the Union and affected the public debate about the EU.

Therefore, the significant polarisation of the public opinion is not surprising. Owing to the prevailing array of critical stimuli, the politicisation of a series of Union issues and the continuing securitisation of the discussion on asylum and migration policy contributed to the considerable Euroscepticism in the country. Even though it did not reach such a dramatic level as the year before, according to opinion polls, the Czech society remained split on the issue and very critical towards the EU. In April 2017, according to the Centre for Research of Public Opinion, 48% of Czech citizens trusted the EU and 47% did not. There was a continuing very low trust in Union institutions.⁵ According to the Eurobarometer research from November 2017, only 22% of Czechs agreed with the statement that their vote matters in the EU.⁶ In evaluating whether the EU membership is a good thing, the Czech public was the most critical of those of all the member states. In an extensive survey for the European Parliament (for the September 2016 – March 2017 period) a positive answer to this question was given only by 33% of the Czech Republic's inhabitants.⁷ Also the Czechs' interest in European matters was very limited. According to Parlemeter, in a poll carried out in September and October, such an interest was expressed by 36% of the Czech Republic's inhabitants, while the EU average was 57%.⁸ These results, in combination with the launched debate on declaring a referendum on remaining in the EU, can represent a major problem for the Czech European policy and its strategic interests for the future.

AGENDA AND EVENTS

The Czech policy towards the EU was confronted with a broad political agenda in 2017. As we cannot completely cover all of it, here we focus only on some of the most important issues. Nevertheless, certain relevant European issues (common European defence, the rule of law in Poland, screening of foreign direct investments, Brexit and migration and asylum policy) are covered in more detail in other chapters of this book.⁹ Others are mentioned here only in terms of the analysis and are not discussed separately.¹⁰ In any case, the selection criteria for the issues elaborated upon here were based on the issue's relevance in the Czech and potentially also the European public sphere.

The reform and future of the European Union

The discussions about the future of the EU took place particularly at informal EU-27 summits throughout the entire year, following the beginning of the so-called reflection process in Bratislava in September 2016. An unprecedented step in EU history was the March proposal of the White Paper on the Future of Europe, in which the Commission drew up five scenarios of the possible future development of the European integration.¹¹ These scenarios were introduced as a starting point to the summit on the occasion of the 60th anniversary of the so-called Treaties of Rome. The debates on EU reform can result, according to the scenarios, not only in maintaining the present state of integration (“carrying on”), but also in its slowing down (“nothing but the single market” or “doing less more efficiently”) or its partial (“those who want more do more”) or major enhancement (“doing much more together”). Surprisingly, the Czech government did not issue an official statement on the document.¹²

Hence, the Czech position could be deduced in relation to the declared approach towards the EU’s future, which lies especially in keeping the Union united and preferring co-operation in areas that have a European added value,¹³ and are not that controversial and hence consensus can be reached in them. As the government referred to the change of primary law as a controversial topic, it was clear that the original Czech accent on a more substantial reform of the EU had declined. The government did not directly refuse multi-speed integration, but pointed to the risk of splitting the Union.¹⁴ However, in general, this concept is problematic for the Czech government, as was implied (not only) by PM Sobotka several times, as was the case in his later proclamations.¹⁵ The main fear concerns the division of the EU into the centre and the peripheries, which is logically not in Czechia’s interest if it does not intend to join the deepening Eurozone. Hence, the government emphasised the maintenance of the unity, openness and integrity of the internal market and did not support a multi-speed EU. As regards the EU’s future, the leaders of the Visegrad Four were much more specific in their joint statement regarding the 2017 Rome Declaration (following the White Paper), in which they touched upon a number of topics (sometimes with criticism).¹⁶

On the occasion of the signing of the Rome Declaration, the Czech PM Bohuslav Sobotka referred to the objectives set in it and thus also to the direction of the further development of the EU as long-term Czech priorities.¹⁷ It must be pointed out here that these objectives were defined in a very complex and, at the same time, conflict-free way: provision of internal security, prosperity and sustainable growth, support of a social Europe (in a wider sense of the word) and a stronger role for the EU in global policy.¹⁸ Hence, a major contribution to the reform of the EU was the Sorbonne speech of French President Emmanuel Macron, given in Paris on September 26. In his comprehensive vision, he called for a more profound co-operation in a number of areas, reform of institutions and a “re-foundation of Europe”, which, in his view, is now weak, slow and inefficient. He also said that states wanting less integration should not stand in the way of others.¹⁹ While the speech provoked a number of reactions in Western Europe, no top politician commented on the French proposals in Czechia (except for the boss of the ANO movement, Andrej Babiš, who said that Macron should concentrate on France and, together with J.-C. Juncker, reflect upon the cause of Brexit²⁰).

Trying to unlock the varying ideas of states in regard to the most problematic issues, the President of the European Council, Donald Tusk, introduced the so-called Leaders' Agenda, which was approved on October 20 and supported by Czechia.²¹ Top meetings planned until summer 2019 aim to move the discussion on the future of the EU forward and simultaneously keep the Union united, which, however, should not be an excuse for stagnation. In this context, the Czech priority is the aims already expressed in the V4 format: participation in all matters and negotiations on reforms taking place in the format of all the member states in the European Council.²²

Deepening of the Eurozone

Owing to Brexit, as one of the member states not using the euro, Czechia found itself under stronger pressure to respond to the expected integration of the Eurozone and faced the problem of how to do so. This was so especially after the publishing of the Reflection Paper on the Deepening of the Economic and Monetary Union,²³ which became (together with the parliamentary elections) an impulse for the discussion on the adoption of the euro in Czechia. Here risk is posed above all by the Czech interest possibly not being taken into account within the proposed reforms of the Eurozone, which should take place by 2025.

Regarding the adoption of the general position toward the aforementioned discussion document, Czechia supported the process of enhancing the EMU; nevertheless, Czechia gave several conditions for its support: the EMU must maintain the principles of openness to other states, the integrity of the common market and equal treatment of all EU member states. The existing institutional framework was described by the Czech government as corresponding to the interests of the Eurozone, by which it in fact refused the establishment of new platforms that would mean further emancipation of the Eurozone within EU.²⁴ However, the Czech approach is not rare in this respect. The question of the depth of further reforms of the EMU has become an apple of discord within the EU, even in countries that have adopted the euro.²⁵

Perhaps the most significant contribution to this discussion was the Czech idea that countries not using the euro could obtain an observer status in the Eurozone having the form of a regular presence at the meetings of the Eurogroup. It would make it possible for them to participate in debates on the further direction of the EMU and to have a direct access to information.²⁶ However, this proposal was not submitted formally. The Committee for the European Union asked PM Sobotka in September to assess the legal possibilities and practical aspects of the functioning of the observer status in the Eurozone.²⁷ Nevertheless, the idea did not receive any greater support even in the closer framework of the V4, where it was supported by Slovakia, which uses the euro, while Hungary did not confirm its interest in this position.²⁸

Regarding this proposal, it is relevant to mention the planned but not completed Czech ratification of the Treaty on Stability, Coordination and Governance in the Economic and Monetary Union (the so-called Fiscal Compact). This treaty directly relates to the participation in another platform – the Euro summits, with the participation of prime ministers and heads of state of the Eurozone. The Fiscal Compact also enabled states not using the euro to partake in some summits if they had ratified the

treaty. However, the Chamber of Deputies blocked the passing of the document in the 2013–2017 term. Hence, the October parliamentary elections opened up the possibility that the new balance of forces would make it possible to pass the Fiscal Compact eventually. The new PM Andrej Babiš announced that the government would support its approval, pointing out that it did mean a change of attitude towards joining the Eurozone.²⁹ Croatia and Czechia remained the only states in the EU-27 that have not ratified the treaty yet.

An important symbolic act was the November adoption of the European Pillar of Social Rights – twenty particular principles that should be reflected in the formation of European social policy.³⁰ The document had resulted from a wider discussion on the social dimension of the EU.³¹ Even though the document is not legally binding and it is mainly concerned with the Eurozone, the Czech government, after an intense debate about the compromise version of the document, also adopted a positive view of it.

Besides the likely declaratory character of the document, there were several other reasons for the positive view of it, as it provided the possibility to participate in formulating the rules in the social field, and it could contribute to the convergence of Czechia and the Eurozone, and prevent fragmentation of the internal market. Hence the Czech government promoted a form of the pillar that would be acceptable for as many member states as possible.³² But even before it was adopted, the parliamentary right-wing opposition had protested against it, in particular the parties TOP 09 and ODS. The main reason was that they were afraid that it could lead to a gradual reuniting of the European social policy. In contrast, the left-wing opposition (especially KSČM) supported the proposal.³³

The reverse charge

At the level of the EU Council, there were continuing negotiations on one of the few specifically Czech activities at the EU level: the so-called reverse charge. The basis of the mechanism of the reverse charge is the transfer of VAT payments from the seller to the buyer, which should prevent so-called carousel fraud. Towards the end of 2016, the Commission submitted the legislative proposal of this system. However, it did not meet the Czech expectations for the functioning of the system. The Minister of Finance at that time, Andrej Babiš, described the following three points as problematic: the necessity of the Commission's approval of the launching of the system (which would make it impossible to use it directly), the minimum level of uncollected VAT for the giving of this consent (the tolerance of a part of the uncollected taxes) and the Commission's power to stop its functioning (which would mean uncertainty for companies).³⁴ Subsequently, the Maltese EU presidency brought forward a modified proposal of the reverse charge, which was presented in the first half of 2017. Although the number of countries supporting this legislative change, according to the new Minister of Finance Ivan Pilný, had increased, there were still some member states opposing the proposal. That is an obstacle, as taxation in the EU falls under unanimous decision-making.³⁵ Subsequently, in October, the Commission put forward a complex proposal of the anti-fraud fight, which, however, did not include the reverse charge. According to the Commissioner for Taxation and Customs Pierre Moscovici (and sev-

eral member states), its application would mean a substantial increase in administration for companies and a transferring of the schemes for dealing with tax evasion to neighbouring member countries.³⁶

The CETA agreement and the strategic partnership with Canada

In the course of the year, the ratification of the Comprehensive Economic and Trade Agreement between Canada and the EU (CETA) took place.³⁷ The new economic partnership agreement was signed after nearly eight years of negotiations in October 2016 and, besides eliminating tariff and non-tariff trade barriers, it brought an opening of markets with public procurements, a services market, recognition of certifications, support and protection of investments, and simplification of the procedure for posting employees as a result of the recognition of their professional qualifications. In February 2017, the European Parliament gave its consent to the agreement. From the legal perspective, it is a so-called mixed agreement, as several parts of it fall under the authority of member states and others under EU authority. Hence, the agreement entered into force only provisionally on September 21, and it had authority only in areas falling under the exclusive competence of the EU.³⁸ Other parts of it were applied only after their approval in the parliaments of all EU member states.

Already during the negotiations, CETA aroused major controversies among both a part of the public and, especially, left-wing politicians. That is why the agreement was also criticised by some Czech MEPs from ČSSD and KSČM.³⁹ The Czech Ministry of Industry and Trade ordered a special study on the impacts of the treaty on the Czech economy, and the resulting study showed positive economic impacts on the whole, yet on a limited scale. The relatively low volume of trade between Czechia and Canada caused that finding. However, the treaty also opens a new potential of the Canadian market for Czech companies.⁴⁰

The discussion over the agreement did not represent a major controversial issue in Czechia. In its explanatory statement, the government stated that the form of the agreement reflects the Czech priorities to the greatest extent possible, and that it had supported its ratification also due to the support of the active trade policy of the EU.⁴¹ The Senate approved the document on April 19. There were also more diverse voices in the Chamber of Deputies (especially those of KSČM and SPD MPs) which agreed with the ratification of the agreement on September 13.⁴²

In August, Czechia ratified the EU-Canada Strategic Partnership Agreement, which was also a so-called mixed agreement like CETA. It started to be applied within the extent of EU competences on April 1, 2017. It aims to strengthen the strategic partnership in two directions: those of political dialogue and international co-operation. The wide scope of the agreement pertains, e.g., to the anti-terrorism fight, and the Czech-Canadian co-operation in international fora, in the area of research and education, and in the area of security and justice.⁴³

Double foodstuff quality⁴⁴

While this topic was not new in Czechia, it has gained an EU-wide prominence in 2017, not only thanks to the activities the Social-Democratic Member of the European

Parliament (MEP) Olga Sehnalová (ČSSD), who has been dealing with this matter since 2011,⁴⁵ but also thanks to the coordinated pressure of the governments of the V4 countries, and the Czech Minister of Agriculture Marian Jurečka. According to the former PM Bohuslav Sobotka the problem could not be “*solved only by the member states and [...] there is a need for the activity of the European Commission*” since the EU can effectively show its added value by solving issues such as this.⁴⁶ According to the then Czech PM the problem needed to be solved at the EU level so that individual member states would not adopt restrictive national regulations that would undermine the operation of the EU’s single market.⁴⁷ However, until the second half of last year the EU underestimated the extent of the problem and its potential impact on the single market and support for the EU.⁴⁸

During the past year, Czech governmental representatives, be they at the ministerial or the civil servant level, raised the issue several times at the meetings of the Council of the EU.⁴⁹ Moreover, the prime ministers of the V4 countries adopted a common declaration at their meeting in Warsaw in March 2017 calling on the Commission to pay more attention to the issue and come up with a European solution to it.⁵⁰ Given that the double foodstuff quality issue is a valence issue (and not a position issue), it is not surprising that the Czech position towards it extended across party lines as well as across the executive and the legislative branch. The Chamber of Deputies of the Czech Parliament, for example, adopted a resolution calling on the European Commission to revise the EU’s directive concerning unfair business-to-consumer commercial practises in the internal market.⁵¹

Eventually, the Czech government with the co-operation of other governments, in particular those of Central and Eastern European countries, managed to frame the issue as a European problem requiring a common European solution to the extent that the conclusions of the March European Council mentioned it and the President of the Commission Jean-Claude Juncker took it up in his State of the Union speech.⁵² The reference to it in the European Council conclusion was seen as a victory of the initiative of the V4 countries as well as that of Czech diplomacy.⁵³ Juncker’s rejection of the double food quality practise in his speech was also highly welcomed by the Czech government since its eradication is seen as a means to support the cohesion of new and old EU member states. In October, a consumer summit was organised in connection with it in Bratislava upon the initiative of Czech and Slovak governments and it was attended by the Prime Ministers of the V4 countries and the Czech Commissioner for Justice, Consumers and Gender Equality Věra Jourová.

The Czech position towards the issue required the revision of the directive concerning unfair commercial practises so that it would mention that the same product of the same producer should have the same content regardless of the place of distribution.⁵⁴ This demand was echoed in a letter sent by the Czech Minister of Agriculture to the President and members of the European Commission.⁵⁵ At the same time, the Czech government supported the adoption of a common methodology for the assessment of quality and content of products. The initial response of the Commission to the problem, in the spring 2017, was that the problem was not a problem of the whole of Europe, and given that the EU tried to “*solve legislatively problems that concern the*

whole of Europe and if a problem concerns only a part [of the EU], we try to solve it differently” it should be primarily tackled by the trade/commercial inspection authorities of individual member states within the boundaries of existing legislation concerning unfair commercial practises.⁵⁶

However, later on the Commissioner for Justice, Consumers and Gender Equality adopted the view that double product quality should be considered an unfair commercial practise that undermines the quality of the single market, and the Commission has responded to the problem in autumn by providing instructions on how to use existing EU regulations to combat double food quality.⁵⁷ At the same time, the Commission still preferred a solution within the existing EU legislation that would involve a co-operation of national trade/commercial inspection authorities.⁵⁸ The Commission, nevertheless, did not rule out amendments to the legislation that could be submitted by the (affected) member states.⁵⁹ While the activity of the Commission to solve the problem was welcomed by the Czech government as a “*step in the right direction*”,⁶⁰ the Czech government maintained that the existing legislation was not efficient enough as it required member state trade/commercial inspection authorities to rely on the voluntary co-operation of their partners in other EU member states while there is no legislative instrument that would require authorities in other member states to co-operate with them mandatorily.⁶¹

The revision of the Posting of Workers Directive

On 8 March 2016, the Commission proposed a revision of the rules on posting of workers within the EU, aiming at a targeted revision of the Posting of Workers Directive in three main areas: remuneration of posted workers, including in situations of subcontracting; rules for temporary agency workers; and long-term posting. While the directive has been already proposed in 2016, given the ongoing negotiation in the Council of the EU and the EP, the revision has gained considerable attention in Czechia in 2017. Although Czechia was, at least until 2015, the only member state that joined the EU after 2004 to accept more posted workers than it sent to other EU member states, and a government-produced analysis indicated that posting of workers had a negligible impact on the Czech economy,⁶² the issue became of high importance, as it was seen as a protectionist measure from the side of the *old* EU member states, where there were higher salaries, and there was a fear that the regions would negatively impact on the drivers of freight transportation from the *new* member states, rendering the Czech companies they worked for non-competitive. On the one hand, representatives of the *old* EU member states claim that the *new* member states have a comparative advantage due to their lower salaries, and their posted workers thus threaten labour markets and social standards and decrease salaries in the *old* EU member states. Put differently, the governments of *old* member states label the posting of workers as social dumping.

The position of the *old* member states was also reflected in the discourse of the European Commission, which maintained that posted workers as well as agency workers should be remunerated at the level of domestic workers, including any extra allowances stemming from national legislation. Jean-Claude Juncker stated that ‘workers

should be paid the same for the same work at the same place'.⁶³ On the other hand, the representatives of the *new* member states, including Czechia, maintain that companies from the *old* member states have other comparative advantages at the single market, such as higher initial productivity and a position in the economic centre, that allow them to benefit from agglomeration economies.

In addition, the former PM Bohuslav Sobotka agreed with Jean-Claude Juncker's opinion that all workers with the same position in a company should be paid the same regardless of the place of work. This statement, however, was not directly linked to the support of the revision of the directive. Rather, it was directed towards companies from the *old* member states operating in the *new* member states which pay lower salaries to the workers in the new member states than to those in the *old* member states for the same work. According to the former Czech PM, the comparative advantage of the workers from the "new" member states was therefore partly a result of the fact that foreign companies save money by hiring employees in Czechia since, for example, in Czechia, "*French and Austrian companies pay thirty, forty per cent of the amount they pay in their home countries*".⁶⁴ The alleged social dumping can thus be prevented by ensuring economic and wage convergence. The above discussion clearly demonstrates how the Czech position is different from the one of "old" member states' representatives. It is therefore not surprising that Czechia did not initially support the revision of the directive, which made the rules for posting of workers more restrictive. On the other hand, the former Czech PM stressed the need to find a compromise regarding the revision of the directive that would be acceptable for both *old* and *new* EU member states.⁶⁵ Eventually, Czechia supported the adoption of the directive as most of its demands were reflected during the negotiations.

As mentioned above, a crucial aspect of the Czech position on the revision of the posted workers directive related to how it would affect freight transportation and cabotage. Czechia was afraid that the tightened rules would effectively make the Czech freight transport companies non-competitive. Czechia, together with several other member states, therefore insisted that freight transportation should be excluded from the application of the directive. According to the Czech position, posted workers in the transport sector, due to the highly mobile nature of their work, should be dealt with separately within the Mobility Package that was to introduce new rules in the transport sector. The package, including a proposal on posted workers in road transport, was introduced in May 2017 and has been discussed since then.⁶⁶

The Czech government did not ever rule out taking counter-measures if freight transportation remained subject to the directive on posting of workers. The Czech Minister of Labour and Social Affairs Michaela Marksová (ČSSD) suggested that foreign drivers, while present on the Czech territory, would have to have documentation in Czech and that they would also be subject to other protectionist measures.⁶⁷ By the end of the year, it was clear that the revised directive would not be applicable to freight transport as long as the new rules of the EU Road Transport Package would not be agreed and effective. The final compromise was considered a success by the Czech government.⁶⁸ This is, nevertheless, not the end of the story since the issue will

be discussed during 2018 by the ministers in the Transport, Telecommunications and Energy Council as well as in the EP.

Institutional issues

One of the many discussed European integration-related institutional issues concerned the proposal for the creation of a cross-border joint European constituency and ballot list, which Jean-Claude Juncker once again stressed in his State of the Union speech. The legislative and executive actors of the Czech EU policy were mostly against such a reform. Their position was already described in details in last year's edition of this book series. The proposal drew widespread attention from Czech MEPs, who, across party lines, expressed their scepticism towards the planned reform. Evžen Tošenovský (ODS) maintained that the "*idea that citizens will cast votes for some kinds of European political parties and that this will lead to the creation of a sort of supranational democracy is lost and dangerous*". In a less outspoken manner, Jiří Pospíšil (TOP 09) and Michaela Šojdrová maintained that citizens prefer to cast votes for national politicians they have knowledge of.⁶⁹

J. Pospíšil also criticised Juncker's proposal to use qualified majority voting more often and argued that most key decisions should be adopted unanimously and not by outvoting some member states, as in the case of the relocation mechanism, where we see the negative consequences of the qualified majority vote, which have lasted until today. It is apparent that the experience with the adoption of the relocation mechanism by a qualified majority does not allow the representatives of one of the most pro-EU parties (as it proclaims itself to be) to adopt pro-majoritarian positions, as the Czech public would not accept this. Thus, the history of one decision appears to have some long-term consequences for the Czech position in relation to the future decision-making in the EU.

IDENTIFICATION AND CHARACTERISTIC OF KEY ACTORS

The President

In 2017, the Czech President Miloš Zeman's involvement in the formulation and discussion of the Czech EU policy was less intensive than in the previous year, and the number of disputes between the government and the President also decreased. Zeman once again rejected the mandatory relocation mechanism for refugees as going against Czech interests and being an interference into Czech internal affairs. He stated that nobody should dictate to us whom we should allow on our territory.⁷⁰ At the same time, the President labelled the question as the most painful problem of Czech foreign policy. Such a discourse points to an understanding of the EU as a foreign policy issue and implies that the EU is a foreign actor rather than a community with Czechia as its fully-fledged member. President Zeman maintained that Czechia should reject the relocation mechanisms even if it would mean giving up EU funds or even if there were specific contributions from the EU budget connected to the relocation of refugees. Instead, in his view, financial resources from the EU budget should be used for more

useful internal purposes, or even externally to help refugees in their countries of origin or transit and/or develop these countries through EU-funded development projects.⁷¹

He also stated that Czechia should act in the EU as an energetic and self-confident partner who can manifest its discontent with particular issues. Decisions in the EU should be adopted unanimously even if this means a longer negotiation process. Unfortunately, the President did not express his opinion on the potential deadlock that would occur if a compromise were not found and the requirement of unanimity led to non-decision and the maintenance of a sub-optimal status quo. Miloš Zeman also argued that Czechia should try to coordinate the positions on EU issues within the V4 group as it would strengthen the leverage of all four countries.

The Czech President got into a conflict with the rest of the government in relation to the possibility of a referendum about the Czech membership in the EU. While governmental positions stressed that there is no need for a referendum on this issue, the President once again argued for holding it while maintaining that he would vote to remain in the EU. More important areas of conflict between the government's position and the President's concerned issues related to the EU's foreign and security policy as well as the Czech foreign policy within the EU. First, contrary to the government the Czech President called for an abolition of the sanctions against the Russian Federation. He did not dispute their rightfulness but rather their utility. Instead of sanctions, the President offered a social dialogue between citizens, student exchanges, touristic travels, and other forms of social contact as a solution. Again contrary to the official governmental position, Miloš Zeman maintained that the annexation of Crimea is a *fait accompli*, and thus Ukraine should be compensated by Russia for the loss of Crimea financially or with oil and natural gas.⁷²

Second, President Zeman openly supported the transfer of the Czech embassy in Israel from Tel Aviv to Jerusalem and criticised the EU for being overly pro-Palestinian. While the Czech Republic is one of the most pro-Israeli EU member states, the official Czech governmental position on the location of the Czech embassy in Israel was more reluctant than the president's statement.⁷³

The Government

During 2017, all the major positions relevant for the formulation and co-ordination of the Czech EU policy were held by ČSSD: the Prime Minister was B. Sobotka, the Minister of Foreign Affairs was L. Zaorálek and the State Secretary for EU Affairs was T. Prouza. In March, T. Prouza resigned from the post of the State Secretary for EU Affairs, but he was replaced by A. Chmelař, who was also a member of ČSSD, in June and thus the party composition did not change. When the new government was formed following the October legislative elections, ANO assumed two of the major positions for EU policy: the new Prime Minister was A. Babiš, and the new Minister of Foreign Affairs was M. Stropnický. At the same time, the new government retained A. Chmelař as the State Secretary for EU Affairs. With such constellations, the Czech EU policy was not subject to significant intra-governmental disputes before or after the legislative elections. The standpoints of the Czech government towards the main

issues of the European agenda were thoroughly discussed in the previous section. We aim to complement the above discussion in this section.

The government has declared that it sees the EU “*as the best instrument to face current challenges*”.⁷⁴ But this does not preclude the need for the EU to reform. The government called for considering a more important involvement and even a decisive role for national parliaments in the EU in order to increase the legitimacy of EU decision-making. At the same time, it called for the European Council to play a key role in setting the main political goals – in effect implicitly attacking the Commission for over-stretching its role.

As during the previous year, the government has often dealt with migration-related questions and proposals in 2017. The government welcomed the proposal for the European Travel Information and Authorisation System (ETIAS) and called for its speedy adoption and implementation. On the other hand, the government required the system not to set the bar too high for travellers and, in particular, not to become the equivalent of a visa application system.⁷⁵ Besides that, the government once again rejected the introduction of the mandatory relocation mechanism for applicants for international protection. The government argued that the EU should instead focus on solving the causes of migration and removing incentives for abuse of the asylum system by irregular immigrants. The main response to the migration crisis should lie in the so-called migration compacts with third countries. These are based on EU support being conditional upon readmission co-operation, and the fight against smuggling of human beings and illegal immigration in general.⁷⁶

The Commission also proposed a recast of the comitology regulation that concerns member state control of the Commission’s competences to adopt implementing measures. In the comitology procedure, the Commission’s implementing powers are constrained by committees of member state representatives, which adopt opinions in regard to proposed Commission implementing acts. In the past, these committees occasionally did not adopt an opinion due to a lack of a qualified majority for or against an implementing act and the Commission thus had to act alone, bearing the political responsibility. In order to avoid such situations and ensure that member states assume responsibility and avoid situations where the Commission has to act alone, it proposed a fourfold revision of the regulation: (i) a revision of the voting rules so that votes of absent member states and of those which abstain will not be counted into the qualified majority threshold; (ii) if the appeal committee does not adopt an opinion, the President can call for another appeal committee meeting where member states would be represented at the ministerial level; (iii) the voting sheets of the appeal committee will make public not only the overall voting results, but also the votes of individual member states; and (iv) when the appeal committee does not agree on an opinion, the dossier could be formally submitted by the Commission to the Council of the EU in order to get its non-binding standpoints.

The Czech government deemed the proposed reform unnecessary as it only concerns less than 2% of all comitology decisions, while at the same time being aware of the sensitivity of the fields in which member states fail to make a decision. Therefore,

the government declared its readiness to agree with the reform on a general level. In practise, however, the government nonetheless considers two out of the four amendments as violating the EU's primary law (the change in the voting rules and the submission of the dossier to the Council of the EU). In addition, the government considered the proposed amendment which involves the publishing of explicit voting sheets to be generally unacceptable, and thought that it could potentially lead to even more abstentions. The only feasible and acceptable amendment for the Czech government is thus the one concerning the holding of an appeal committee at the ministerial level, but the government fears that due to the busy schedules of ministers such an amendment will not achieve the desired outcome. In sum, out of all the options the government preferred the status quo or, at most, the possibility of a ministerial level appeal committee.⁷⁷

In institutional affairs, the government also rejected the limitation of the use of the EU Pilot system (see below) and the tightening up of sanctions within the infringement procedure. In line with other actors of the Czech EU policy, the government saw the EU Pilot as a successful mechanism that ensures the exchange of information between the Commission and the member states, and which delivers results in relation to infringement of EU law. The government supported the strengthening of the dialogue between the Commission and the member states within the infringement proceedings but not at the expense of abolishing the EU Pilot system. The government claimed to undertake active moves to prevent the abolition of the EU Pilot. At the same time, the Czech government pointed out that the best way to ensure compliance with EU law is to ensure the legislative-technical and substantive quality of the adopted measures while allowing long implementation deadlines. While one cannot criticise the demand for quality legislation, the subjective evaluation of its low quality cannot be treated as justification for non-compliance with it, but such a justification is the message that one can read between the lines of the government's words.⁷⁸

The government also argued against the shortening of the multi-annual financial framework from seven to five years, which is a long-term priority of the European Parliament. The current seven-year period provides more flexibility and space for the preparation and realisation of multi-annual projects, particularly in the field of Cohesion Policy. The government stated that the Cohesion Policy should also remain the key investment policy of the EU, but freedom should be given to the member states as regards the allocation of financial resources to specific objectives. Finally, the government was not strictly against the creation of a special fund through which structural reforms connected with Eurozone membership would be financed, or against the conditional allocation of finances from the ESI Funds upon the carrying out of structural reforms. Nevertheless, it stated that economic, territorial, and social cohesion have to remain the main objectives of the Cohesion Policy and there needs to be a sufficient amount of financial resources allocated to achieving them in less developed regions and member states.

The government approved the Czech participation in the enhanced co-operation concerning the European Public Prosecutor's Office (EPPO). Within the domestic political discussion, it also proposed ensuring an observer status for Czechia in the Euro-

group in the hope of sending a signal to the EU partners concerning the Czech interest in the development of the Eurozone. However, the initiative received only lukewarm reactions, and no specific progress has been made on it during the year.⁷⁹ The government also mandated the Minister of Transport to submit a proposal at the governmental level for further action of Czechia in case one of the member states submits an action for an annulment of or different legal proceedings concerning the German introduction of a road-toll for passenger vehicles.⁸⁰

The Chamber of Deputies

The EU agenda in the lower house of the Czech parliament is the responsibility of the Committee on European Affairs (CEA).⁸¹ While the new committee membership was established at the end of November because of the October legislative elections, this section will mostly deal with the Committee which was in office before the election. Ondřej Benešík (KDU-ČSL) held the presidency of the Committee for the whole term of office until the election.⁸² In the case of the lower house, the CEA speaks for the whole house although the Committee can submit any dossier to another relevant sectoral committee or ask the president of the Chamber of Deputies to place a dossier on the agenda of a plenary meeting. However, this only happens occasionally and a discussion of EU affairs by the plenary is not required by the rules of procedure. In 2017 the Chamber of Deputies submitted one reasoned opinion to the Commission within the subsidiarity control mechanism concerning a regulation on the internal market for electricity.⁸³ This is less than what it submitted in 2016 (four reasoned opinions) and the same number of reasoned opinions as in 2015. The lower house also submitted twenty standpoints within the political dialogue, which was one more than in the previous year and fifteen more than in 2015. The activity of the house in the pre-legislative process thus had an increasing trend in the past three years.⁸⁴

Positions of the lower chamber of the Czech parliament were mostly in agreement with the framework position of the Czech government. As regards the amount of devoted space and time, migration and asylum-related issues were still among the most important issues on the agenda of the CEA. However, their dominance was less prevailing than in the previous year. We have discussed most of these issues in the 'Agenda and Events' section. Besides that, the Chamber of Deputies welcomed the proposal of the ETIAS as a measure to strengthen security in the EU. Nevertheless, it asked the Commission and EU legislators to properly consider the application of the system in the EU member states which do not fully apply the Schengen acquis.⁸⁵ At the end of the year, the lower chamber recommended that the PM require at all formal and informal negotiations during the European Council's summit that the reform of the Dublin III regulation be adopted by a consensual, unanimous vote regardless of the Treaty provisions allowing for qualified-majority voting.⁸⁶ This recommendation reflects the long-standing opposition of all actors of the Czech EU policy towards the mandatory relocation mechanism in either its permanent or emergency form.

A significant issue in the Czech EU agenda in the lower house was the question of the posted workers directive and the legislation related to the EU Road Traffic Package proposed in May 2017. The two most debated issues in connection with this were the

proposal for a regulation on minimum requirements for maximum daily and weekly driving times, minimum breaks and daily and weekly rest periods, and a directive regarding posting of drivers in the road transport sector. The position of the lower house was basically in line with the framework position of the government (see above), and the CEA argued that the legislation has to reflect the specific situation of the freight sector and aim for as low an impact on the competitiveness of freight companies from the new member states as possible. The CEA also argued that the proposed period exception of three days after which the general directive on posting of workers would apply to employees of freight companies is too short and negates the sense of the proposal – to reflect the specificities of the highly mobile freight sector. Under these conditions, the general directive on posting of workers would apply to most of the freight workers, which would ignore their specific position and undermine the competitiveness of workers from lower-wage countries.⁸⁷ Concerning the creation of the European Pillar of Social Rights, the parliamentarians urged the Czech government to be extremely cautious since it believes “*that social policy should still remain primarily in the competence of the member states*”.⁸⁸

The members of the lower chamber also touched upon Brexit. Their main priorities and principles in this respect were in agreement with the position of the government and the common declaration of the leaders of the parliamentary parties. Their priorities were: (i) the protection of EU citizens and their families living in the UK and vice versa, (ii) a financial settlement that would ensure that the UK would abide by the obligations stemming from its membership in the EU, (iii) the effort to have as close a partnership with the UK as possible in all policy areas, which would reflect the indivisibility of the four freedoms and the need for the UK to contribute to the EU budget as long as its access to the single European market continues, (iv) decreasing the negative impact of Brexit on economic growth and jobs, (v) a common EU approach to negotiations with the UK, and (vi) the effort to achieve the resettlement of the European Banking Authority in Czechia. Moreover, the lower chamber appealed to the government to advocate at the EU level for English to remain the official working language of the Union.⁸⁹

In the field of institutional affairs, the Commission proposed a revision of the system for enforcement of compliance with EU law, including the initiation of the infringement procedure. It proposed, inter alia, to limit the use of the EU Pilot system. It is an informal, structured dialogue between the Commission and the member state concerning issues related to potential non-compliance with EU law, and it is to be used prior to the launching of a formal infringement procedure. It was set up to help solve potential non-compliance problems at an early stage. Due to its potential to prolong the time period before compliance is ensured, the Commission proposed to use the EU Pilot system only in selected cases and to launch the formal infringement procedure in cases where it would not see using the EU Pilot as helpful. The CEA expressed its disagreement regarding limiting the use of the EU Pilot since it proved to be “*a useful instrument for dealing with potential infringements of EU law*”.⁹⁰

The lower chamber argued that in light of the high success-rate of the system, it cannot be deemed to cause any unjustified delay in non-compliance cases. More im-

portantly, the CEA maintained that using the system only in cases which the Commission would select requires the adoption of clear rules on how to select the relevant cases as otherwise the selection process could be non-transparent and could undermine the impartiality of the Commission. Finally, the parliamentarians called on the Commission to set long implementation deadlines so that they could fulfil their obligations in time. While the call to set long implementation deadlines is logical from the point of view of the members of parliament who participate in the transposition of EU law, it could equally be seen as going against a major goal of the EU and its member states: to effectively and flexibly adopt legislation responding to the current problems and failures of the EU and its law.

Concerning the earlier discussed proposal for a reform of the comitology system, the lower house expressed doubts about the proportionality of the measure, since the member state committees do not adopt an opinion only in less than 2 percent of the cases it deals with. It criticised the publishing of the votes of individual countries as leading to a politicisation of the decision-making, which should primarily be driven by expert judgement. The submission of dossiers to the Council of the EU was criticised as potentially leading to unjustified delays in decision-making and an excessive administrative burden. Overall, the CEA supported the framework position of the government, which was in favour of keeping the current systems as it is. The only acceptable change for the CEA if a reform of the system were to take place would be submitting dossiers to the ministerial level should the appeal committee not adopt an opinion in the first instance.⁹¹ While the position of the lower house is legitimate, it does not reflect the situation in the public sphere. It is correct that only in less than 2 per cent of the cases do the committees not deliver an opinion. These are, however, usually very sensitive cases related to public health and security. The EU is then often criticised for adopting important measures drawn up by non-elected bureaucrats, which does not help with how it is perceived by the wider public. Often member states intentionally avoid adopting an opinion in a committee in order to shift the responsibility to the Commission due to domestic political concerns.⁹²

The Senate

While in the lower house the Committee on European Affairs speaks on behalf of the whole chamber, the rules of procedure of the Senate require a discussion and a vote in the plenary for a position/decision to be adopted. The Senate's Committee on European Union Affairs (CEUA) hence serves as a body that submits recommendations to the plenary. In 2017 the membership of the CEUA has not changed from the previous year; the Committee had ten members and the chairman was Václav Hampl (KDU-ČSL). Moreover, the Committee on Foreign Affairs, Defence and Security deals with the agenda related to the EU's Common Foreign and Security Policy in the Senate, which is another institutional-procedural difference between the lower and the upper house of the Czech Parliament.

In 2017, the Senate has not submitted any reasoned opinion within the subsidiarity concern mechanism. This is less than in the previous years, as 2016 saw three reasoned opinions from it and 2015 one reasoned opinion from it, all of which were sub-

mitted to the Commission. Moreover, in 2017, the numerical difference in reasoned opinions between the two houses is the same as in the previous year, when the lower chamber also submitted one more reasoned opinion than the upper chamber. While in 2016 the Senate reversed the decreasing trend in the number of standpoints submitted within the political dialogue, since it submitted 38 standpoints (compared to 22 in 2015, 38 in 2014, and 64 in 2013), the past year has seen the lowest number of standpoints sent by the Senate within the political dialogue ever since its establishment (the Senate submitted 17 standpoints in 2017).⁹³ Despite this decreased activity in the pre-legislative phase, the Czech Senate still belongs among the most active houses of the national parliaments in the EU.⁹⁴

Similarly to the lower house of the Czech parliament, the positions of the Senate on the individual substantive issues of the European agenda were, by and large, in line with the above-discussed positions of the Czech government. At the general level, the Senate expresses its belief that *“European integration remains the fundamental prerequisite for peace, security and prosperity in Europe”*.⁹⁵ Czechia can strengthen its standing in the EU only if it will have a long-lasting stable position towards key EU policies. The Czech government should therefore proceed according to the current Czech Strategy in the EU until it is updated.⁹⁶

The CEUA argued that strategic decisions about the future direction of the EU should result from a consensus of all the member states stemming from discussions at the European Council level. In particular, important decisions in the field of justice and home affairs should reflect this logic. This argument clearly reflects the previous decision to decide about the relocation mechanism on the basis of qualified majority voting in the Council of the EU, for which the Treaties allowed. While it is necessary to keep up the unity of all the member states, the requirement to discuss legislation in the European Council and to reach a consensus risk being stuck in a deadlock, thus undermining the output legitimacy of the EU. This was also reflected when the Senate maintained that it is necessary to *“increase the EU’s ability to adopt decisions, but not by means of outvoting countries in the Council of the EU [...] which eventually decreases the support of citizens”*.⁹⁷ These proclamations contain a certain paradox. The possibility of using majoritarian voting was introduced to avoid deadlock, but it also led to decreasing support for the EU which was not able to deliver what citizens desired. If we allow each decision – if a country deems it to be of strategic importance – to be taken unanimously in the European Council, the EU risks being unable to deliver a decision that would be satisfactory for all the member states. The argumentation of the Senate thus resembles a vicious circle.

The members of the European Committee criticised the Commission and the Czech government for inadequately responding to the Senate’s criticism of the creation of the EPPO, as the Senate argued that the co-operation of national agencies within the EUROJUST should be improved instead. There was a clear divergence between the Senate and the government, which eventually agreed to participate in the enhanced co-operation concerning the establishment of the EPPO.⁹⁸ In the field of migration and asylum policy, which was still intensively debated last year, the CEUA backed the increase of the financial resources devoted to managing migration move-

ments, strengthening external border protection, and responding to the root causes of migration.⁹⁹ In the light of the proposed reform of the rules for the reintroduction of internal border checks, the Senators stressed that such a measure has to remain an extraordinary instrument. Therefore, they welcomed the strengthening of procedural guarantees to ensure this and the requirement to conduct risk assessment for countries wanting to reintroduce internal border checks. It also pointed out its scepticism towards the potential of the European Border and Coast Guards to evaluate submitted risk assessments, as the agency is primarily mandated to guard the external borders.¹⁰⁰

Finally, and probably most importantly, the Senate maintained that the recast of the asylum policy and legislation has to be adopted following “*a compromise acceptable for all member states*”.¹⁰¹ This view primarily aims at the reform of the Dublin III regulation and the relocation mechanism, which remains unacceptable for Czechia. At the same time, the Senators argued that the consensual decision-making means that all member states have to make concessions. Unfortunately, they were not sure which concessions the Czech government would make, and the Senate thus demanded that it submit “*its own proposals on how to comply with the principle of solidarity within the EU’s asylum system*”.¹⁰²

Another widely discussed topic was the European Pillar of Social Rights. While the Senate welcomes any coordinated approach of the member states to combatting social discrepancies and social stratification, it stressed that social policy belongs to the field of shared and/or coordinated competences given that member states have varying traditions of this policy. The discussed European Pillar of Social Rights needs to respect this division of competences between the EU and its member states, on the one hand, and at the same time help in the effective harmonisation of member state social policies without changing the EU founding treaties, on the other hand. The measures of the Pillar should thus be adopted in the form of a recommendation. Finally, the Senate maintained that Czechia should become party to the Pillar even if it is not agreed upon by all the EU member states.¹⁰³

During the last year, the Senators also widely discussed institutional issues of European integration. First, the Senate debated the above-mentioned reform of the steps in the infringement procedure. The Senators criticised the proposed change in the use of the EU Pilot system before an infringement procedure is initiated. According to the CEUA, the EU Pilot system proved to be an effective and fast system of resolving non-compliance with EU law. Therefore, it fundamentally “*disagrees with the proposed limitation in the use of the system [...] which lacks any convincing reason*”. The Senate also requested that the government promote long transposition deadlines in order to prevent possible infringement procedures due to non-compliance based on delayed transposition. The Senate also argued that short transposition deadlines undermine the constitutional identity of a member state since flexible and fast transposition is often ensured by the executive power instead of the legislative power.¹⁰⁴ While it is obvious that the transposition deadlines should be long enough, overly long deadlines may be counterproductive in the light of the argument that the EU needs to be flexible in responding to the people’s needs, which is something that the Senate itself supports.

CONCLUSION AND RECOMMENDATIONS

As in the previous years, in 2017, the Czech EU policy was mainly characterised by reactive behaviour. The Czech Republic usually formulated the goals of its EU policy in response to the concretely articulated policy of the EU. Proposals coming from the EU thus were external stimulants for the formulation of the Czech EU policy, which sometimes negatively positioned itself towards them, passively adopted them at other times, and rather occasionally actively offered its own visions and solutions. In this sense, the Czech EU policy in 2017 was following the trends from previous years characterised by reactive behaviour towards EU strategies and policies. However, some aspects of last year's Czech EU policy were more proactive than they had been in the past. At the same time, we can hardly say that the Czech EU policy has made a decisive step towards a proactive EU policy based on the country's own visions concerning the concrete form of the EU policies and polity.

Active behaviour on the part of the Czech Republic was most clearly manifested in relation to the issue of double foodstuff quality. The graduated offensive of the V4 countries since the beginning of 2017 resulted in the EU-wide discussion and acknowledgement of the problem by EU institutions. Czechia also lobbied for the recast of the directive concerning unfair business-to-consumer commercial practises in the internal market while the Commission has argued for a better use of existing legislation.

Similarly, some other matters such as the reverse charge proposal and the growing integration in the defence policy demonstrated the strong Czech support the permanent structured co-operation (which was referred to by the former PM Sobotka as an opportunity to learn "how to integrate more into the European core").¹⁰⁵ Hence, this participation reflects the fact that these issues represented some (of the few) clearly visible pro-European activities of the government. Such occurrences of pro-active behaviour, however, could not change the overall reactive character of the Czech EU policy.

The reactive Czech EU policy was also frequently characterised by an offensive approach, i.e. confrontational behaviour in relation to EU proposals, and less often by a co-operative approach in the sense of taking up EU proposals. A typical Czech offensive reactive approach was manifested in the Czech response to the proposed amendment to the Dublin III Regulation, which included permanent as well as emergency relocation mechanisms. While the Czech government deemed the status quo of the current systems as non-functional and as contributing to the graveness of the migration and refugee crisis, it has vocally and dourly rejected the proposed reform without proposing any alternative to the status quo, which it itself saw as sub-optimal. Another, non-offensive form of Czech reactivity was manifested in relation to the German discussion regarding the introduction of a road-toll for passenger vehicles. The Czech government explicitly mandated the Minister of Transport to submit a proposal for further Czech action in case one of the member states submits an action for the annulment of the German road-toll.

When it comes to the politicisation, polarisation and coherence of the Czech EU policy, we can say that the trend was not distinctively different from the previous years. While the polarisation between individual actors of the Czech EU policy was already low in 2016, it has reached even lower levels in 2017. There was a wide-ranging agreement between the government and both chambers of the Czech parliament. When there were differences between the executive and legislative branches these were usually overcome. Only in certain cases was there a polarisation between individual actors of the Czech EU policy, with the polarisation between the President and the government (e.g. regarding the sanctions against the Russian Federation) particularly standing out. On the other hand, the Czech policy regarding the reform of the Common European Asylum System was strengthened by the coordination within the V4 group, all of whose members had a negative stance towards the relocation mechanism as well as the supra-nationalisation of asylum policy in general, which led to a strengthening of the “old” versus “new” member states cleavage that polarises the relations among EU member states.

As regards politicisation, the European and Union agenda was a prime example of a highly politicised area. This was enhanced by a very high profile, even though often very critical discussion about a number of the European topics described above. Hence, the European Union was an essential part of the Czech public, political and media debate, which was significantly reflected also in the domestic policy. All that is also affected by the fact that events in the EU cannot be entirely separated from the national level, and both levels are mutually interrelated. As an example, we can give the weapons directive and the almost mythical ethos of the debate on the revision of the Dublin system. A crucial initiator of the politicisation of EU issues was the parliamentary elections, where the European issues – in particular, migration and joining the eurozone, but also the sense of the existence of EU membership – were brought to the forefront more than ever before. The launched reform process of the EU intensified the politicisation of European topics. On the other hand, this interest was not reflected in a greater public trust in the EU, as the Czech trust in the EU is very low. The prevailing critical tone of the discourse on European matters was mutually enforced at both the level of political elites and that of the public.

Finally, we assess the coherence of the Czech EU policy in light of the declared Czech priorities and goals. In this sense, the Czech EU policy can be labelled as rather incoherent, as it did not make any substantial progress towards the fulfilment of these goals. The “old” versus “new” member states cleavage that underpinned the discussion of the reform of the migration and particularly the asylum policy did not contribute to the unity in the EU, which is one of the main goals of the Czech Strategy in the EU. At the same time, Czechia did not make any other progress in relation to another key goal of the Strategy – to ensure a fully-fledged membership for itself and its belonging to EU core. In this sense, membership in the Eurozone will define whether any given EU member state belongs to the core. On the other hand, the Czech decision to participate in the PESCO, the EPPO and the European Pillar of Social Rights, as well as the co-operation in the area of single market (tax policy and the digital agenda) can

be seen positively as contributing to the declared Czech goals of belonging to the integration core and improving the coherence of Czechia's EU policy.

As is clear, despite its positive aspects, the Czech policy towards the EU had further considerable limitations in achieving its goals. Hence, it should reflect the strategic change of the position of countries not using the euro. No matter what direction the development of the eurozone will take, it will be, whether we want it or not, the main platform for deepening the co-operation with the EU. Furthermore, the endeavour to stabilise the eurozone can also lead to a greater concentration of financial means in states using the euro, particularly in the sense of supporting structural reforms. That means that Czechia should take into account its involvement in some forms of co-operation, such as the Fiscal Pact, and thus also its having an opportunity to have a greater influence on the actions taking place in the eurozone. An important aspect of this thinking is evaluating whether the reasons for refusing the euro that were given up until now are so crucial that Czechia should still hesitate to accept it. In particular, this is so if the process will take several years after the passing of the political decision and it is more than desirable to launch an intensive public debate on the impacts of this step. As regards the depth of eurozone reforms, there is a possibility of Czechia co-operating with states of similar opinions as the so-called northern group (see the section "Agenda and Events"). Moreover, the President of the Commission introduced in 2017 his ideas for a financial device that could make it easier to join the eurozone. Czechia can support its establishment and at the same time also use it as an argument within the domestic debate, which is centred primarily around the financial costs of the membership and substantially underestimates its political impacts.

The prevailing critical attitude of the political elites has a crucial influence on the public, which does not see the EU as a means to assert Czech interests, but actually quite the contrary. Such a state cannot be maintained on a long-term basis. Even though the Czech government saw the lack of trust within the EU as a major problem, it became its active part. The Czech politics fails to communicate its priorities, and the lack of trust of the Czech public towards the EU is also a distrust in the Czech European policy. The launched debate on the possible declaration of a referendum about remaining in the EU is a crucial memento warning about where such a critical attitude can lead. Thus, Czechia should consistently communicate and actively assert the defined priorities on both the domestic and European levels. The V4 group, which can serve the Czech interests very well in many aspects, appears rather as a dissent platform, which symbolises this lack of constructiveness. Moreover, its image is distorted by the political regimes in Poland and Hungary, which are openly fighting against liberal democracy. Hence, using the V4 as an opposition group within the EU is not efficient for Czechia and does not lead to it pursuing its key priorities or assuming the position of a transparent and reliable partner. Furthermore, the not very constructive Czech position, which is most visible in the field of migration, can be used to put pressure on Czechia in other areas, e.g. in the Cohesion Policy, when discussing a future financial framework and the reduction of means in this area. Therefore, the ongoing reform process of the EU provides a unique opportunity to clearly define the Czech vision and realise what policy the Czech Republic wants to pursue in the EU.

Endnotes

- ¹ For more details on the European agenda see: Evropský rozměr české zahraniční politiky [The European Dimension of the Czech Foreign Policy], in Michal Kořan (ed.) *Česká zahraniční politika v roce 2016. Analýza ÚMV [Czech Foreign Policy in 2016: an IIR Analysis]*. Praha: Institute of International Relations, pp. 33–80.
- ² European Commission (2017) *White Paper on the Future of Europe*. Available from: https://ec.europa.eu/commission/sites/beta-political/files/white_paper_on_the_future_of_europe_en.pdf.
- ³ The parties are the following: ANO 2011, the Civic Democratic Party (ODS), the Czech Pirate Party, Freedom and Direct Democracy (SPD), the Communist Party of Bohemia and Moravia (KSČM), the Czech Social Democratic Party (ČSSD), the Christian Democratic Union-Czechoslovak People's Party (KDU-ČSL), TOP 09 and Mayors and Independents (STAN). See Czech Statistical Office (2017) Elections to the Chamber of Deputies of the Parliament of the Czech Republic Held on 20–21 October 2017. Available from: <https://www.volby.cz/pls/ps2017nss/ps2?xjazyk=EN>.
- ⁴ The Government of the Czech Republic (2015) *Koncepce politiky ČR v EU [The Concept of the Czech Republic's Policy in the EU]*. Available from: <https://www.vlada.cz/assets/media-centrum/aktualne/Koncepce-politiky-CR-v-EU.pdf>.
- ⁵ Centrum pro výzkum veřejného mínění [The Public Opinion Research Centre] (2017) *Důvěra v evropské a mezinárodní instituce [Trust in European and International Institutions]*. Praha: Sociologický ústav AV ČR. Available at: https://cvvm.soc.cas.cz/media/com_form2content/documents/c2/a4330/f9/pm170524b.pdf.
- ⁶ European Commission (2017) *Standard Eurobarometer 88*. November 2017. Available from: <http://ec.europa.eu/commfrontoffice/publicopinion/index.cfm/Survey/getSurveyDetail/instruments/STANDARD/surveyKy/2143>.
- ⁷ European Parliament (2017) *Two Years Until the 2019 European Elections*. Special Eurobarometer of the European Parliament. April 2017. Available at: http://www.europarl.europa.eu/pdf/eurobarometre/2017/2019ee/two_years_until_ee2019_synthesis_en.pdf.
- ⁸ European Parliament (2017) *Parlemeter 2017. A Stronger Voice. Part II: Complete Survey Results*. European Parliament. October 2017. Available from: http://www.europarl.europa.eu/external/html/parlemetre/eb88_results_annex.pdf.
- ⁹ For the issue of the European defence co-operation see the chapter ‘The Security Dimension of the Czech Foreign Policy’; for the issue of rule of law in Poland see the chapter ‘Cooperation of the Visegrad Countries’; for Brexit and migration and asylum issues see the Introduction; and for the screening of foreign direct investments see the Conclusion.
- ¹⁰ We have, for example, omitted the discussion of the directive on the control of the acquisition and possession of weapons, which has already been discussed in last year's edition.
- ¹¹ European Commission (2017) *White Paper on the Future of Europe*. Available from: https://ec.europa.eu/commission/sites/beta-political/files/white_paper_on_the_future_of_europe_en.pdf.
- ¹² The particular preferences and political interests could be deduced from the statements of the representatives of the parliamentary parties who had expressed their opinions about the document. While KDU-ČSL accepted the existing pace and did not reject the enhancement of the multi-speed Europe, ODS preferred a flexible integration (abandoning the dogma of an ever-narrower Union), and so did TOP 09 (yet only provided that Czechia participates in the European core). The position of the ANO movement can be deduced only from its pre-election programme, in which it tends to think that the EU should do fewer things but more effectively. SPD and KSČM rejected the proposed scenarios: the former did so because the party is pushing for a total departure from the EU, and the latter did so because the proposed scenarios do not reflect the promised democratisation of the Union. Cf. Byznys noviny (2017) Vývoj EU do roku 2025: Strany v Česku se na žádném

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- ¹³ These areas are internal security, the Schengen co-operation, protection of the EU's external borders, the fight against terrorism, migration, compliance with the rules of the budgetary surveillance, stability of the single currency, completing the single market (especially in the areas of energy, services, digital economy and financial markets), trade and foreign policy, and defence policy.
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- ⁸² After the parliamentary election the new Committee's membership was established and its leadership was elected. Ondřej Benešík was re-elected to the position of the CEA chairman. The newly elected deputy chairmen are Přemysl Mališ, Mikuláš Peksa, Lubomír Volný, Jiří Valenta, and Ondřej Veselý. The remaining members of the CEA are Andrea Babišová, Jaroslav Bžoch, Jan Farský, Ivan Jáč, Adam Kalous, Jiří Kobza, František Kopřiva, Helena Langšádlová, Pavel Plzák, Jan Skopeček, Petr Vrána, and Jan Zahradník.
- ⁸³ The Chamber of Deputies of the Parliament of the Czech Republic (2017) 376. *Usnesení výboru pro evropské záležitosti z 3. schůze ze dne 13. prosince 2017 [The Committee of European Affairs Resolution no. 376 from the 3rd Meeting on 13 December 2017]*. Available from: <https://www.psp.cz/sqw/text/text2.sqw?idd=109404> (Accessed 15 March 2018).
- ⁸⁴ IPEX-The Platform for EU Interparliamentary Exchange (n.d.) Search Legislation. Available from: goo.gl/ENBtzX (Accessed 15 March 2018).
- ⁸⁵ The Chamber of Deputies of the Parliament of the Czech Republic (2017) 341. *Usnesení výboru pro evropské záležitosti z 60. schůze ze dne 25. ledna 2017 [The Committee of European Affairs Resolution no. 341 from the 60th Meeting on 25 January 2017]*. Available from: <https://www.psp.cz/sqw/text/text2.sqw?idd=91173> (Accessed 15 March 2018).
- ⁸⁶ The Chamber of Deputies of the Parliament of the Czech Republic (2017) 9. *Usnesení výboru pro evropské záležitosti z 3. schůze ze dne 13. prosince 2017 [The Committee of European Affairs Resolution no. 9 from the 3rd Meeting on 13 December 2017]*. Available from: <https://www.psp.cz/sqw/text/text2.sqw?idd=143290> (Accessed 15 March 2018).
- ⁸⁷ The Chamber of Deputies of the Parliament of the Czech Republic (2017) 416. *Usnesení výboru pro evropské záležitosti z 69. schůze ze dne 21. září 2017 [The Committee of European Affairs Resolution no. 416 from the 69th Meeting on 21 September 2017]*. Available from: <https://www.psp.cz/sqw/text/text2.sqw?idd=119292> (Accessed 15 March 2018).
- ⁸⁸ The Chamber of Deputies of the Parliament of the Czech Republic (2017) 403. *Usnesení výboru pro evropské záležitosti z 68. schůze ze dne 15. června 2017 [The Committee of European Affairs Resolution no. 403 from the 68th Meeting on 15 June 2017]*. Available from: <https://www.psp.cz/sqw/text/text2.sqw?idd=117517> (Accessed 15 March 2018).
- ⁸⁹ The Chamber of Deputies of the Parliament of the Czech Republic (2017) 394. *Usnesení výboru pro evropské záležitosti z 66. schůze ze dne 25. května 2017 [The Committee of European Affairs Resolution no. 394 from the 66th Meeting on 25 May 2017]*. Available from: <https://www.psp.cz/sqw/text/text2.sqw?idd=109917> (Accessed 15 March 2018).
- ⁹⁰ The Chamber of Deputies of the Parliament of the Czech Republic (2017) 386. *Usnesení výboru pro evropské záležitosti z 3. schůze ze dne 13. prosince 2017 [The Committee of European Affairs Resolution no. 386 from the 3rd Meeting on 13 December 2017]*. Available from: <https://www.psp.cz/sqw/text/text2.sqw?idd=109736> (Accessed 15 March 2018).
- ⁹¹ The Chamber of Deputies of the Parliament of the Czech Republic (2017) 398. *Usnesení výboru pro evropské záležitosti z 67. schůze ze dne 1. června 2017 [The Committee of European Affairs Resolution no. 398 from the 67th Meeting on 1 June 2017]*. Available from: <https://www.psp.cz/sqw/text/text2.sqw?idd=110004> (Accessed 15 March 2018).
- ⁹² Info.cz (2017) Poslední hřebík do rakve Evropské unie? Šéf Evropské komise Juncker chystá kontroverzní reformu [The Last Nail in the Coffin of the EU?: The President of the European Commission Juncker Is Preparing a Controversial Reform]. *Info.cz*. Available from: <http://www.info.cz/svet/posledni-hrebik-do-rakve-evropske-unie-sef-evropske-komise-juncker-chysta-kontroverzni-reformu-4987.html> (Accessed 15 March 2018).

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- ⁹⁴ Raffaj, I. and Kovář, J. (2016) *Využívání principu subsidiarity národními parlamenty a jejich zapojení do rozhodovacího procesu EU [The Use of the Subsidiarity Principle by National Parliaments and Their Involvement in the EU Decision-Making Process]*. Prague: Evropské hodnoty, o. s., p. 14.
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- ⁹⁹ Office of the Senate (2017) *Projednávání agendy EU v Senátu leden 2017 [Discussion of the EU Agenda in the Senate, January 2017]*. Available from: <http://www.senat.cz/xqw/webdav/pssenat/original/83103/69771> (Accessed 15 March 2018).
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- ¹⁰² The Senate of the Parliament of the Czech Republic (2017) 143. *Usnesení pro záležitosti Evropské unie ze 17. schůze, konané dne 5. prosince 2017 [The Committee of European Union Affairs Resolution no. 143 from the 17th Meeting on 5 December 2017]*. Available from: <http://www.senat.cz/xqw/xervlet/pssenat/htmlhled?action=doc&value=86201> (Accessed 15 March 2018).
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- ¹⁰⁵ Cf. Euractiv (2017) *Česko se zapojí do společné obrany EU [Czechia Is to Be Involved in the Common Defence of the EU]*. *Euractiv.cz*, 13 November 2017. Available from: <https://euractiv.cz/section/aktualne-v-eu/news/cesko-se-zapoji-spolecne-obrany-eu-nabidnout-muze-technologie-sveho-chemickeho-vojska/>.