



# Weekly Briefing

**Croatia Political briefing:**  
**Internalizing European politics in Croatia**  
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## **Internalizing European politics in Croatia**

*On 12 September 2018 the European Parliament voted on a resolution on a proposal to the European Council to consider possible measures against Hungary which is believed to be undermining the rule of law and fundamental rights. The resolution is based on a report submitted by Judith Sargentini, MEP (Member of the European Parliament) from the Greens. Croatian MEPs voted differently – some supported the resolution, some voted against it. This brief explains what were reasons for difference in voting. By doing so it also indicates how European politics is, step by step, internalized in Croatia which has marked its fifth year membership in the European Union.*

### **A motion against Hungary**

On 12 September 2018 the European Parliament voted for the first time in its history on a resolution against its member state. The resolution is “calling on the Council to determine, pursuant to Article 7(1) of the Treaty on European Union, the existence of a clear risk of a serious breach by Hungary of the values on which the Union is founded.”<sup>1</sup> The resolution is an expression of concern that Hungary is underperforming in the following areas:

- the functioning of the constitutional and electoral system;
- the independence of the judiciary and of other institutions and the rights of judges;
- corruption and conflicts of interest;
- privacy and data protection;
- freedom of expression;
- academic freedom;

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<sup>1</sup> <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&language=EN&reference=P8-TA-2018-0340>

- freedom of religion;
- freedom of association;
- the right to equal treatment;
- the rights of persons belonging to minorities, including Roma and Jews, and protection against hateful statements against such minorities;
- the fundamental rights of migrants, asylum seekers and refugees;
- economic and social rights.<sup>2</sup>

The resolution is based on a report submitted by Judith Sargentini, a MEP from the Netherlands. Sargentini belongs to the Greens/EFA group in the European Parliament.

The report elaborates in detail on each of the above issues of concern, bringing examples to substantiate its conclusions. Hungary is expected to remedy actions that cause the concern of the European Parliament as these give a reason to believe that Hungary is at risk of breaching European values as explained in Article 2 of the TEU (Treaty of the European Union). The Article 2 of TEU reads as following: “The Union is 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. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail.”<sup>3</sup>

Out of 683 MEPs, 448 voted in favour of Sargentini’s proposal, 197 were against and 48 undecided.

### **How did Croatian MEPs vote?**

Croatia has eleven MEPs and they belong to different European party groups. Five Croatian MEPs belong to EPP (The European People’s Party) and

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<sup>2</sup> Ibid.

<sup>3</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:12012M002>

these are from HDZ (The Croatian Democratic Union) and from HSS (The Croatian Peasant Party). Members of EPP are four from HDZ and one from HSS. Two MEPs belong to S&D (Socialist and Democrats) from the Croatian SDP (The Social Democratic Party). Two MEPs are in ALDE/ADLE (The Alliance of Liberals and Democrats for Europe) who come from two Croatian parties – HNS (The Croatian People’s Party – Liberal Democrats) and IDS (The Istrian Democratic Alliance). One Croatian MEP is in ECR (European Conservatives and Reformists) from HKS (The Croatian Conservative Party). One belongs to Greens/EFA (The Greens/European Free Alliance) and comes from a party ORaH (Sustainable Development of Croatia).

Out of eleven MEPs from Croatia, five voted in favour of the proposal (ALDE/ADLE, Greens/EFA, S&D) and five were against (EPP and ECR). One MEP (EPP) was absent. The results of voting caused broad discussion in the country. The crux of the debate revolved around two key issues – difference in opinion on procedure that led to the adoption of the resolution and explanations for difference in casting votes. Nobody brought into question the content of Sargentini’s report.

HDZ, the political party of the Croatian Prime Minister Andrej Plenković, voted against the resolution. HDZ is a member of EPP whose leader Manfred Weber of the German CDU (Christian Democratic Union) openly criticized Victor Orban whose Fidesz is also a member of EPP.

EPP was in the past criticized for turning a blind eye on rhetoric and policies of some of its members that were perceived as undermining the EU solidarity and challenging EU values for the sake of preserving unity within the political group. The voting on Hungary was a stark change from the previous practice.

In a discussion in the Parliament, Weber emphasized that Europe protects human rights, not Christian rights. Udo Bullmann, who spoke on behalf of S&D, accused Hungary of deep-rooted corruption while Guy Verhofstadt concluded that Hungary as it is today would not be able to become a member of the EU.

HDZ MEPs offered several reasons why they voted against Sargentini's report. They also issued a written statement to clearly communicate reasons for their voting. While acknowledging the concerns that exist in the EU related to Hungary's undermining rule of law and violating fundamental European values, in particular those related to the functioning of the constitutional system, judiciary, academic freedoms and respect of rights of migrants and asylum seekers, HDZ believes that the final word on these issues should have the European Court of Justice. Namely, there are several ongoing cases at the Court against Hungary for violation of the European acquis. Only when the ECJ decides on these cases can a procedure against Hungary be activated.

Activation of the Article 7 of the TEU is, in opinion of HDZ, an extremely sensitive issue that should be only a very last resort. In public statements, Dubravka Šuica and Željana Zovko, both from HDZ, also explained that HDZ voted against Sargentini's report because they think that the initiative should have come from the European Commission, not the Parliament. They also said that they did not want to vote against Hungary as it is a neighbouring country with which Croatia should maintain good relations.

Similar views were expressed by the Croatian Prime Minister Andrej Plenković who said that HDZ voted against the report because it believes that it was up to the European Commission to initiate a procedure. The Prime Minister added that the reason why HDZ voted against the report was the fact that Croatia has several open issues with Hungary which it would like to see resolved. Therefore, Plenković explained, they see this voting in a broader context.

Tonino Picula of SDP, a member of S&D, explained that they voted for the report because they share concerns that Hungary is violating European values. As they are committed to preserving these values, he and MEPs who voted for the report see this as a way to protect European values. Unlike HDZ who underscored good neighbourly relations, Picula explained that as a neighbour Hungary was not amiable to Croatia – it blocks Croatia's entry into OECD and

has erected barbed wire fence on the border between the two countries, both members of the EU.

Analysts were divided over the rationale to vote for or against the report. Some claimed that HDZ voted correctly because the Parliament should not have initiated a procedure to vote against a member state. In their opinion, this opened space for political games and manipulation. If there is substantial concern that Hungary was in breach of European values, then it was the job of the Commission to take an appropriate action. Also, they criticized the Parliament for allowing voting to take place because they see it more in light of a campaign for the 2019 European elections rather than motivated by genuine concerns for upholding European values. These critics do not question the legality of voting, but claim that this should not be a job of the European Parliament. In their opinion, the Lisbon treaty created legal vacuum in which the Council, the Commission and the Parliament wye for power.

Others, however, criticized HDZ for not siding with the majority of MEPs who condemned Hungary's illiberal policies. They reject the argument of good neighbourly relations as a basis for voting. First, some claim that there are no good neighbourly relations and thus Croatia was not obliged to support a neighbour. Others criticize the voting against the report from a different angle claiming that common European interests should transcend partial interests. In other words, preserving European values should not be constrained by selfish interests of its member states. Some add that HDZ, by voting against the report unlike the majority of other EPP MEPs, has placed itself further to the right, leaning more to the conservatives in the European Parliament.

## **Conclusion**

The voting on the report submitted by MEP Sargentini against Hungary in the European Parliament on 12 September 2018 was a historical event as this was the first time that the Parliament initiated a procedure against an EU member state. The voting has caused broad discussion in Croatia - an equal

number of Croatian MEPs voted for and against the report. These voting results reflect different positions Croatian political parties take towards the European Union and Croatia's position in it. In light of the upcoming European elections in spring 2019, it is likely that candidates will make further effort to differentiate themselves further from other candidates. What is clear is that European politics is slowly permeating Croatian politics, which is still very much focused on domestic issues. Yet, as Croatian membership in the European Union continues, it is only logical to expect that Croatia will further internalize European politics into its domestic political debate.