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# Too Big to Succeed? The Impact of the 2004 and 2007 Enlargements on EU Diplomacy vis-à-vis the Middle East Peace Process

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## About the Author

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## **Abstract**

After many decades of developing a strong discourse on the Middle East Peace Process, in recent years the position of the European Union (EU) appears to have weakened. This is reflected in a lack of development of the EU's common position on the one hand, and certain Member States, particularly eastern enlargement states, diverging from the EU's position on the other. This paper therefore addresses two questions: Firstly, to what extent did the 2004 and 2007 enlargements impact the consistency of the EU's position regarding the Middle East Peace Process? Secondly, why did these enlargements have such an impact on the consistency of the EU's position? The paper argues that certain 2004/2007 enlargement Member States have since from the mid-2010s most visibly weakened the consistency of the EU's position. This appears to be driven by factors including their commitment to transatlantic relations, similar ideological positions to those of the Israeli government, and Judeo-Christian values.

## Introduction: The Role of a post-‘Big Bang’ EU in the Middle East

While the European Union's (EU) position on the Middle East Peace Process has come under particular scrutiny following its response to the attacks of October 7, 2023 and the Israel-Hamas war,<sup>1</sup> the EU has sought to have a role in the Middle East Peace Process since the origins of its foreign and security policy in the early 1970s, the so-called European Political Cooperation (EPC).<sup>2</sup> Over the last quarter of the 20<sup>th</sup> century, the then-European Community (EC) developed a consistent and influential discourse on the topic.<sup>3</sup> However, it appears that from the mid-2010s there has been a shift in the EU's role in the Middle East Peace Process as Member States – particularly, although not exclusively, those that acceded to the EU in 2004 and 2007 – diverged from the EU's position.<sup>4</sup> This paper will therefore investigate the extent to which the 2004 and 2007 enlargements impacted EU diplomacy vis-à-vis the Middle East Peace Process, as well as the reasons for this impact.

2004 witnessed the ‘big bang’ enlargement of the EU with the accession of ten new Member States, primarily from central and eastern Europe.<sup>5</sup> These included the ‘Visegrád Four’ (V4): the Czech Republic, Hungary, Poland, and Slovakia. This enlargement round was followed in 2007 by the accession of Bulgaria and Romania.<sup>6</sup> To ensure consistency in EU policies, new Member States are required to implement the EU's *acquis* and their foreign policies should thus undergo ‘Europeanisation’, a process through which foreign policy positions are ‘downloaded’ from the commonly-agreed European level to the national level.<sup>7</sup> However, it has been observed that the foreign policies of several of these countries, particularly the V4 group, have been

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<sup>1</sup> See, for example, Pierre Vimont, “Europe's Moment of Powerlessness in the Middle East”, *Carnegie Europe*, 10 October 2023.

<sup>2</sup> Sharon Pardo and Joel Peters, *Uneasy Neighbors: Israel and the European Union* (Lanham: Lexington Books, 2010), 6.

<sup>3</sup> Muriel Asseburg and Nimrod Goren, “Introduction”, in *Divided and Divisive: Europeans, Israel and Israeli-Palestinian Peacemaking*, eds. Muriel Asseburg and Nimrod Goren (Mitvim, SWP and PAX, 2019), 7, 5.

<sup>4</sup> See, for example, Joanna Dyduch, “The Visegrád Group's Policy towards Israel: Common Values and Interests as a Catalyst for Cooperation”, *SWP Comment 2018/C 54* (Berlin: SWP, 2018), 1.

<sup>5</sup> Johannes Hahn, Commissioner for European Neighbourhood Policy & Enlargement Negotiations, “European Neighbourhood Policy: the way forward”, speech, Vienna, 2 March 2015.

<sup>6</sup> *Ibid.*

<sup>7</sup> Guy Harpaz, “EU-Israel Relations: Netanyahu's Legacy”, *European Foreign Affairs Review* 27, no. 4 (2023), 15; Patrick Müller, Karolina Pomorska, and Ben Tonra, “The Domestic Challenge to EU Foreign Policy-Making: From Europeanisation to de-Europeanisation?”, *Journal of European Integration* 43, no. 5 (2021), 521-522; Christopher Walsch, “An East-West Divide in the European Union? The Visegrad Four States in Search of the Historical Self in National Discourses on European Integration”, *Politics in Central Europe* 14, no. 2 (2018), 183.

renationalised over time as their governments have sought to 'claim back' their sovereignty.<sup>8</sup>

The divisions between Member States regarding the Middle East Peace Process run between Member States that take a stance more sympathetic to the Palestinians and those that tend to align with Israel. While the 'pro-Israel' side includes countries such as Austria and Greece in addition to eastern enlargement states, it is the latter that have been identified as impeding EU action on the Middle East Peace Process.<sup>9</sup> Thus, to a significant extent, divisions are often thought to fall along the lines of "West/old and East/new Europe".<sup>10</sup> Nonetheless, Member State divisions over the Israeli-Palestinian conflict have existed for decades,<sup>11</sup> and it was initially observed that the eastern enlargement had not caused a notable shift in the role of the EU in the Middle East as new Member States did not know how to assert their position within the EU's institutional framework.<sup>12</sup>

In recent years, however, even the EU's well-established positions on the Middle East Peace Process have been described as "increasingly meaningless".<sup>13</sup> The literature in this field has noted that Member State divisions have become more pronounced, especially since the mid-2010s.<sup>14</sup> Authors have pointed to several possible reasons for the divisions between Member States. These include Israeli government efforts to exacerbate Member State divisions with the aim of tilting the EU position in favour of Israel,<sup>15</sup> the desire of governing parties in eastern enlargement states to distance themselves from antisemitic identities of the past by allying themselves with Israel over the EU,<sup>16</sup> and ideological connections between eastern enlargement states and

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<sup>8</sup> Walsch, *op. cit.*, 183-184.

<sup>9</sup> Sinem Akgül-Açıkmeşe *et al.*, "Stalled by Division: EU Internal contestation of the Israeli-Palestinian Conflict", *JOINT Research Papers*, no. 19 (2023), 12.

<sup>10</sup> Anders Persson, *EU Diplomacy and the Israeli-Arab Conflict, 1967-2019* (Edinburgh: Edinburgh University Press, 2020), 132.

<sup>11</sup> Sharon Pardo and Neve Gordon, "Euroscepticism as an Instrument of Foreign Policy", *Middle East Critique* 27, no. 4 (2018), 401.

<sup>12</sup> Lena Kolarska-Bobinska and Magdalena Mughrab, "New EU Member States' Policy towards the Israeli-Palestinian Conflict: The Case of Poland", *EuroMesco Paper* 69 (2008), 12.

<sup>13</sup> Muriel Asseburg quoted in Judy Dempsey, "Judy Asks: Have the Europeans Any Influence in the Israeli-Palestinian Conflict?", *Carnegie Europe*, 2 February 2023.

<sup>14</sup> Federica Bicchì and Benedetta Voltolini, "Europe, the Green Line and the Issue of the Israeli-Palestinian Border: Closing the Gap between Discourse and Practice?", *Geopolitics* 23, no. 1 (2017), 137; Federica Bicchì and Benedetta Voltolini, "The European Union and the Israeli-Palestinian conflict", in *The Routledge Handbook on EU-Middle East Relations*, eds. Dimitris Bouris, Daniela Huber and Michelle Pace (Abingdon: Routledge, 2021) (e-book); Persson, *EU Diplomacy*, *op. cit.*, 146-151.

<sup>15</sup> Asseburg and Goren, *op. cit.*, 5-6.

<sup>16</sup> Harpaz, *op. cit.*, 6.

Israel.<sup>17</sup> This paper advances two main arguments. Firstly, it is submitted that the EU's 2004 and 2007 enlargements had a significant impact on the consistency of EU diplomacy vis-à-vis the Middle East Peace Process. This includes both a weakening of the EU position since the mid-2010s and vertical inconsistency between the EU level and Member States' actions. Secondly, this paper argues that eastern enlargement Member States have diverged from the EU position due to Israeli diplomatic efforts, a desire to follow the United States' (US) position, and different ideological and religious values from Western European countries. The rise of right-wing populist politics across the US, Israel and certain central and eastern European Member States, as well as the significant change in the US approach towards the Middle East Peace Process under President Trump, explain why some of these Member States started to visibly undermine the consistency of the EU's diplomacy in the mid-2010s.

### Framework of Analysis

Diplomacy, while a broad concept,<sup>18</sup> relates here to the EU's or states' positions on an issue in international politics as expressed through rhetoric, such as declarations and speeches, as well as through actions, such as voting in international fora or changing policies.

Consistency is a requirement for EU external action under the Treaties.<sup>19</sup> With respect to the Common Foreign and Security Policy (CFSP), the Treaty on European Union mandates the Council and the High Representative to "ensure the unity, consistency and effectiveness of action by the Union".<sup>20</sup> Consistency in the EU's stance lends it credibility and thus legitimacy as a global actor. Legitimacy is crucial to the EU's ability to pursue and achieve normative goals.<sup>21</sup> Moreover, the EU's ability to act with a single voice at the international level is vital for the effectiveness of the CFSP.<sup>22</sup>

A distinction can be drawn between consistency and the concept of coherence. Consistency is "the absence of contradiction", while coherence goes further, suggesting "synergy and added value".<sup>23</sup> However, Hillion points out that

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<sup>17</sup> Hugh Lovatt, "EU Differentiation: Past, Present, and Future", *Israeli European Policy Network*, May 2018, 12.

<sup>18</sup> Paul Sharp, *Diplomacy in the 21st Century: A Brief Introduction* (London: Routledge, 2019), chapter 1 (e-book).

<sup>19</sup> European Union, "Consolidated Versions of the Treaty on European Union of 1 March 2020", *Official Journal of the European Union*, C202, 7 June 2016, art. 21(3).

<sup>20</sup> *Ibid.*, art. 26(2).

<sup>21</sup> Harpaz, *op. cit.*, 6.

<sup>22</sup> *Ibid.*, 14.

<sup>23</sup> Christophe Hillion, "Tous pour un, un pour tous! Coherence in the External Relations of the European Union", in *Developments in EU External Relations Law*, edited by Marise Cremona, Oxford: Oxford University Press, 2008, 14.

'consistency' in the Treaties can be broadly interpreted, as many of the EU's policy documents instead use the term 'coherence'.<sup>24</sup> Therefore, while the term 'consistency' is used in this paper, it is broadly defined to also encompass the elements of coherence. Accordingly, consistency will be assessed as high (the absence of contradiction and the presence of added value), moderate (the absence of contradiction only) or low/inconsistent (the presence of contradiction). This paper focuses on *vertical* consistency, which relates to consistency between the EU and Member States.<sup>25</sup> It also considers consistency over *time* regarding the EU's position.

The assessment of consistency is carried out in two stages. Firstly, the EU's discourse on the Middle East Peace Process is analysed for its consistency over time. This is achieved primarily through an analysis of the frequency of EU discourse, updating existing research with an in-depth consideration of EU discourse in the 1 January 2016 to 1 September 2023 period. Discussions of the Foreign Affairs Council and statements published on the European External Action Service and Council websites which were reported under headings linked to the Middle East Peace Process are analysed. Secondly, to assess vertical consistency, the actions and discourse of 2004/2007 enlargement Member States are analysed and compared with the EU position across three case studies: the treatment of products originating in Israeli settlements in economic relations with Israel; the recognition of Jerusalem as the capital of Israel; and the response to the May 2021 conflict. As existing literature identifies a shift in the EU position since the mid-2010s, these case studies were selected as three key developments related to the Israeli-Palestinian conflict since 2015 to which the EU has sought to respond with a single voice. The findings of the case studies are extracted from news reports and analysis of discourse, supplemented by interviews with EU and Member State officials.

The analysis of Member State divisions also involves two stages. Firstly, the relationships between Israel and the 2004/2007 enlargement countries identified as diverging from the EU position are analysed. Secondly, the key reasons for the deepened relationship between Israel and these Member States are analysed. These analyses are based on Israeli and Member State discourse, interviews with EU and Member State officials, news reports and secondary literature. The main limitation of this method of research is the restricted range of sources consulted due to language limitations.

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<sup>24</sup> *Ibid.*, 15.

<sup>25</sup> Simon Duke, "Consistency as an Issue in EU External Activities", *European Institute of Public Administration*, Working Paper 99/W/06 (1991); Hillion, *op. cit.*, 17.



The paper proceeds as follows: Firstly, the consistency of the EU's position is analysed. Secondly, Member States' divisions and divergence from the EU position are examined. Thirdly, the factors driving Member State divisions are explained.<sup>26</sup>

### **Consistency of the EU's Position on the Middle East Peace Process**

This section first analyses EU discourse on the Middle East Peace Process from the early period of EPC to the mid-2010s. It then contrasts this with EU discourse since the mid-2010s.

#### *EU Discourse on the Middle East Peace Process from the 1970s to the mid-2010s*

From its first EPC statement on the subject in 1971, the EU developed a strong discourse on the Arab-Israeli conflict.<sup>27</sup> The EC's official declarations progressively recognised the rights and legitimacy of the Palestinian people, eventually voicing support for Palestinian statehood.<sup>28</sup> The Venice Declaration of 1980 referred to the right of Palestinians to "self-determination" and effectively legitimised the Palestinian Liberation Organisation (PLO) in calling for their involvement in negotiations.<sup>29</sup> The EC's legitimisation of the PLO through the Venice Declaration had profound implications, influencing international language on the conflict and opening the door to peace negotiations as both the US and Israel subsequently established relations with the PLO.<sup>30</sup>

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<sup>26</sup> See Emilie Oudart, *Too Big to Succeed? The Impact of the 2004 and 2007 Enlargements on the EU's Diplomacy vis-à-vis the Middle East Peace Process*, Master's thesis, Bruges: College of Europe, for further evidence and more in-depth consideration of the issues raised in this paper.

<sup>27</sup> Communautés Européennes, « Deuxième conférence des ministres des affaires étrangères sur la coopération politique », *Bulletin des Communautés Européennes*, No. 6 (1971), 30; Erwan Lannon, « L'accord d'association intérimaire Communauté européenne - O.L.P. : l'institutionnalisation progressive des relations euro-palestiniennes », *Revue des affaires européennes* 2 (1997), 170; Anders Persson, "Shaping Discourse and Setting Examples: Normative Power Europe can Work in the Israeli-Palestinian Conflict", *Journal of Common Market Studies* 55, no. 6 (2017), 1415.

<sup>28</sup> Communautés Européennes, « Déclarations des Neufs sur le Proche-Orient », *Bulletin des Communautés Européennes*, no. 10 (1973), 116; Communautés Européennes, « Déclarations sur le Moyen-Orient », *Bulletin des Communautés Européennes*, no. 6 (1977), 67; Communautés Européennes, « Coopération politique : Annexe I : Déclaration sur le Moyen-Orient », *Bulletin des Communautés Européennes*, no. 6 (1989), 16; Communautés Européennes, « Conclusions de la présidence : Annexe III : Appel de l'Union européenne en faveur de la paix au Moyen-Orient », *Bulletin des Communautés Européennes*, no. 6 (1997), 24; Communautés Européennes, « Conclusions de la présidence : Annexe VI : Déclaration sur le Proche-Orient », *Bulletin des Communautés Européennes*, no. 6 (2002), 23; Persson, *EU Diplomacy*, *op. cit.*, 98, 106; Persson, "Shaping Discourse", *op. cit.*, 1421-3.

<sup>29</sup> Communautés Européennes, « Le Conseil européen de Venise : Déclarations : Moyen-Orient », *Bulletin des Communautés Européennes*, no. 6 (1980), 10-11.

<sup>30</sup> Persson, "Shaping Discourse", *op. cit.*, 1421; Lannon, *op. cit.*, 181.

The EU published two declarations on the Middle East Peace Process in the form of Council Conclusions each year from the early 2000s until 2016.<sup>31</sup> The July 2014 Council Conclusions on the Middle East Peace Process represent the most recent “substantive” Council Conclusions on the matter, setting out the fundamental elements of the EU position.<sup>32</sup> The incremental development of the EU’s position on the Middle East Peace Process over time does not contradict previous positions, but rather builds on them, adding value over time. Thus, under the framework set out above, the EU’s position is highly consistent up to this point.

### *Developments from the mid-2010s to September 2023*

Given the lack of development of the EU position in substantive terms after 2014, this analysis turns to the frequency with which the EU position has been expressed. The author’s analysis of the online reports of all meetings of the Foreign Affairs Council from 1 January 2016 to 1 September 2023, summarised in Table 1, shows that while matters relating to the Israeli-Palestinian conflict have remained relatively prominent on the Foreign Affairs Council agenda, there have been no Council Conclusions on the Middle East Peace Process since June 2016. There has been a limited number of EU statements on the Middle East Peace Process representing all EU Member States in the analysed period. These include statements made on behalf of the EU to the United Nations (UN) Security Council in 2017 and 2018,<sup>33</sup> as well as a declaration by the High Representative on behalf of the EU in 2020.<sup>34</sup> However, there has been a shift towards statements by the High Representative in his or her individual capacity, which circumvents the need for consensus among 27 Member States.<sup>35</sup> Indeed, there appears to be a trend towards avoiding Member States’ involvement in EU diplomacy.

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<sup>31</sup> Bicchi and Voltolini, “The European Union and the Israeli-Palestinian conflict”, *op. cit.*

<sup>32</sup> Akgül-Açıkmeşe *et al.*, *op. cit.*, 34. See, for example, Council of the European Union, *Relations with Israel – European Union’s position for the Association Council’s 12<sup>th</sup> meeting (Brussels, 3 October 2022)* (Brussels: General Secretariat of the Council, 3 October 2022), point 12.

<sup>33</sup> Joanne Adamson, “EU Statement – United Nations Security Council: Open Debate on the Middle East, including the Palestinian Question”, statement, New York, European External Action Service, 25 July 2017; Joanne Adamson, “EU Statement – United Nations Security Council: Situation in the Middle East, including the Palestinian Question”, statement, New York, European External Action Service, 18 October 2017; João Vale de Almeida, “EU Statement – United Nations Security Council: the Situation in the Middle East, including the Palestinian Question”, statement, New York, European External Action Service, 25 January 2018; João Vale de Almeida, “EU Statement – United Nations Security Council: Situation in the Middle East, including the Palestinian Question”, statement, New York, European External Action Service, 26 April 2018.

<sup>34</sup> Josep Borrell, “Declaration by the High Representative Josep Borrell on behalf of the EU on the Middle East Peace Process”, declaration, Brussels, Council of the European Union, 28 January 2020.

<sup>35</sup> Akgül-Açıkmeşe *et al.*, *op. cit.*, 34.

For instance, with respect to the report of the Middle East Quartet of July 2016,<sup>36</sup> EU officials worked without involving Member States until the final stage.<sup>37</sup>

While there has been greater activity at a declaratory level since early 2023 regarding EU policy vis-à-vis the Middle East Peace Process,<sup>38</sup> the stagnation of the EU position in the 2014 Council Conclusions stands in stark contrast with its many decades of development of a strong position. However, applying the criteria outlined in the framework of analysis, there has been a moderate degree of consistency in this aspect of EU diplomacy, as the 2014 Council Conclusions have not been contradicted in subsequent Council Conclusions.

*Table 1: Foreign Affairs Council References to the Middle East Peace Process, January 2016 to September 2023*

<b>Date</b>	<b>Type of Discussion</b>	<b>Subject/Context</b>
18 January 2016	Council Conclusions	Biannual Conclusions
20 June 2016	Council Conclusions	Biannual Conclusions
16 January 2017	Lunchtime Discussion	
6 February 2017	Discussion	
5 December 2017	Informal Meeting with US Secretary of State, Rex Tillerson	
11 December 2017	Informal breakfast meeting with Benjamin Netanyahu, Israeli Prime Minister	
22 January 2018	Informal lunch meeting with Mahmoud Abbas, Palestinian President	
26 February 2018	Lunch meeting with League of Arab States ministerial delegation	
28 May 2018	Lunchtime discussion	US embassy relocated to Jerusalem
19 November 2018	Discussion	Surge in violence in Gaza
17 June 2019	Informal lunch meeting with Ayman Safadi, Jordanian Foreign Minister	
20 January 2020	Working lunch	
17 February 2020	Discussion	US peace plan proposed
15 May 2020	Discussion	New Israeli government formed

<sup>36</sup> Middle East Quartet, *Report of the Middle East Quartet*, 1 July 2016, (EN/AR/HE).

<sup>37</sup> Interview with EU Senior Official, online, 31 March 2023.

<sup>38</sup> See, for example, Olof Skoog, "EU Statement – UN Security Council: Open debate on the situation in the Middle East, including the Palestinian question", statement, New York, European External Action Service, 18 January 2023; Olof Skoog, "EU Statement – UN Security Council: Open debate on the Situation in the Middle East, including the Palestinian question", statement, New York, European External Action Service, 25 April 2023; Josep Borrell, "Israel/Palestine: Statement of the High Representative on behalf of the European Union on the latest developments", statement, 8 March 2023.

15 June 2020	Discussion with Mike Pompeo, US Secretary of State	
19 November 2020	Discussion	
10 May 2021	Discussion	Palestinian Authority elections postponed; violence in East Jerusalem
18 May 2021	Informal Video Conference	Escalation of violence in Israeli-Palestinian conflict
21 June 2021	Discussion	First Foreign Affairs Council meeting since May 2021 violence
12 July 2021	Informal lunch meeting with Yair Lapid, Israeli Prime Minister	
2022	No discussions	
23 January 2023	Informal meeting with Mohammad Shtayyeh, Palestinian Prime Minister	
20 July 2023	Discussion	

Source: compiled by the author using information on Foreign Affairs Council meeting reports 1 January 2016 – 1 September 2023 published on [consilium.europa.eu](https://consilium.europa.eu). Meeting reports listed include references to 'the Middle East Peace Process' or the related matters 'Gaza', 'Palestine', 'Palestinian Authority' and 'Israel', provided such references pertained to the Israeli-Palestinian conflict. A full list of each webpage is included in the bibliography.

### *The Role of 2004/2007 Enlargement States*

Although the weakening of the EU position occurs around a decade after the 2004 and 2007 enlargements, these two events can be linked. Pardo and Gordon's analysis of the negotiations of the January 2016 Council Conclusions highlights that the V4, Romania and Bulgaria were among the states that supported changes to the wording that softened criticism of Israel in the text.<sup>39</sup> The lack of Council Conclusions after 2016 is thought by academics and EU officials to be a result of Member State divisions.<sup>40</sup> Moreover, a number of EU-27 or EU-28 statements relating to the Israeli-Palestinian conflict have been blocked by 2004/2007 enlargement states in recent years. In 2019, a statement on the Middle East Peace Process was read out by Finland on behalf of only 27 of the then-28 EU Member States at the UN Security Council following a veto by Hungary.<sup>41</sup> In February 2020, an EU statement that would have condemned the peace plan published by the US was vetoed by several Member States, including the

<sup>39</sup> Pardo and Gordon, *op. cit.*, 405, 407.

<sup>40</sup> Persson, *EU Diplomacy*, *op. cit.*, 126; Interview with EU Official, Brussels, 28 March 2023.

<sup>41</sup> "Hungary hits out after EU 'ignores its veto' on statement criticising Israel", *euronews*, 2 May 2019.

Czech Republic and Hungary.<sup>42</sup> Similarly, Hungary prevented two statements from being delivered on behalf of all Member States in May 2021.<sup>43</sup>

It should be noted that interviews with EU officials suggest that the lack of Council Conclusions since 2016 has also been driven in part by the fact that the peace process itself has not been very active.<sup>44</sup> Nonetheless, the blocking of statements in 2019, 2020 and 2021 is clear evidence that some of the 2004/2007 enlargement states have exacerbated Foreign Affairs Council divisions, undermining the consistency of the EU's declaratory diplomacy. The next section examines these divisions in greater detail.

## Examples of Member State Divisions

This section engages in an in-depth analysis of divisions between Member States through three case studies on developments related to the Israeli-Palestinian conflict since 2015 to which the EU has sought to respond with a single voice.

### *Case Study 1: EU Differentiation Policy vis-à-vis Israeli Goods*

'Differentiation' describes the EU's policy of excluding "settlement-linked entities and activities from bilateral relations with Israel".<sup>45</sup> It reinforces the EU's position that Israel's occupation of the Palestinian territories is not legitimate.<sup>46</sup> One recent example is the EU's 2015 Labelling Guidelines, which clarify the existing legally-binding rules that products from Israeli settlements cannot be labelled as originating in Israel.<sup>47</sup> While implementation appears to be weak across the EU,<sup>48</sup> Hungary, the Czech Republic and Greece have all publicly stated their opposition to the labelling policy at government level.<sup>49</sup> In December 2015, the parliaments of both the Czech Republic

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<sup>42</sup> Akgül-Açıkmeşe *et al.*, *op. cit.*, 27.

<sup>43</sup> David M. Herszenhorn and Rym Momtaz, "EU divisions over Israel-Palestine leave Brussels powerless as conflict worsens", *Politico*, 17 May 2021; Josep Borrell, High Representative of the European Union, "Israel/Palestine: Statement by the High Representative Josep Borrell on the ceasefire", statement, Brussels, European External Action Service, 21 May 2021.

<sup>44</sup> Interview with EU Official, *op. cit.*; Interview with EU Senior Official, *op. cit.*

<sup>45</sup> Hugh Lovatt, "EU Differentiation and the Push for Peace in Israel-Palestine", *Policy Brief ECFR/194* (London: European Council on Foreign Relations, 2016), 2.

<sup>46</sup> Benedetta Voltolini, "Territorial Borders and Functional Regimes in EU-Israeli Agreements", in *Fragmented borders, interdependence and external relations: The Israel-Palestine-European Union triangle*, ed. Raffaella A. Del Sarto (New York: Palgrave MacMillan, 2015), 69.

<sup>47</sup> European Commission, "Interpretative Notice on indication of origin of goods from the territories occupied by Israel since June 1967", *Official Journal of the European Union*, C 375, 12 November 2015, 4-6, clause 7; Case C-363/18, *Organisation juive européenne and Vignoble Psagot Ltd v Ministre de l'Économie et des Finances*, ECLI:EU:C:2019:954.

<sup>48</sup> See, for example, European Middle East Project, "Waiting for enforcement: Origin indication of Israeli settlement wines on sale in the EU", February 2020, 1.

<sup>49</sup> Raphael Ahren, "In Israel, Hungary's FM says his country opposes settlement labels", *The Times of Israel*, 16 November 2015; Raphael Ahren, "Greece set to oppose EU settlement labelling", *The Times of Israel*, 30 November 2015; Vince Chadwick and Maïa De La Baume, "How one phrase divided the EU and Israel", *Politico*, 4 January 2016.

and Hungary opposed the implementation of the labelling policy.<sup>50</sup> The Hungarian foreign minister noted again in 2019 that Hungary would not implement the labelling guidelines.<sup>51</sup>

Vertical consistency is low here, with open contradiction of EU policy by Member States.<sup>52</sup> Further, the role of the 2004/2007 enlargement is clear, as two eastern enlargement states, the Czech Republic and Hungary, have most openly opposed differentiation policy. This undermines the EU's credibility. For instance, in response to Hungary's ongoing refusal to implement the labelling guidelines, the EU had to publicly reiterate the responsibility of Member States to implement the guidelines.<sup>53</sup>

### *Case Study 2: Recognition of Jerusalem as Capital of Israel*

In December 2017, US President Donald Trump announced the decision to recognise Jerusalem as the capital of Israel and move the US embassy in Tel Aviv to Jerusalem.<sup>54</sup> The announcement drew widespread condemnation, including from many EU Member States.<sup>55</sup> Currently, only four states in the world have joined the US in recognising Jerusalem as Israel's capital.<sup>56</sup>

The EU's position on the status of Jerusalem is based on the 1980 Resolution 478 of the UN Security Council, whereby the status of Jerusalem can only be determined in a comprehensive settlement by the Israelis and Palestinians.<sup>57</sup> Following the US announcement, then-High Representative Federica Mogherini criticised the US administration's move as regressive.<sup>58</sup> She noted that "the European Union has a clear and united position" on the status of Jerusalem and that "this is a consolidated European Union position that has always been built on the common position of the European Union Member States".<sup>59</sup> A few days later, Mogherini stated that EU Member

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<sup>50</sup> Dyduch, *op. cit.*, 2.

<sup>51</sup> Péter Sziijártó, quoted in Raphael Ahren, "EU reiterates opposition to diplomatic missions in Jerusalem", *The Times of Israel*, 20 March 2019.

<sup>52</sup> See Emilie Oudart, *Too Big to Succeed? The Impact of the 2004 and 2007 Enlargements on the EU's Diplomacy vis-à-vis the Middle East Peace Process*, Master's thesis, Bruges: College of Europe, 2023, 35-37, for further evidence.

<sup>53</sup> Ahren, "EU reiterates opposition", *op. cit.*

<sup>54</sup> "Trump says US recognises Jerusalem: The speech in full", *BBC*, 7 December 2017.

<sup>55</sup> "Jerusalem status: World condemns Trump's announcement", *BBC*, 7 December 2017; "European countries blast US embassy move to Jerusalem", *The Times of Israel*, 14 May 2018.

<sup>56</sup> Guatemala, Honduras, Kosovo and Papua New Guinea. "Papua New Guinea to open embassy in Jerusalem", *The Jewish Chronicle*, 27 February 2023.

<sup>57</sup> Gregorio Sorigi, "EU slams Hungary's mooted plan to move Israeli embassy to Jerusalem", *Politico*, 3 March 2023.

<sup>58</sup> Federica Mogherini, "Remarks by HR/VP Mogherini on the announcement by U.S. President Donald Trump on Jerusalem", press remarks, Brussels, European External Action Service, 7 December 2017.

<sup>59</sup> *Ibid.*

States would not follow the United States.<sup>60</sup> She insisted that the EU would “continue to respect the international consensus on Jerusalem”.<sup>61</sup>

Despite the clarity of the EU position, several eastern enlargement Member States appeared to diverge from it. In a December 2017 UN General Assembly vote to declare the actions of the US void, all EU Member States supported the resolution except for three of the V4 members (the Czech Republic, Hungary, and Poland), as well as Croatia, Latvia, and Romania.<sup>62</sup> The Czech Republic, Hungary, Romania, as well as Austria, all sent representatives to the opening of the US embassy in Jerusalem a few months later.<sup>63</sup>

The Czech Republic followed the US to an extent, recognising only West Jerusalem as the Israeli capital.<sup>64</sup> Then-President Miloš Zeman initiated a multi-step process to establish an embassy in Jerusalem:<sup>65</sup> First, a Czech honorary consul was appointed to Jerusalem in 2018.<sup>66</sup> This was followed some months later by the establishment of ‘Czech House’ in Jerusalem with space for diplomats.<sup>67</sup> Finally, in 2021, an embassy office with full diplomatic status was opened in Jerusalem.<sup>68</sup> Nonetheless, the Czech Republic explicitly refrained from establishing a full embassy because this would directly contravene the EU position.<sup>69</sup> Indeed, a Czech diplomat noted that opening an embassy branch in Jerusalem under the rules of the Vienna Convention, run by a senior diplomat, was seen as a way of complying with EU policy.<sup>70</sup> Shortly before ending his term in March 2023, however, President Zeman requested that the

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<sup>60</sup> Federica Mogherini, “Remarks by HR/VP Federica Mogherini at the press conference following the Foreign Affairs Council”, press remarks, Brussels, European External Action Service, 11 December 2017.

<sup>61</sup> Federica Mogherini, “Remarks by HR/VP Federica Mogherini with Prime Minister of Israel Benjamin Netanyahu”, press remarks, Brussels, European External Action Service, 11 December 2017.

<sup>62</sup> United Nations Digital Library, “Status of Jerusalem: resolution/adopted by the General Assembly 2017: Vote”, *United Nations Digital Library Voting Data*.

<sup>63</sup> Toby Greene, “Judeo-Christian civilization: Challenging common European foreign policy in the Israeli Palestinian arena”, *Mediterranean Politics* 26, no. 4 (2021), 443.

<sup>64</sup> Josh Delk, “Czech Republic recognizes West Jerusalem as Israel’s capital”, *The Hill*, 6 December 2017; Ministry of Foreign Affairs of the Czech Republic, “Statement of the MFA of the Czech Republic on Opening of its Honorary Consulate and Czech Centre in Jerusalem”, *mzv.cz*, 25 April 2018.

<sup>65</sup> Miloš Zeman, “Address of the President of the Czech Republic Miloš Zeman to the Knesset Plenum”, speech, Jerusalem, Knesset Plenum, 26 November 2018.

<sup>66</sup> Lazar Berman, “Czech prime minister opens embassy office in Jerusalem”, *The Times of Israel*, 11 March 2021.

<sup>67</sup> *Ibid.*

<sup>68</sup> *Ibid.*

<sup>69</sup> *Ibid.*; Ministry of Foreign Affairs of the Czech Republic, *op. cit.*

<sup>70</sup> Interview with Czech diplomat, online, 27 April 2023.

government allow the embassy to be moved to Jerusalem in spite of the EU position.<sup>71</sup> At the time of writing, there has been no such move.

Other eastern enlargement states have taken similar steps in the wake of the US announcement. In 2018, Bulgaria announced the opening of an honorary consulate in Jerusalem and an upgrade of its status to a general honorary consul for the entire country.<sup>72</sup> Israel considered this to be “a first step”.<sup>73</sup> Slovakia announced it would open a cultural centre in Jerusalem in 2018.<sup>74</sup> In 2022, it established a ‘Slovak Institute’ with the status of an embassy branch.<sup>75</sup> Announcing the move on Twitter, then-Foreign Minister of Slovakia Ivan Korčok added that Slovakia “continues to support the resumption of Middle East Peace Process & 2-state solution in line w/international law”.<sup>76</sup> This appears to comply with the EU position rhetorically, while undermining it in practice.

In March 2019, Hungary relocated the trade department of its embassy in Israel to Jerusalem.<sup>77</sup> Despite previous assertions by Hungary that its official position remains in accordance with that of the EU,<sup>78</sup> it has been reported that Hungary intends to move its embassy in Israel from Tel Aviv to Jerusalem in the near future.<sup>79</sup> Romania also considered moving its embassy from Tel Aviv to Jerusalem following the US announcement.<sup>80</sup> In 2018, the government adopted a resolution to initiate the relocation process.<sup>81</sup> While then-Prime Minister Viorica Dăncilă announced in 2019 that the embassy would be moved to Jerusalem,<sup>82</sup> no such move has yet taken place.

Consistency in this case is low. Member States have acted inconsistently with the EU position both subtly, in establishing alternative diplomatic presences in Jerusalem, and far more blatantly, in announcing the intention to relocate their embassies to

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<sup>71</sup> Itamar Eichner, “Czech president requests to move embassy to Jerusalem”, *Ynetnews.com*, 13 December 2022.

<sup>72</sup> Herb Keinon, “Bulgaria to put ‘honorary consulate,’ not embassy, in Jerusalem”, *The Jerusalem Post*, 25 June 2018.

<sup>73</sup> Benjamin Netanyahu, quoted in Keinon, *op. cit.*

<sup>74</sup> Lahav Harkov, “Israel authorizes Slovakian embassy branch in Jerusalem”, *The Jerusalem Post*, 9 September 2021.

<sup>75</sup> Tovah Lazarof, “Slovakian PM to ‘Post’: We don’t want Russia on our border”, *The Jerusalem Post*, 6 March 2023; Harkov, *op. cit.*

<sup>76</sup> Ivan Korčok, tweet, *Twitter*, 14 July 2021, quoted in Harkov, *op. cit.*

<sup>77</sup> Sorgi, *op. cit.*

<sup>78</sup> Ahren, “EU reiterates opposition”, *op. cit.*

<sup>79</sup> Sorgi, *op. cit.* In June 2023, Hungary denied reports that it had decided to relocate its embassy. See Lazar Berman, “Hungary denies it’s decided to move embassy to Jerusalem”, *The Times of Israel*, 1 June 2023.

<sup>80</sup> Carmen Paun, “Romanian ruling party chief considers moving Israeli embassy to Jerusalem”, *Politico*, 22 December 2017.

<sup>81</sup> Carmen Paun, “Romanian leaders fight over embassy move to Jerusalem”, *Politico*, 20 April 2018.

<sup>82</sup> Anca Gurzu, “Romania to move Israeli Embassy to Jerusalem”, *Politico*, 24 March 2019.



Jerusalem. The latter clearly impacts vertical consistency by openly contradicting the EU's position. As almost all the Member States departing from the EU position acceded to the EU in 2004 or 2007, it appears that these enlargement rounds had a significant impact on the consistency of the EU's diplomacy vis-à-vis the Middle East Peace Process.

Nonetheless, as no Member State has recognised Jerusalem as a whole as the capital of Israel, there appears to be some degree of ongoing respect for the official EU position, as noted explicitly by the Bulgarian and Czech Prime Ministers.<sup>83</sup> Moreover, within Member States the matter has been the subject of controversy amongst leading political figures. Thus, while former Czech President Zeman was an ardent supporter of relocating the Czech embassy, the former Czech Prime Minister expressly committed to respecting the EU position.<sup>84</sup> In Romania, President Klaus Iohannis opposed the government, stating that it would be illegal under international law to move the embassy.<sup>85</sup>

Even so, the inconsistency between the EU and its Member States has real implications, exposing EU internal divisions.<sup>86</sup> The opening of Member States' embassy offices in Jerusalem has forced the EU to publicly clarify its position.<sup>87</sup> Thus, although there is ongoing respect for the EU position, the 2004/2007 enlargement undermined the consistency and credibility of the EU's diplomacy in this case.

### *Case Study 3: Response to May 2021 Conflict*

The 11-day conflict in May 2021, which followed weeks of unrest surrounding the evictions of Palestinian residents of Sheikh Jarrah in East Jerusalem,<sup>88</sup> put the EU's internal divisions on the Middle East Peace Process to the fore. The statements by the EU Spokesperson in response to the mounting tensions preceding the conflict criticised Israel's evictions from Sheikh Jarrah as illegal.<sup>89</sup> Upon the outbreak of conflict, the Spokesperson and the High Representative issued statements condemning the

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<sup>83</sup> Keinon, *op. cit.*; Berman, "Czech prime minister opens embassy office", *op. cit.*

<sup>84</sup> Eichner, *op. cit.*

<sup>85</sup> Paun, "Romanian leaders fight", *op. cit.*

<sup>86</sup> See, for example, Andrew Rettman, "Two EU states break ranks on Jerusalem", *The EU Observer*, 7 December 2017.

<sup>87</sup> See, for example, Ahren, "EU reiterates opposition", *op. cit.*

<sup>88</sup> Centre for Preventative Action, "Israeli-Palestinian Conflict", *Council on Foreign Relations: Global Conflict Tracker*, 25 April 2023.

<sup>89</sup> Spokesperson for Foreign Affairs and Security Policy, "Israel/Palestine: Statement by the Spokesperson on settlement expansion and the situation in East Jerusalem", statement, Brussels, European External Action Service, 5 May 2021; Spokesperson for Foreign Affairs and Security Policy, "Israel/Palestine: Statement by the Spokesperson on the rise in tensions and violence", statement, Brussels, European External Action Service, 8 May 2021.

violence, particularly that originating in Gaza.<sup>90</sup> On 16 May 2021, the EU Ambassador to the UN read out a statement at the Security Council but did not attribute it to all EU Member States.<sup>91</sup> On 18 May 2021, a meeting of EU Foreign Affairs Ministers was followed by press remarks delivered by the High Representative on behalf of "26 out of the 27 Member States", both condemning terrorist violence and calling on Israel to respect International Humanitarian Law.<sup>92</sup> The High Representative also had a speech read on his behalf on 19 May 2021 at the European Parliament, again condemning Palestinian terrorist violence and calling for Israel to ensure a proportionate response and refrain from proceeding with the evictions in East Jerusalem.<sup>93</sup>

On two occasions Hungary prevented the EU from responding with a single voice to the conflict. Both the statements of 16 and 18 May were vetoed by Hungary,<sup>94</sup> apparently on the basis that they treated Hamas and Israel equally.<sup>95</sup> Instead, Hungarian Prime Minister Viktor Orbán published his own statement.<sup>96</sup> In addition, the Czech, Slovakian and German foreign ministers visited Israel on 20 May 2021 to express their solidarity with Israel.<sup>97</sup> Moreover, the Israeli flag was flown over political and official buildings in the Czech Republic, Slovakia, Germany and Austria at this time.<sup>98</sup>

Consistency is again low in this case. Consistency of the EU position was undermined in two respects. Firstly, the EU position itself was weakened. No declaration representing all 27 Member States was published. Reading out statements on behalf of only 26 of the Member States is not merely a theoretical inconsistency; it can undermine EU credibility. One EU official noted that within the UN, at least, "everyone pays attention" to whether a statement read out by the EU Delegation is an EU statement or not.<sup>99</sup> Moreover, Hungary's divergence from the EU position evidently

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<sup>90</sup> Spokesperson for Foreign Affairs and Security Policy, "Israel/Palestine: Statement by the Spokesperson on the latest escalation", statement, Brussels, European External Action Service, 10 May 2021; Josep Borrell, "Israel/Palestine: Statement by the High Representative on the escalation of confrontations", Brussels, European External Action Service, 12 May 2021.

<sup>91</sup> Herszenhorn and Momtaz, *op. cit.*

<sup>92</sup> Josep Borrell, "Informal videoconference of Foreign Affairs Ministers on Israel/Palestine: Press remarks by High Representative Josep Borrell", press remarks, Brussels, European External Action Service, 18 May 2021.

<sup>93</sup> Augusto Santos Silva, "Israel-Palestine: Speech on behalf of High Representative/Vice-President Josep Borrell at the EP debate", speech, Brussels, European External Action Service, 19 May 2021.

<sup>94</sup> Herszenhorn and Momtaz, *op. cit.*; Borrell, "Statement by the High Representative Josep Borrell on the ceasefire", *op. cit.*

<sup>95</sup> Cabinet Office of the Prime Minister, "Hungary acted in accordance with the Treaties when it vetoed", *miniszterelnok.hu*, 21 May 2021.

<sup>96</sup> Viktor Orbán, "Samizdat No. 8", *miniszterelnok.hu*.

<sup>97</sup> Lazar Berman, "'Showing friendship': European ministers visit in act of solidarity with Israel", *The Times of Israel*, 20 May 2021.

<sup>98</sup> *Ibid.*; Herszenhorn and Momtaz, *op. cit.*

<sup>99</sup> Interview with EU Official, *op. cit.*

undermines vertical consistency. The strong expressions of support for Israel by some Member States, while not explicitly contradicting the EU position, appear somewhat discordant with the High Representative's statement labelling the Sheikh Jarrah evictions as illegal, calling on Israel not to proceed with the planned evictions, and calling for the Israeli response to be proportionate.<sup>100</sup>

Nonetheless, the inconsistencies should not be overstated. The tone of the EU statements discussed above overall focused on condemnation of Palestinian terrorist violence, such that support for Israel could be interpreted as being broadly in line with the EU statements. However, it is argued that consistency must still be considered low in this case, given Hungary's explicit contradiction of EU statements. It is true, however, that the role of 2004/2007 enlargement Member States is slightly less evident, with Hungary alone representing the main source of inconsistency, and Germany and Austria joining the Czech Republic and Slovakia in their support of Israel

Given the evidence presented in the last two sections of Member State divisions and the resulting inconsistencies in the EU position, the next section examines the reasons for these divisions.

## **Factors Driving the Divergence from the EU Position**

This section sets out the factors driving certain eastern enlargement states' divergence from the consistently-held EU positions on the Middle East Peace Process. It is argued that eastern enlargement countries have developed closer relations with Israel than other EU Member States on the basis of their Atlanticism and shared political and religious values.

### *Israel-V4 and Israel-Romania Relations*

In recent years, especially under Netanyahu's premiership, Israel has increasingly worked to reinforce its relations with several of the central and eastern European countries as a means to influence EU policy on the Middle East Peace Process.<sup>101</sup> This was evident at the 2017 V4-Israel summit, which was intended to enhance cooperation with Israel in areas such as research and development.<sup>102</sup> However, less explicitly, this summit was also used by Israel to target the EU. Netanyahu was

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<sup>100</sup> Santos Silva, *op. cit.*

<sup>101</sup> Eyal Ronen and Nimrod Goren, "Divisive Policies: Israel's Foreign Policy towards the EU and its Member States", in *Divided and Divisive: Europeans, Israel and Israeli-Palestinian Peacemaking*, eds. Muriel Asseburg and Nimrod Goren (Mitvim, SWP and PAX, 2019), 21; Persson, *EU Diplomacy*, *op. cit.*, 126.

<sup>102</sup> Dyduch, *op. cit.*, 3.

overheard asking for the V4's support in undermining the EU's common position on the Israeli-Palestinian conflict.<sup>103</sup>

The discourse relating to Israel's relations with the Czech Republic and Hungary highlights the important role that these Member States play in advocating on Israel's behalf in the EU.<sup>104</sup> Former Czech President Zeman employed particularly strong rhetoric. Speaking to the Knesset, he labelled himself "the best friend of Israel",<sup>105</sup> while criticising the EU for its "cowardice" in taking a "pro-Palestinian ... pro-terrorist" stance.<sup>106</sup> Upon the opening of the Czech embassy office in Jerusalem, an Israeli minister noted that "[t]he Czech Republic is one of Israel's closest allies, frequently demonstrating strong support for Israel at the United Nations, and within the European Union".<sup>107</sup> The relationship is such that the Czech Republic has been described as acting "as Israel's Trojan horse in the EU".<sup>108</sup> Indeed, a Czech diplomat confirmed that Israel engages with the Czech Republic on EU and UN matters.<sup>109</sup> The diplomat noted that "we have a kind of understanding [with Israel] and try to read with attention and hear the Israeli opinion".<sup>110</sup> However, the diplomat also noted that the Czech Republic's support for Israel is not automatic and depends on the issue.<sup>111</sup>

Similarly, in recent years Netanyahu has praised Hungary for "leading ... to change the attitude in Europe towards Jerusalem",<sup>112</sup> as well as "for confronting the lies that are put forward against Israel ... in EU forums".<sup>113</sup> That Israel views Hungary as an ally within the EU is reflected in the Hungarian perspective. On his 2019 visit to Israel, Orbán referred to the upcoming European Parliament elections as important

not only for Europeans, but having some impact [in Israel] as well ... We would like to have an outcome of the European election which helps us push back the antisemitism in Europe. And we will make clear that we need new leaders and leadership in the European Union which never finances NGOs anymore –

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<sup>103</sup> Dani Filc and Sharon Pardo, "Israel's Right-wing Populists: The European Connection", *Survival* 63, no. 3 (2021), 111.

<sup>104</sup> The author did not find any discourse relating to Israel-Slovakia relations on EU matters.

<sup>105</sup> Miloš Zeman, "Address to Knesset", *op. cit.*

<sup>106</sup> Miloš Zeman, "Address on the Occasion of the International Holocaust Memorial Day: Remembering, Perpetuating and Pursuing Justice", 27 January 2021.

<sup>107</sup> Amir Ohana, quoted in Berman "Czech Prime Minister Opens Embassy Office in Jerusalem", *op. cit.*

<sup>108</sup> Harpaz, *op. cit.*, 18.

<sup>109</sup> Interview with Czech Diplomat, *op. cit.*

<sup>110</sup> *Ibid.*

<sup>111</sup> *Ibid.*

<sup>112</sup> Sorgi, *op. cit.*

<sup>113</sup> Benjamin Netanyahu, quoted in Prime Minister's Office, "PM Netanyahu Meets with Hungarian PM Viktor Orban", *Gov.il*, 19 February 2019.

from public European Union money – that are interfering in political issues and being anti-Israel.<sup>114</sup>

Netanyahu also appears to view Romania as a means of representing the Israeli position in the EU, saying to the then-Romanian Prime Minister Viorica Dăncilă in 2019: "I hope you will act to stop the bad resolutions against Israel in the EU".<sup>115</sup> Similarly, in November 2020 Netanyahu credited Romania with aiding Israel to "present a sensible case to the EU".<sup>116</sup>

### *Israel-Poland Relations*

Notably, despite literature generally grouping the Visegrád Four together in their position on the Middle East Peace Process,<sup>117</sup> the analysis in the three case studies above does not find that Poland diverges from the EU position, apart from the 2017 General Assembly vote regarding the recognition of Jerusalem as capital of Israel. Indeed, in 2022, Poland sided with Member States traditionally more sympathetic to the Palestinians in voting for a resolution at the UN General Assembly calling on the International Court of Justice to deliver an advisory opinion on Israeli occupation.<sup>118</sup>

While there has been an increase in activity in Polish-Israeli relations since 2016,<sup>119</sup> several diplomatic disputes between the two countries have occurred over a proposed Polish law to criminalise statements that attribute blame for the crimes of the Nazi regime to Poland.<sup>120</sup> Indeed, the 2019 Israel-V4 summit was called off because of tensions between Israel and Poland.<sup>121</sup> Strikingly, however, the Israeli government has attempted to repair relations with Poland even when many in Israel argue that Poland

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<sup>114</sup> Viktor Orbán, quoted in Prime Minister's Office, "PM Netanyahu Meets with Hungarian PM Viktor Orban", *op. cit.*

<sup>115</sup> Benjamin Netanyahu, quoted in "Netanyahu urges Romanian PM to move embassy to Jerusalem", *The Times of Israel*, 18 January 2019.

<sup>116</sup> Raphael Ahren, "Netanyahu scolds EU, says bloc doesn't understand changing nature of Middle East", *Times of Israel*, 3 November 2020.

<sup>117</sup> See, for example, Dyduch, *op. cit.*, 2, 4; Pardo and Gordon, *op. cit.*, 409.

<sup>118</sup> United Nations Digital Library, "Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem: resolution / adopted by the General Assembly: Vote", *United Nations Digital Library Voting Data*, art. 18; Akgül-Açıkmeşe *et al.*, *op. cit.*, 27.

<sup>119</sup> Paweł Pokrzywiński and Przemysław Zawada, "Diplomatic Crisis Between Poland and Israel in Right-Wing Dailies", *Polish Political Science Review* 9, no. 1 (2021), 28.

<sup>120</sup> Marta Bucholc and Maciej Komonik, "The Polish 'Holocaust Law' revisited: The Devastating Effects of Prejudice Mongering", *Cultures of History Forum*, 19 February 2019, 2-3; Stephen Hoffman, "'Polish death camps' censorship bill angers Israeli government", *The Krakow Post*, 29 January 2018.

<sup>121</sup> Oliver Holmes, "Summit cancelled as Israel and Poland row over Holocaust", *The Guardian*, 18 February 2019.

continues to promote an inaccurate account of the Holocaust.<sup>122</sup> Although further research is required to draw firm conclusions, this appears to reinforce the argument that the Israeli government is highly determined to build strong relationships with 2004/2007 enlargement Member States.

### *Transatlantic Connections*

For the post-Communist states in the EU, US ties are very important.<sup>123</sup> Although, as von Ondarza notes, “any serious transatlantic rifts almost invariably also turn into intra-European splits”,<sup>124</sup> the rise of right-wing populism on both sides of the Atlantic in the 2010s has facilitated the emergence of a new “form of Atlanticism”, rooted in Judeo-Christian and anti-liberal principles.<sup>125</sup> Under the Trump administration this new Atlanticism flourished, with Trump choosing to make his first speech in Europe as President in Poland.<sup>126</sup> As one EU official noted, “if the US does certain things, for many European countries it's impossible to ignore”.<sup>127</sup> A Czech diplomat similarly stated that partnership with the US is an important element of Czech relations with Israel.<sup>128</sup> Thus, the divisions between Europe and the US under the last US administration translated also into divisions within the EU, as certain Member States followed the US line over the EU's.

This new Atlanticism has had significant implications for the Middle East Peace Process. As demonstrated in the case study on the status of Jerusalem, the Trump administration introduced completely new policies regarding the conflict. While this pushed the US position further from that of the EU, it also drew several eastern enlargement Member States away from the EU position.

### *Political Ideology*

The old/new Europe divide on the Middle East Peace Process is also based in part on a perception that central and eastern European states have different values compared to the western European states. This is highlighted by Orbán's statement

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<sup>122</sup> See, for example, Agencies and Alexander Fulbright, “Polish party leader: Israel ‘fully confirms’ our position on Holocaust”, *The Times of Israel*, 28 June 2018; Canaan Lidor, “‘Polish propaganda’: Critics assail deal to send Israeli youth trips to Poland”, *The Times of Israel*, 10 April 2023.

<sup>123</sup> Greene, *op. cit.*, 437.

<sup>124</sup> Nicolai von Ondarza, “A More Inward Looking European Union” in *Divided and Divisive: Europeans, Israel and Israeli-Palestinian Peacemaking*, eds. Muriel Asseburg and Nimrod Goren (Mitvim, SWP and PAX, 2019), 13.

<sup>125</sup> Vibeke Schou Tjalve, “Judeo-Christian democracy and the Transatlantic Right: Travels of a contested imaginary”, *New Perspectives* 29, no. 4 (2021), 334.

<sup>126</sup> *Ibid.*, 340.

<sup>127</sup> Interview with EU Senior Official, *op. cit.*

<sup>128</sup> Interview with Czech Diplomat, *op. cit.*

following the 18 May 2021 Hungarian veto of an EU statement regarding the Israeli-Palestinian conflict.<sup>129</sup> He draws a distinction between the position of the “Franco-German axis” and that of central Europe, noting:

It is high time to finally acknowledge that Central European countries, which joined the Union later, are nevertheless equal members of the community of the European Union. We also have the right to stand up for our beliefs, our allies, and our own interests.<sup>130</sup>

This is translated into closer ties not only to the US under the conservative Trump administration, but also to Israel under Netanyahu's premiership. Netanyahu's leadership of the Likud party has been characterised by exclusionary populist politics and has worked to limit the media, the judiciary and academia.<sup>131</sup> While European right-wing parties share ideological values around ethnic nationalism,<sup>132</sup> it has been suggested that Israel represents an “ethnocracy”, an ideal model of a state that right-wing populists seek to establish in their own states.<sup>133</sup> Thus, in his 2021 visit to Israel, Orbán congratulated Netanyahu for his achievements in Israel and stated his desire “to copy it for Hungary”, as well as thanking Netanyahu for advice regarding “how to defend our people”.<sup>134</sup> It is clear that this corresponds to a distancing from the EU position, as these values represent a counterpoint to the centrality of liberal values in EU policies.<sup>135</sup>

The relations between Israel and Hungary are most striking. Cooperation between these countries is explicitly aimed at “right-wing relations”.<sup>136</sup> Both Orbán and Netanyahu have used similar rhetoric to undermine the left, the EU and judicial independence.<sup>137</sup> At the international level, there has been cooperation between Israel and Hungary regarding the blocking of the Global Compact on Migration.<sup>138</sup> A similar connection has been built regarding their perception of Islam. Populism in Europe has led to the securitisation of Islam.<sup>139</sup> There is an “ideological

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<sup>129</sup> See Case Study 3 above.

<sup>130</sup> Orbán, “Samizdat No. 8”, *op. cit.*

<sup>131</sup> Filc and Pardo, *op. cit.*, 102.

<sup>132</sup> Cass Mudde quoted in Pardo and Gordon, *op. cit.*, 402.

<sup>133</sup> *Ibid.*; Filc and Pardo, *op. cit.*, 111; Tjalve, *op. cit.*, 340.

<sup>134</sup> Viktor Orbán, “Press Conference: Israel's Prime Minister Benjamin Netanyahu and his Czech and Hungarian Counterparts”, *YouTube*, 11 March 2021.

<sup>135</sup> Pardo and Gordon, *op. cit.*, 403.

<sup>136</sup> Cabinet Office of the Prime Minister, “Prime Minister Viktor Orbán had talks with conservative Israeli political leader”, *miniszterelnok.hu*, 19 January 2023.

<sup>137</sup> Lovatt, “Past, Present and Future”, *op. cit.*, 12.

<sup>138</sup> Prime Minister's Office, “PM Netanyahu Meets with Hungarian PM Viktor Orban”, *op. cit.*

<sup>139</sup> Ayhan Kaya, “Populist Politics in Europe and Their Impact on EU Relations with the Middle East”, in *The Routledge Handbook on EU-Middle East Relations*, eds. Dimitris Bouris, Daniela Huber and Michelle Pace (Oxon: Routledge, 2021) (e-book).

rapprochement" regarding national security between Israel and the V4 states, with both framing threats in existential terms.<sup>140</sup> During Orbán's 2019 visit to Israel, Netanyahu noted: "We are also facing common adversaries. The biggest common adversary to our common civilization is the force of militant Islam".<sup>141</sup> Thus, the Israeli-Palestinian conflict is presented through the lens of this common challenge.

### *Religious Values*

Religion also constitutes an important dimension of the relationship between Israel and the 2004/2007 enlargement Member States. While the EU has set itself out as having a 'secular-liberal' identity, the eastern enlargement brought several Member States with stronger religious identities into the EU.<sup>142</sup> In recent years there has been a shift in the language of right-wing politics regarding the common cultural identity of Europeans from 'Christian' to 'Judeo-Christian', thus encompassing Israel within the European culture.<sup>143</sup> This move to characterise European culture as Judeo-Christian is supported most clearly by the rhetoric of Viktor Orbán. In 2018, Orbán noted that Europe "rests on the Jewish and Christian heritage".<sup>144</sup> Moreover, the shift to 'Judeo-Christian' values and the move to support Israel has enabled certain right-wing parties with associations with antisemitic movements to cast off these uncomfortable legacies and gain legitimacy.<sup>145</sup>

The language of Judeo-Christian values is also an element in the framing of Islam as incompatible with, and a threat to, European identity.<sup>146</sup> Whereas the EU has tried to transcend the distinction between the West and the Islamic world, such as through policies geared towards 'the Mediterranean', the extreme right have sought to maintain the division.<sup>147</sup> Following Hungary's blocking of the EU declaration on 18 May 2021 in response to the escalation of the Israeli-Palestinian conflict, Orbán justified Hungary's policy:

The states of the Franco-German axis are known to have millions of Muslim citizens whose views cannot be neglected in a democracy. But it also must be taken into account that in Central Europe, the territory of the Visegrad Four —

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<sup>140</sup> Dyduch, *op. cit.*, 2.

<sup>141</sup> Benjamin Netanyahu, quoted in Prime Minister's Office, "PM Netanyahu Meets with Hungarian PM Viktor Orban", *op. cit.*

<sup>142</sup> Sarah Wolff, "EU religious engagement in the Southern Mediterranean: Much ado about nothing?" *Mediterranean Politics* 23, no. 1 (2018), 171, 164.

<sup>143</sup> Greene, *op. cit.*, 431.

<sup>144</sup> Viktor Orbán, "Speech at the inauguration of the renovated synagogue in Subotica/Szabadka, 26 March 2018", speech, Subotica, 26 March 2018.

<sup>145</sup> Tjalve, *op. cit.*, 430.

<sup>146</sup> Greene, *op. cit.*, 435.

<sup>147</sup> *Ibid.*, 434.



including Hungary — only a negligible number of such citizens live. We can also see that most western European countries have entered an era of a post-national and post-Christian concept of life. But it cannot be ignored that we still live our lives according to Judeo-Christian values, a Judeo-Christian culture and concept of life. *It is, therefore, clear to us that it is not possible to equate a state, Israel, with an organization on the EU sanctions list.*<sup>148</sup>

Thus, Orbán disagrees with the EU's treatment of Israel and Hamas ("an organization on the EU sanctions list") in its declaration. Orbán draws an explicit link between Judeo-Christian values and support for Israel in the context of the Israeli-Palestinian conflict. He also creates a clear distinction between Muslims, on the one hand, and Jews and Christians on the other.

Leaders of other Member States that acceded in 2004/2007 have also referenced the importance of Judeo-Christian principles in connection to Israel. Former Czech President Zeman noted that Israel was "an inspiration for us" in defending "Judeo-Christian European culture".<sup>149</sup> He has also drawn links between supporting Israel and defending against an Islamist threat.<sup>150</sup> Moreover, in 2019, an interfaith diplomatic mission was undertaken by Israel to Romania, during which the countries' "shared Judeo-Christian values" were emphasised.<sup>151</sup>

The transatlantic relationship, political ideology and religious values are all strongly interrelated factors. The language of Judeo-Christian values reflects the political values of ethnic nationalism and represents a useful rhetorical device in justifying divergence from EU positions. This language is also used in reinforcing transatlantic ties. In a 2022 address to the US Conservative Political Action Conference, Orbán referred to the "Judeo-Christian heritage" of "Western Civilization" and common "Judeo-Christian teachings".<sup>152</sup> Moreover, Judeo-Christian values appear to have partly driven the change in US policy towards the Middle East under the Trump administration. Then-Vice President Mike Pence strongly supported evangelical Christianity, which advocates for Jewish sovereignty over Jerusalem and the West Bank as prophesied in the Bible.<sup>153</sup> Thus, Judeo-Christian values can be seen as a factor

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<sup>148</sup> Orbán, "Samizdat No. 8", *op. cit.* [emphasis added].

<sup>149</sup> Miloš Zeman, quoted in Greene, *op. cit.*, 439.

<sup>150</sup> Miloš Zeman, quoted in Jennifer Rubin, "Looking for a world leader", *The Washington Post*, 5 March 2015; Shiryn Ghermezian, "Czech Republic President Milos Zeman: We All Must Say 'I am a Jew'", *The Algemeiner*, 2 March 2015.

<sup>151</sup> Josh Reinstein, quoted in Zachary Keyser, "Israelis, Romanian strengthen ties on interfaith diplomacy mission", *The Jerusalem Post*, 20 February 2019.

<sup>152</sup> Orbán, Viktor, Prime Minister of Hungary. "Speech by Prime Minister Viktor Orbán at the opening of CPAC Texas", speech, Dallas, 4 August 2022.

<sup>153</sup> Ron Kampeas, "Mike Pence's faith, Israel and Middle East policy", *The Jerusalem Post*, 24 January 2018.

in the transatlantic divide and consequent intra-European divide over the Middle East Peace Process that emerged from the mid-2010s.

### **Conclusions: Is Enlargement Conducive to a 'Global Europe'?<sup>154</sup>**

This paper set out to answer two questions: Firstly, to what extent did the eastern enlargement impact the consistency of EU diplomacy vis-à-vis the Middle East Peace Process? Secondly, why was EU diplomacy impacted in this way?

The eastern enlargement had a significant impact on the consistency of the EU's diplomacy. Since the mid-2010s, the EU's ability to articulate common positions has been limited. This is particularly striking given the strength of the EU position up to that point. Thus, this paper has assessed the consistency of EU diplomacy as 'high' until the mid-2010s and mostly 'low' thereafter. As highlighted, this can largely be traced to Member State divisions and the blocking of EU statements by 2004/2007 enlargement Member States. With respect to vertical consistency, it is also primarily central and eastern European Member States that have most visibly diverged from the EU's position. Nonetheless, there remains some recognition by these Member States of the most fundamental elements of the EU's position, such as regarding the status of Jerusalem.

Several factors drive the 2004/2007 enlargement states to diverge from the EU position. Firstly, there has been an active effort by Israel to develop strong relations with these Member States. Moreover, these relations are underpinned by the 2004/2007 enlargement Member States' commitment to follow the US position, shared political ideology with Israeli governments, and Judeo-Christian values. Further, the right-wing premiership of Netanyahu in Israel and the shifts in American policy towards the Middle East under the Trump administration can explain why the divisions within the EU became more prominent in the 2010s.

While the lack of consistency in the EU position certainly undermines its credibility, the EU is not the leading international actor in the Middle East Peace Process and has much less influence over Israel than the US.<sup>155</sup> Moreover, there appears to be an understanding among those working within the EU that there is currently a lack of willingness on the part of both the Israelis and Palestinians to work towards a peace settlement and therefore the matter is not one on which the EU could have a significant influence.<sup>156</sup> Nonetheless, Netanyahu's ongoing cultivation of relationships

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<sup>154</sup> Josep Borrell, "Building Global Europe", HR/VP Josep Borrell Blog, 9 September 2020.

<sup>155</sup> Interview with EU Official, *op. cit.*; Interview with EU Senior Official, *op. cit.*

<sup>156</sup> Interview with EU Official, *op. cit.*; Interview with EU Senior Official, *op. cit.* Academic literature has also noted this issue. See, for example, Akgül-Açıkmeşe *et al.*, *op. cit.*, 15.

with certain EU Member States suggests that there is still value for Israel in having its voice heard within the EU.

These findings have relevant implications regarding the impact of enlargement on EU foreign policy. Evidently, the expansion of the EU to countries with different political and security contexts, different political or religious values can alter its ability to formulate common foreign policy positions. Today, enlargement policy, long considered to have stagnated, has been reinvigorated by the EU in response to the war in Ukraine, with new states becoming candidates and accession negotiations moving forward for existing candidates.<sup>157</sup> A natural question flowing from the findings of this paper relates to how further enlargement would impact the EU's diplomacy vis-à-vis the Middle East Peace Process. At a time when the EU seeks to become a stronger global actor,<sup>158</sup> this paper has demonstrated that enlargement can have stark consequences for the EU's ability to formulate foreign policy positions and implement actions in line with those positions.

Finally, the example of the Middle East Peace Process highlights that transatlantic connections and underlying values can motivate Member States' foreign policy positions and actions more so than the EU. The rhetoric of Orbán on the Middle East Peace Process invoking the intra-European West/East divide suggests that the differences between the 'old' and 'new' Europe are likely to persist in foreign policy matters.

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<sup>157</sup> Luigi Scazzieri, "Can EU enlargement gain momentum?", *CER Insight* (London: Centre for European Reform, 3 November 2022), 1.

<sup>158</sup> Borrell, "Building Global Europe", *op. cit.*

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