



NOVEMBER 2023

## The Dutch Dragging Their Feet

### The Challenge of Being Constructive While Making the EU 'FitFor30+'

A European Union of 30 or more Member States becomes more likely as the debate on the need for EU enlargement is picking up pace. Consensus seems to exist that the EU needs to reform in order to function well in a larger union. Views on how such an EU 'FitFor30+' would look like differ between Member States. The Netherlands has a dubious reputation as a sceptical country, often blocking progress on enlargement, even if, in recent years, it has acted more constructively. However, in the run-up to the Dutch Parliamentary elections of 22 November 2023, EU enlargement and reform are hardly considered. The Netherlands is therefore currently not up to speed, whereas in Europe, the enlargement and reform train has departed the station and is reaching full steam. This train is unlikely to wait for one Member State unwilling or unable to make up its mind. In order to avoid a situation of being placed outside the inner-circles of negotiations and having to either use the emergency break or accept compromises, Dutch policymakers and politicians should better focus on actual interests, preferences and positions in the debate while engaging the general population, which still seems to be in the dark about changes to the EU that may become realities sooner rather than later. Alternatively, the Netherlands could return to its opposing views, but this may undermine its overall standing in the EU and weigh in on other issues.

#### A position driven by concerns

In the Netherlands, both enlargement and deepening European integration through EU reform are politically sensitive issues. Instead of viewing a larger EU as a stronger EU, the Netherlands focusses on how to avoid a weakening of the EU and a loss of Dutch influence in a bigger EU. Moreover, public debates tend to revolve around the negative effects of previous enlargement rounds, such as rule of law backslides in Member States like Hungary. They ignore more positive experiences with, for instance, Estonia.<sup>1</sup>

Dutch policy narratives stick to the merit-based process on the basis of the Copenhagen Criteria, while generally disregarding more (geo)political imperatives for further accession.<sup>2</sup> The Netherlands wants a strong Union and is concerned that if the merit-based process is disregarded the EU may weaken. While such concerns are fair, the

<sup>1</sup> See for example: Martti Randveer and Karsten Staehr, "[Macroeconomic Trends in the Baltic States](#)."

<sup>2</sup> [Before and After Accession to the EU](#)," in: M. Landesmann and I. P. Székely (eds.), *Does EU Membership Facilitate Convergence? The experience of the EU's Eastern Enlargement, Volume I*, Studies in Economic Transition. Palgrave Macmillan, Cham: 12 February 2021.

<sup>2</sup> For an overview of the Copenhagen Criteria see: European Commission, "[Accession criteria](#)."

importance of knowing how to deal with the EU's own absorption capacity (even in a hypothetical enlargement scenario) is important. This policy brief outlines that this is not being sufficiently considered in concrete terms in the Netherlands. Concrete ideas to alter the EU's absorption capacity through EU reform are much debated in Brussels and several EU capitals like Berlin and Paris, where the report "Sailing on High Seas" on EU institutional reform by 12 Franco-German experts is an important driver for discussions.<sup>3</sup> In these debates it is argued that before, or in parallel with a next enlargement, the EU needs reform to be able to continue functioning properly. There is a strong feeling that the EU should avoid becoming too big to govern, almost like the UN.

However, EU reform is politically sensitive in the Netherlands too, particularly since EU reform might mean that the EU will obtain more federal characteristics and expand its competences at the expense of the Member States. This equals less control and competence for individual EU Member States, but may result in a more effective EU and other Member States not blocking policies preferred by a majority of Member States. A noticeable exception is the Dutch support for using Qualified Majority Voting (QMV) instead of unanimity for a larger set of EU foreign policy (CFSP) decisions. This would for instance, mean that Hungary could no longer block or delay progress on EU sanctions against Russia, which has been a source of frustration. However, also on this issue, the Netherlands argues that it does not want EU Treaty amendments as it prefers reforms within current treaties.

The hesitation regarding enlargement is furthermore linked to the concerns over the proper adherence to rule of law standards in countries that have already joined the EU and newcomers that risk similar problems and will need EU financial support. The Dutch fear higher financial EU costs linked to expenditures in

countries with dubious rule of law track records, or possibly even corruption risks. The Netherlands is a net contributor to the EU budget and wants to avoid having to pay more in an enlarged EU.

While these hesitations when it comes to favouring further enlargement are understandable, Member States – including the Netherlands – have already agreed to grant candidate status to certain countries and many other EU Member States are strongly in favour of enlargement. Strategic discussions on the consequences of these decisions are essential. They started during the Informal European Council in Granada where EU leaders agreed in the Granada declaration that the "Union needs to lay the necessary internal groundwork and reforms" in parallel with reforms needed in aspiring Member States.<sup>4</sup> Discussions will continue in the coming months and first decisions are expected during the December European Council. However, the Dutch do not seem to feel the same urgency as others in taking a position in the debate.

This policy brief asserts that it is crucial for the Netherlands to start thinking differently about EU reform in the context of EU enlargement. If the Netherlands continues to drag its feet, its interests might easily become discarded in rapidly evolving debates. The Parliament and general public need to be engaged to achieve a well-informed debate on these issues.

## Background of the Dutch government position and public opinion on enlargement and European integration

Since 24 February 2022, when Russia invaded Ukraine, views on European integration beyond the current 27 EU Member States have altered in the EU. Public opinion has shifted in the Netherlands, too. A majority of Dutch citizens translated their support for Ukraine to defend its

3 Franco-German Working Group on EU Institutional Reform, "[Sailing on High Seas: Reforming and Enlarging the EU for the 21<sup>st</sup> Century](#)," 18 September 2023.

4 European Council, "[The Granada declaration](#)," 6 October 2023.

sovereignty, and by extension European liberal values, to Russian aggression, in an increased openness to allowing the country into the heart of the European orbit.<sup>5</sup> This can be considered as a remarkable shift from previous positions and a rather Eurocritical stance in general.

Indeed, the Dutch have been lukewarm about further European integration in the past two decades. Two referendums illustrated this. First, in 2005, the Dutch were – along with the French – one of two countries to reject the European Constitutional Treaty, with over 60 percent of voters forcing the government not to ratify it.<sup>6</sup> In 2016, the Dutch voted down a Ukraine-EU Association Agreement in another, yet less well attended, (advisory) referendum, which constituted at least partly a sign of discontent with the EU.<sup>7</sup> The referendums illustrate the potential to mobilise the Dutch population against EU decisions. Efforts to communicate and debate more about EU enlargement and reform are therefore essential, even though they provide no guarantee for more support.

The public sentiment at the time was also reflected in government policies, with the Dutch being mainly known for being frugal regarding budgetary matters and strict on enlargement. In June 2019, the Dutch government – alongside France and Denmark – blocked the start of EU accession negotiations with Albania and North Macedonia.<sup>8</sup> The Netherlands argued that reform progress in Albania was generally insufficient, while in North Macedonia the Dutch called for a new special prosecutor law to be first adopted.<sup>9</sup>

Recently, there has been a trend shift regarding the attitude of the Dutch population and its government, not in the least because of the Russian war of aggression in Ukraine. Whereas previous crises raised fears in the Netherlands of an uncontrollable EU, Brexit also helped to counter Eurosceptical voices. This cumulated in the fact that, at government level, the most recent coalition was considered to be more pro-European than its predecessors. In its initial 2021 cabinet statement, the now fallen government stated: “We are committed within the EU to enhanced cooperation with and support for countries in the Western Balkans. We are strict and fair on accession.”<sup>10</sup> The wording “strict and fair” was already a tone shift from the sole word “strict” in the preceding statement, and it would not end there.

A 2022 report by d|part illustrates the shift in Dutch public opinion, indicating a more positive approach to EU enlargement with Western Balkan countries.<sup>11</sup> In 2022, the SCP identified broader Dutch public support for Ukrainian EU accession on the basis of strict conditions, although it questioned the sustainability of such attitudes.<sup>12</sup> This public opinion shift was also echoed in the government’s most recent statement on enlargement in early 2023: the strict and fair commitment was reiterated, but ‘engaged’ was added.<sup>13</sup> Furthermore, the government expressed its involvement and support in the Western Balkan nations’ reform agenda and that the Western Balkan countries are to be more involved in European initiatives focusing on regional cooperation and reconciliation. Moreover, the Netherlands did not block

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5 Josje den Ridder and Maja Djundeva, “[Kennisinotitie De publieke opinie over uitbreiding van de Europese Unie](#),” Sociaal en Cultureel Planbureau, 9 June 2022.

6 Kiesraad, “[Uitslag referendum Europese Grondwet 2005](#),” 6 June 2005.

7 Kiesraad, “[Uitslag referendum Associatieovereenkomst met Oekraïne](#),” 12 April 2016.

8 Tobias Spöri, Neele Eilers, Jan Eichhorn, Srdjan Cvijić, Donika Emini and Milena Stefanović, “[Dutch Public Opinion on EU Membership of the Western Balkans](#),” d|part, EFB & BiEPAG, 2022.

9 Wouter Zweers and Ardita Abazi Imeri, “[Avoiding Another Déjà Vu for North Macedonia](#),” The Clingendael Institute, 4 October 2019.

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10 VVD, D66, CDA and ChristenUnie, “[Omzien naar elkaar, vooruitkijken naar de toekomst](#),” 15 December 2021.

11 Spöri, Eilers, Eichhorn, Cvijić, Emini and Stefanović, “[Dutch Public Opinion on EU Membership of the Western Balkans](#),” d|part, EFB & BiEPAG, 2022.

12 Den Ridder and Djundeva, “[Kennisinotitie De publieke opinie over uitbreiding van de Europese Unie](#),” Sociaal en Cultureel Planbureau, 9 June 2022.

13 Wopke Hoekstra, “[Staat van de Unie 2023](#),” Rijksoverheid, 13 February 2023.

the candidate status given to Bosnia and Herzegovina, Moldova and Ukraine in 2022.<sup>14</sup>

This new tone (strict, fair and engaged) and a policy shift was undoubtedly caused by the Netherlands having a more pro-European coalition government and a changing reality in Eastern Europe. The ongoing Russian war of aggression in Ukraine highlights the geopolitical imperatives for enlargement. After Ukraine was forced to fight Russia's invasion, it made a clear choice for the EU path through its membership application. This prompted EU countries and their leaders to take sides. When bigger Member States unequivocally stated their support for a European perspective for Ukraine, after some initial hesitation the Netherlands abandoned its opposition and went along, with Moldova benefiting in Ukraine's slipstream

As the European debate on enlargement is picking up, it is interesting to see how the new Dutch parliamentary elections (on 22 November 2023) and a subsequent new coalition government will play out. It is still to be seen whether the Netherlands will continue its more constructive tone and policy decisions or instead fall back on rigid assessments. Whereas experts realise the stability risks and undesirability of the new candidates becoming prone to further influence from Russia or China, this is hardly an issue of active public debate. The challenges the EU enlargement process poses for candidate countries, as well as citizens' and politicians' frustrations over the lack of an end date being in sight is also not much on the radar, let alone new (investment) opportunities that may arise once new countries join the EU.

## Are there Dutch positions on EU reform, and are they linked to enlargement?

With momentum for EU enlargement growing and the Dutch being slightly more constructive, the following question becomes increasingly relevant: what reforms are vital for the EU to be ready for an EU of 30+ Member States? Can the EU, for instance, continue with a threshold of four Members of the European Parliament for small EU Member States, with more than 30 Commissioners, and an equally high number of participants in each and every EU Council meeting? What about the budget for agriculture and poorer regions in the EU?

For this paper, we sought to obtain an overview of the ideas and thoughts that thrive in The Hague. The main feeling the authors were left with was that the question had not yet received the urgency that it deserves.

The idea that there has indeed been a shift to the position of the Netherlands on enlargement seems to be commonly shared, but enlargement as such is not considered an issue of immediate urgency, despite the Granada meeting. An important observation here is that deciding to be more constructive is more complicated than it seems. Unconstructive positioning is relatively simple: just say no, and nothing will happen against your will. After all, each Member State has a veto on EU enlargement. A more constructive Netherlands, however, needs to be better prepared for discussions about EU enlargement and reform.

The attitude currently held by the Dutch government does not help to that end. Rutte's doorstep interview in Granada was exemplary. When asked about Charles Michel's statements about 2030 as a target to be ready for enlargement (both on the EU's and candidate states' sides), the Dutch Prime Minister almost exclusively focused on why it is a bad idea to focus on a date for enlargement as candidate states are very far away from reaching their

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14 European Council, "[European Council conclusions 23-24 June 2022](#)," and European Council, "[European Council conclusions 15 December 2022](#)."

targets.<sup>15</sup> This would have been an opportunity also to mention *how* the EU itself would need to change from within to be well prepared for enlargement, as well as to articulate Dutch visions to that extent.

The problem with this position is that in reality enlargement might be prompted by world events. With the war in Ukraine it has become evident how quickly viewpoints can shift. If a new major crisis confronts Europe tomorrow, and if the French President and German Chancellor decide it is time to move forward with enlargement and reform swiftly, things may happen very quickly. The EU has shown itself to be able to accelerate when there is a need for it to do so (especially during major crises) and to be slow when there is no pressure. If the metaphorical *bomb* falls, the snowball effect may be vast. When tomorrow the French or Germans open their hypothetical drawer in which they store their well-elaborated plans on how to enlarge and reform the EU, it will be too late for a Member State like the Netherlands to start thinking about how it wants to influence the debate.

### Process > content

It is, therefore, remarkable how Dutch political actors seem to underappreciate the question of what concrete reforms are key to the EU's absorption capacity. Such questions appear to be regarded as being premature. Instead of focusing on what precisely the Netherlands should want to get out of the debate and what end goals are to be pursued, right now the Netherlands tends to focus on questions related to the process. Who should lead the reform process? Who sets the agenda? What questions should be asked? The Dutch government tends to believe that discussions would not go that rapidly as leaders intend to keep them at an intergovernmental level. At the same time, there is an understanding that the discussions about

EU reform need someone who can take the lead and drag countries along as she or he looks for common ground and compromises. Leaders of the EU Member States are not keen to outsource the direction of the discussion. If they were to pass on the lead, it would be up to former peers to take over. Ideas are floating around to task former heads like Angela Merkel and Mario Draghi with writing reports on a number of themes related to reform to then kickstart debates at European Council level.

### What causes reluctance? Reputation, Rutte and changing guards

But why does the Dutch government fail to articulate more concrete ambitions? We notice three main potential triggers: reputation damage, Rutte and changing guards. First, pushing the enlargement debate away from enlargement itself while emphasising the EU's absorption capacity risks backlash amongst EU peers. A president or prime minister taking the lead in diverting the discussion on enlargement towards necessary EU reform would be seen as the leader of a front *against* enlargement. Some say that such a leader would even be seen as being *against Ukraine*. In the current context, no one wants to gain that reputation.

The EU historian Mathieu Segers gives another explanation for the lack of positioning on EU reforms in his podcast *Studio Europa*.<sup>16</sup> He claims that under Prime Minister Mark Rutte, Dutch ministries have seen a decrease in EU expertise, knowledge and high-level access over the years. As Rutte took more and more EU executive power for himself, other branches of power became less involved and thus also less aware of relevant balances and developments in Brussels. If this proves to be true, this is a concerning trend which the next government should seriously address.

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15 Aïda Brands, "[Rutte: 'Snelle uitbreiding EU onverstandig'](#)," NOS, 5 October 2023, and Lili Bayer, "[Charles Michel: Get ready by 2030 to enlarge EU](#)," Politico, 28 August 2023.

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16 Annette van Soest and Mathieu Segers, "[Café Europa. #S5E14: De 'Metamorfose' van Hoekstra & Poolse verkiezingen](#)," Haagsch College, 4 October 2023.

Finally, the Netherlands is going through profound changes in its political arena, especially regarding politicians holding central positions on the country's EU representation. No fewer than four key positions are seeing a change of incumbents, significantly decreasing the stability of the position of the Netherlands. First, following his announcement not to re-run in the upcoming elections and to leave Dutch politics after a new coalition has been formed, the Netherlands is, for the first time in over a decade, represented at European Councils by an outgoing Prime Minister. Second, the Dutch did not have a European Commissioner for almost two months. Third, and directly related, the Netherlands' Minister of Foreign Affairs has left office and been replaced by someone relatively new to the Foreign Policy scene. Fourth, the Permanent Representative to the EU, Robert de Groot, is set to leave his post after many years in office.<sup>17</sup> All in all, this shows a period of Dutch instability during which it is hard for the people in those positions and officials working beneath them to follow a clear direction. Nevertheless, especially when key positions weaken, the substance must remain strong to ensure an equally strong position during looming negotiations.

### And what about the political parties in Parliament?

Studying the way in which the Dutch Parliament goes about the reform and enlargement discussion, we received similar impressions: there is not enough attention being given to the EU reform topic in Dutch politics. Various reasons could be behind the lack of attention in Parliament. First, parliamentarians are all-rounders focusing on various issues and tend to stick to the essentials, not the details. Second, the enlargement and reform topic is unrelated to any ongoing tabled legislation. In a Dutch political system where only 150 parliamentary seats are distributed amongst 20 political parties, political groups are too small to work beyond the matter of the

day. That means there is little time for strategic reflection outside the regular debates revolving around the management of the accession process, such as on decisions on the opening and/or closing of negotiating clusters for specific candidates. Food for thought for another time: the argument that strategic discussions about European affairs would be easier in a larger parliament is strong and overheard repeatedly when talking to MPs.

Third, the fact that the Netherlands is just in between the collapse of the government and the next elections means that many parties are in campaign mode rather than in strategic preparations for foreign policy debates. While EU enlargement was one of the four priorities on the knowledge agenda of the Parliamentary Committee for European Affairs in 2022-2023, after the elections a renewed Parliament will again need to delve into the matter amongst other pressing domestic issues.<sup>18</sup> Fourth, a majority of the political parties in the Netherlands are not keen on rapid enlargement altogether, and as a consequence the perceived need to discuss EU reform remains low. It is certainly not an issue where they see an opportunity to gain votes in the upcoming elections.

### Yet, some abstract and concrete positions are floating around

With the exception of debates amongst direct stakeholders in the relevant ministries, Dutch politics at large seem unready for EU discussions about EU reform ahead of EU enlargement. Some concrete ideas, however, do emerge when discussing the matter. As mentioned, the Dutch government is considering which process will ensue for the debate on EU reform. The Netherlands intends to steer discussions along six main tracks: (1) the rule of law, democracy and fundamental rights, (2) geopolitics and security, (3) finance, (4) the internal market, (5) migration and (6) institutional

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17 Algemene Bestuurdienst, "[Voordracht Robert de Groot als vicepresident Europese Investeringsbank](#)," 7 July 2023.

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18 Commissie Europese Zaken, "[Kennissagenda 2023](#)," Tweede Kamer der Staten-Generaal, 16 February 2023.

architecture. This shows that the Dutch are indeed thinking about which areas need attention regarding EU reform.<sup>19</sup>

Yet, there seem to be a few areas in which the Dutch government would favour reform to make the EU 'FitFor30+'. First, the Dutch broadly share a call for more QMV in CFSP matters, most openly through its active participation in the Group of Friends for QMV.<sup>20</sup> Second, we notice support for a broader application of the conditionality logic as applied in NextGenerationEU. Regarding itself as a 'champion of the rule of law', the Netherlands – among several other Member States – is most vocal when other Member States slide backwards. This point should therefore not surprise many.

However, we must also note that the Netherlands is afraid to move too enthusiastically on either of these points. Both the application of QMV and conditionality threaten the Dutch as they do not want QMV to extend to matters such as the EU budget and are very hesitant to accept more EU budget conditionality over other areas than the rule of law. Indeed, if there is one thing the Dutch fear the most, it is having to pay more into the EU budget without being able to cast a veto.

A third concrete idea that has gained traction in The Hague is to enhance the possibilities for restricting the free movement of workers from new Member States. Concerns prevail that new waves of labour migration would add to an already high migration number in an already densely populated country facing a severe housing crisis. Applying such restrictions would be in line with limitations that the Netherlands implemented (amongst other Member States) in the accession rounds of 2004, 2007, and 2013.

While these points show that there are undoubtedly some thoughts in the Netherlands about how a reformed EU could look like, they remain superficial. More concrete public statements from government officials are rare, except for the Deputy Prime Minister and Finance Minister Sigrid Kaag, who said in June that the Commission should gain more power in an EU of 30+ Member States.<sup>21</sup>

## Recommendations and conclusions

The Dutch government's position on enlargement has been one of a kind for a long time. Holding on to its mantra of "strict and fair", the Netherlands was known for its vetoes during the previous decade at crucial moments. Sometimes alone, sometimes alongside France, the Netherlands claimed to be the one that is most true to the merit-based process, not allowing potential candidates to go faster if specific requirements were not met. The beginning of the current decade saw gradual but significant shifts. With the war in Ukraine, a more pro-European government, and changes in Germany (*Zeitenwende*) and France (*tournant historique*), the Netherlands moved towards becoming a more constructive Member State that strategically picks its battles. Still, its continued stringent focus on rule of law sometimes risks becoming dogmatic, and thereby little reflective of domestic problems with for instance organised crime and ethnic profiling by its tax authorities.<sup>22</sup>

As the enlargement discussions have gained momentum, they are high on the agendas of this semester's European Council meetings. Following the Granada meeting, concrete steps forward are expected to be agreed upon at the December European Council.<sup>23</sup> The new enlargement momentum is connected with a broad understanding that the EU, through internal reforms, needs to boost its absorption

19 Hanke Bruins Slot, "[Verslag van de Raad Algemene Zaken van 24 oktober 2023](#)," Tweede Kamer, 31 October 2023.

20 The Group of Friends on Qualified Majority Voting in Common Foreign and Security Policy, "[Joint Statement of the Foreign Ministries on the Launch of the Group of Friends on Qualified Majority Voting in EU Common Foreign and Security Policy](#)," Auswärtiges Amt, 4 May 2023.

21 College of Europe, "[Closing Ceremony 2023 - David Sassoli Promotion](#)," College of Europe, 23 June 2023.

22 The Economist, "[France's foreign-policy revolution](#)," The Economist, 20 July 2023.

23 European Council, "[European Council, 14-15 December 2023](#)," accessed on 10 November 2023.

capacity in order to be ready to welcome new Member States. In the eyes of many, widening the Union cannot go without deepening. To that end, various proposals have recently been published. The German Foreign Minister Annalena Baerbock has for instance stated that there is German openness for a more compact Commission, even if without a German Commissioner, and a relatively smaller European Parliament.<sup>24</sup>

Unfortunately, the Dutch political debate on EU reform in the context of EU enlargement seems to be unready. With some notable exceptions, QMV in CFSP, rule of law conditionality in future budgets and a limitation on the free movement of workers, minimal ideas exist regarding how the Dutch want to influence the European debate about how to change the EU. While there seems to be insufficient awareness in Parliament, the content of how to move does not seem to have the priority it deserves at ministerial level either. Focusing on abstract process-related questions such as in what order the discussions should take place, the Netherlands avoids sensitive issues such as the possibility of Treaty change.

We argue that the Dutch enlargement turn requires realism regarding EU reform. Discussions about reforming the EU are ongoing and an open political debate on this issue might help to clarify Dutch preferences both by political parties and the general public. The current caretaker government and Parliament (in its current and new constellation), in any case will need to prepare for the December's European Council meeting. When saying yes to the opening of EU accession negotiations with Ukraine and Moldova, pressure will mount to follow-up on this commitment and develop a well-calibrated Dutch position on EU reform too. Then it will no longer be possible for the Dutch to drag their feet.

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24 Suzanne Lynch, "[Germany's Baerbock pitches radical EU reform as bloc eyes expansion](#)," Politico, 2 November 2023.

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