

# Europeanization through Conditionality?

Bulgaria and Romania in the EU Accession Process

Linnéa Lundström

# Abstract

If things go as planned, the EU will have two new member states in January 2007: Bulgaria and Romania. They were excluded from the 2004 enlargement because they were simply lagging behind the other candidates and would not have been able to meet the conditionality. The Copenhagen conditions consist of a political, an economic, and an administrative criteria that need to be fulfilled in order to gain membership. This thesis investigates the Europeanization process that is taking place in Bulgaria and Romania as a result of these conditions.

By looking at the five mechanisms given by Heather Grabbe, the complexity and deep involvement of the EU in domestic politics and policy-making become evident, as well as the sometimes heavy burden of reform that lays upon the candidate states. By contrasting the two countries, the weak administrative capacity left from the communist regime of Romania is exposed, but also the challenges for Bulgaria to take on if EU membership will become a reality next year.

*Keywords:* Europeanization, EU Enlargement, Conditionality, Bulgaria, Romania

# Abbreviations

CARDS	Community Assistance for Reconstruction, Development and Stabilisation
CEE	Central and Eastern Europe
CEECs	Countries of Central and Eastern Europe
DG	Directorate General
EC	European Community
EMU	Economic and Monetary Union
EU	European Union
GDP	Gross Domestic Product
IPA	Instrument for Pre-Accession Assistance
ISPA	Instrument for Structural Policies for Pre-Accession
MDS	Most Different Systems Design
MSSD	Most Similar Systems Design
NUTS	Nomenclature of Territorial Units for Statistics
PAAAs	Pre-Accession Advisors
PHARE	Pologne-Hongrie Assistance à la Restructuration des Economies
SAPARD	Special Accession Programme for Agriculture and Rural Development

# Contents

<b>1</b>	<b>Introduction.....</b>	<b>1</b>
1.1	Statement of Purpose.....	2
1.2	Theoretical approach.....	2
1.3	Methodological Considerations.....	3
1.3.1	Why Focus on Bulgaria and Romania?.....	3
1.3.2	Top-down or Bottom-up Research Approach? .....	4
1.3.3	A Post-ontological Approach.....	5
1.4	Limitations and Material .....	5
1.5	Disposition .....	6
<b>2</b>	<b>Europeanization .....</b>	<b>7</b>
2.1	What it is: Definitions .....	7
2.2	What it isn't: Neighbouring Concepts.....	8
2.3	Mechanisms of Europeanization in CEECs .....	9
2.3.1	Models: Provision of Legislative and Institutional Templates.....	9
2.3.2	Money: Aid and Technical Assistance.....	10
2.3.3	Benchmarking and Monitoring .....	10
2.3.4	Advice and Twinning.....	10
2.3.5	Gate-keeping: Access to Negotiations and Further Stages in the Accession Process.....	11
<b>3</b>	<b>Conditionality.....</b>	<b>12</b>
3.1	The Copenhagen Criteria .....	12
3.2	Financial Assistance.....	13
3.3	Discussion .....	14
<b>4</b>	<b>The Roadmaps to Accession.....</b>	<b>16</b>
4.1	The Political Criteria .....	16
4.1.1	Bulgaria and Romania.....	16
4.2	The Economic Criteria .....	16
4.2.1	Bulgaria .....	16
4.2.2	Romania .....	17
4.3	The Administrative Criteria .....	17
4.3.1	Bulgaria.....	17

4.3.2	Romania .....	18
4.4	Discussion .....	18
4.4.1	Uneasy buddies?.....	18
4.4.2	Why roadmaps?.....	19
<b>5</b>	<b>The Regular Reports .....</b>	<b>21</b>
5.1	The 2003 Regular Reports.....	21
5.1.1	Bulgaria .....	21
5.1.2	Romania .....	22
5.2	The 2004 Regular Reports.....	23
5.2.1	Bulgaria .....	23
5.2.2	Romania .....	23
5.3	The 2005 Comprehensive Monitoring Report .....	24
5.3.1	Bulgaria .....	24
5.3.2	Romania .....	24
5.4	Discussion .....	25
<b>6</b>	<b>The Twinning Programme.....</b>	<b>27</b>
6.1	Background .....	27
6.2	Bulgaria .....	27
6.3	Romania .....	28
6.4	Discussion .....	28
<b>7</b>	<b>Gate-keeping.....</b>	<b>30</b>
7.1	Specific Tasks for Bulgaria and Romania.....	30
<b>8</b>	<b>Conclusion .....</b>	<b>31</b>
8.1	How the Europeanization Process is Taking Place .....	31
8.2	Differences and Similarities between Bulgaria and Romania.....	32
8.3	Final Reflections .....	33
<b>9</b>	<b>References.....</b>	<b>34</b>

# 1 Introduction

On the 1st of May 2004 ten new states entered the European Union, but two countries that were not invited to that particular enlargement were Bulgaria and Romania. They were not judged to be ready for membership yet and so-called Roadmaps were developed, stating what the countries had to change in order to grant accession status. After the collapse of the Soviet Union in the 1990s, membership applications to the EU from CEECs started to pour in. Between the years of 1998 and 2000, ten CEECs formally started their membership negotiations.<sup>1</sup>

In 1993, the European Council in Copenhagen declared that “the associated countries in Central and Eastern Europe that so desire shall become members of the European Union” (*Internet 1*). As a response to the future new members, the EU redefined their membership conditions, making them stricter in order to protect their “club” and the future integration process before it became more difficult after enlargement (Smith 2003:106-108). The result was what has been known as the Copenhagen criteria, which will be explained later on. The Copenhagen criteria are a form of conditionality that, in addition to protecting the EU, also work as a powerful foreign policy instrument to influence applicant countries’ domestic and foreign policies, making them do things they otherwise might not do. One can speak of a power asymmetry as the CEECs are hardly in a situation where they can voice objections, the alternative of staying out of the EU is simply too costly (*ibid.*).

A term that has gained widespread popularity over the last decade among scholars of European studies is “Europeanization”. Like “globalization”, it can be a useful entry-point for understanding important changes in politics and society today. In a maximal sense, Europeanization is a process of structural change closely identified with the term “Europe” and its attributes in general. Minimally, Europeanization involves a response to the policies of the EU, stretching both across existing member states and those wishing to join in the future (Featherstone 2003:3-4). In is thesis it is the minimalist Europeanization process that will be investigated. Traditionally however, studies of Europeanization have dealt with countries that have already joined the EU, it is only recently that a major interest of Europeanization in non-member states has emerged (Grabbe 2003:304).

---

<sup>1</sup> The Czech Republic, Estonia, Hungary, Poland and Slovenia in 1998. Bulgaria, Latvia, Lithuania, Romania and Slovakia in 2000 (Dimitrova 2005:85).

## 1.1 Statement of Purpose

In this thesis, my main objective is to investigate how the EU causes domestic change in applicant countries through the use of conditionality and its instruments. I will argue that a Europeanization process is indeed taking place, and by focusing on two different countries – Romania and Bulgaria – also account for the differences and similarities of the processes in the two countries. I hope that by doing this form of comparison be able to put the theory to good use and highlight both the benefits and detriments of using a Europeanization approach on applicant countries. Therefore, although my hypothesis is that Europeanization is taking place through conditionality, my arguments will properly discussed and not left unquestioned. In sum, the questions posed in this thesis are:

- How has the EU caused domestic change in Romania and Bulgaria through the use of conditionality, i.e. how has the Europeanization process taken place? What are the differences and similarities between the two countries?

## 1.2 Theoretical approach

As stated above, this thesis will rest its theoretical foundation on the Europeanization literature. As Featherstone puts it, Europeanization is a dynamic process, but its structural effects are not necessarily permanent or irreversible. The impact of Europeanization is typically incremental, irregular, and uneven over time and between locations. It is an asymmetric process, and the attraction for researchers is to account for the disparity of impact (Featherstone 2003:4). I find this to be a very challenging yet exciting way of studying the changes that have (or sometimes have not) occurred in these two soon to be EU member states. In the following chapter a further explanation of what Europeanization is and how it can be applied will take place.

Already at this point however, I find it necessary to mention the complexity of Europeanization theory. As Featherstone points out, it is often hard to distinguish the relationship between Europeanization and globalization in case studies of domestic adaptation. What actually is the cause and effect is not easy to decide, since relatively small EU obligations can have widespread consequences in certain situations, and actually be used as an excuse for making further changes (*ibid.*). Radaelli proposes a view on Europeanization as “something to be explained, not something that explains”, or in other words “a problem in search of explanation – not the explanation itself” (Radaelli 2004:2).

This thesis is thus of a theory testing as well as a theory developing character, as the aim is to concretise Europeanization into a model of analysis, albeit based on Grabbe’s Europeanization mechanisms, so a comparison of accession countries will be possible to make.

## 1.3 Methodological Considerations

“Making comparisons is a natural human activity”, Landman argues. Citizens in all countries compare their position in society to those of others every day, in terms of their regional, religious, ethnic identities as well as their relative location in systems of power and authority (Landman 2003:4). But why make a scientific comparison in Political Science? And why Bulgaria and Romania?

Even though no complete picture of the Europeanization process in each respective country can be made – not only because of the lack of time, space and resources, also because of the lack of empirical evaluations of the measures that have been taken – comparing and contrasting two countries may reveal interesting facts and issues that might have gone unnoticed in a single case study. The benefit of comparing few countries however is that the research is conducted on a middle level of conceptual abstraction, i.e. the nuances specific to each country are allowed to emerge, but generalizations can in some cases be made as well. The conclusions in these types of research are often configurative, which means that there are multiple causal factors acting together. The emphasis in such “case-oriented” studies also tends to be on the similarities and differences among countries rather than on the relationship between the examined variables, which is, as mentioned above, what I intend to investigate in this thesis (Landman 2003:29).

### 1.3.1 Why Focus on Bulgaria and Romania?

The method of comparing few countries can be divided into two categories: Most Similar Systems Design (MSSD) and Most Different Systems Design (MDSD). MSSD seeks to identify the features that are different among similar countries and which account for the different political outcome, while MDSD compares countries that are not share similar features but have a common political outcome (Landman 2003:29).

Traditionally the MSSD has a difference in outcome that needs to be explained, but here the differences are not the main reason for the comparison between Bulgaria and Romania. The EU has adopted as negotiation strategy to team up countries along their accession paths, for example the Visegrad group<sup>2</sup> and the Baltic Cooperation countries<sup>3</sup>. Bulgaria and Romania have been grouped together for several reasons. Neither of the two countries was invited to join in the 2004 enlargement, they are now set to join in January 2007 if they fulfil the criteria. Heather Baird calls them the “underclass” of the EU, as they will be the poorest countries to join the EU at date (Baird 2004:1). Bojkov argues that their

---

<sup>2</sup> The Visegrad Four: the Czech Republic, Hungary, Poland and Slovakia.

<sup>3</sup> The Baltic Cooperation countries: Estonia, Latvia and Lithuania.

search for membership in the EU has made their participation in cooperation in the South Eastern European region difficult, and when they were not invited to join with the other CEECs in 2004, Bulgaria and Romania found themselves in a situation of double exclusion. The two countries are thus forming a “micro-region” of their own. Bojkov concludes by saying that given the nature of the EU as a custom’s union, having an area of free movement of goods, services, capital and people, plus the need to organise the external borders control jointly, Bulgaria and Romania are bound to join the EU together (Bojkov 2004:510).

Bulgaria and Romania also share a history of being parts of the Soviet bloc, which means that they have both experienced a communist legacy. Furthermore, they have a common geopolitical and geographical location with its borders to the Black Sea. In a MSSD comparison, the similar countries have a different outcome, although in this thesis the difference may not be as strong as it normally is. The major difference between them is the Bulgaria has been more successful in its Europeanization process. However, I find the main reason for keeping the countries separated and contrasted in the analysis to be simply because they are normally grouped together and *not* contrasted, which makes the search for different nuances an exiting task.

### 1.3.2 Top-down or Bottom-up Research Approach?

The research in both European integration and Europeanization have historically mostly adopted a bottom-up perspective. However, more recently there has been a shift towards a top-down perspective to try to understand how the EU matters, focusing on the impact of Europeanization on domestic political and societal processes. Börzel and Risse argue that concerning the EU, the latter perspective gives a more comprehensive picture if we study the processes between the European, national, and sub-national levels (Börzel – Risse 2003:57).

Contrary to Börzel and Risse, Radaelli argues in favour of a bottom-up approach. He believes that the research designs of today are too limited to the analysis of the effects of Europeanization, and therefore do not search for rival hypotheses. The researcher should trace series of events in domestic policy, and look at the choices made by individuals and institutions to address the problem that the new policy was put in place to solve. By looking at the domestic change through a bottom-up perspective, there is a smaller risk of prejudgning the significance of EU dynamics as the main driving force of change (Radaelli 2003:50-51).

In this thesis, however, I will actually not follow Radaelli’s recommendations as I intend to focus on the Europeanization in the accession process. As I will present later on (chapter 2), the framework for my analysis will be the mechanisms presented by Grabbe, which are clearly induced from a European level and then brought down into domestic politics. The lines between European and national are more clearly drawn for the influence of the EU on candidate countries than between the EU and current member states, as the top-down process is easily recognizable, according to Spetzharova. The applicant

countries have no say in the *acquis communautaire*<sup>4</sup>, which they have to adopt. The Commission sets the criteria, and the candidates have to fulfil them in order to gain membership (Spendzharova 2003:148).

### 1.3.3 A Post-ontological Approach

Radaelli emphasizes the post-ontological state of Europeanization theory, which means that we assume that there is a process of European integration under way, but that the focus in research should not be on *why* Europeanization is taking place, but on *how*. Europeanization theory is about what happens when the EU begin to produce their effects on a domestic level (Radaelli 2004:2, Spendzharova 2003:143).

## 1.4 Limitations and Material

It is important to stress the limitations of this study, as I do not aim to conduct an all-ranging assessment of Europeanization in Bulgaria and Romania. First of all, I believe that as a researcher I make choices of what to highlight and not, even when I try to remain unbiased. Another researcher with access to the same material might not have come to the same conclusions. The ladder of abstraction is also important to discuss, and I will try to keep it on a general level, using detailed examples when necessary to point out vital differences between the countries, or to exemplify how much influence the EU actually can have on domestic policies. Finally, regarding the time frame, I made a choice to start the empirical analyses of the countries with the presentation of the Roadmaps in 2002, although the accession process started earlier than that. By 2002 it was made clear that Bulgaria and Romania were not invited to join in 2004, so the accession process took on somewhat of a different direction.

As I will show later in, Europeanization theory is quite a fresh phenomenon, hence the recent literature and articles. One of the dominating theorists is Claudio M. Radaelli, and his conceptions of Europeanization will also dominate this thesis. The interest in Europeanization in accession countries is an ever more recent phenomenon, and here the mechanisms provided by Heather Grabbe will be the framework of the analysis. Because the mechanisms focus largely at policy processes, they will also be the focus of this study.

When working with this thesis, it has become evident that there is a major lack of empirical studies of Europeanization in Bulgaria and Romania, although I am sure that there is only a matter of time before many more studies of Europeanization “on the ground” will emerge because of the coming membership

---

<sup>4</sup> *Acquis communautaire*: the entire European legislation.

in the EU, which will take place in January 2007 if they meet the criteria. As stated earlier, I find a comparison of Bulgaria and Romania very interesting because of the grouping together of the two countries, and more comparisons would be welcomed. Many of the articles used in this thesis deals with acceding CEECs in general, and are found in European journals such as *Journal of Common Market Studies* and *Southeast European Politics*. Primary sources are material from the EU, notably the Roadmaps and the Regular Reports from the Commission and DG Enlargement.

## 1.5 Disposition

The next chapter will account for different definitions of Europeanization and the one used in this study, which will be important for the results presented in the concluding chapter. Mechanisms of Europeanization in Bulgaria and Romania will also be presented, which will provide the framework of the analysis in the following chapters. Each mechanism is presented more explicitly, and references to its relevance in Bulgaria and Romania will be made and followed by a brief discussion. The final chapter is then divided in one section where the question of how Europeanization in the two countries is taking place through these mechanisms, and another which will summarize the differences and similarities. Some final reflections will then finish this study.

## 2 Europeanization

A Europeanization approach can be useful in trying to understand important changes in politics and society. It has become a popular term in social sciences over the last twenty years, especially since the EU has evolved with the Single market, the EMU, Schengen, and the unprecedented enlargement in 2004 with no less than ten new member states.

In this part, I will briefly account for the basic characteristics and dominating definitions of Europeanization theory, before moving on to showing how it can and will be applied with regards to acceding countries and this thesis.

### 2.1 What it is: Definitions

As Radaelli puts it, concepts that are not well defined lead to confusion and elusive language (Radaelli 2003:28). I will here therefore present different definitions of Europeanization given by researchers in social sciences. In 1994, Ladrech defined Europeanization as:

an incremental process reorienting the direction and shape of politics to the degree that EC political and economic dynamics become part of the organizational logic of national politics and policy making (Ladrech 1994:69).

In an overview of Europeanization, Howell argues that Ladrech's definition provided a starting point by looking at Europeanization as a process of top-down procedures, and this discussion was continued by Börzel and Risse, and Hix and Goetz in 2000, to name a few (Howell 2004:3). In 2001, another widely cited definition appeared, explaining Europeanization as:

the emergence and development at the European level of distinct structures of governance, that is, of political, legal, and social institutions associated with political problem-solving that formalize interactions among the actors, and of policy networks specializing in the creation of authoritative European rules (Cowles *et al.* 2001:3).

Compared to Ladrech's definition, Cowles *et al.* are more specific and focus more on policy networks and formal rules. Radaelli writes that this definition suggests a broad concept of Europeanization, as both EU policy and politics and their outcome on national systems are included (Radaelli 2003:29). Radaelli himself draws upon Ladrech's definition from 1994 of Europeanization as a process, and presents a definition that stresses the importance of change in the logic of political

behaviour, emphasizing the domestic assimilation of EU policy and politics. He argues that Europeanization refers to:

processes of (a) construction, (b) diffusion, and (c) institutionalization of formal and informal rules, procedures, policy paradigms, styles, ‘ways of doing things’, and shared beliefs and norms which are first defined in the making of EU public policy and politics and then incorporated in the logic of domestic discourse, identities, political structures, and public policies (Radaelli 2003:30).

Radaelli’s definition appears to be the dominating characterization of Europeanization at this point, but the other two are still cited as well. Radaelli’s definition can be applied to both EU member states and non-members (*cf.* Grabbe 2003, and Papadimitriou – Phinnemore 2004). It does not mention “organizations” or “laws” specifically, and is broad enough to cover both agency and structure approach, both “hard” and “soft” mechanisms, and a new institutionalist approach which emphasizes informal rules and norms. This study has therefore been written with Radaelli’s definition in mind. But as Radaelli puts it, if everything is Europeanized to a certain degree, what is *not* Europeanized? What falls outside its definition?

## 2.2 What it isn’t: Neighbouring Concepts

Radaelli suggests a distinction between Europeanization and different neighbouring terms in order to sharpen its explanation.

Europeanization is not the same thing as convergence. Convergence can be the result of the process, but not necessarily, in some cases divergence may be the consequence. Furthermore, Europeanization should not be confused with harmonization, as the outcome can regulatory diversity, intense competition, as well as distortions of competition. Finally, Europeanization is not political integration, although Radaelli admits that Europeanization would not exist without European integration (Radaelli 2003:33). He quotes Börzel, who shows that theories of integration focus mostly on whether European integration strengthens the state, weakens it, or triggers multilevel governance dynamics. Europeanization on the other hand, focuses more on what happens after the EU institutions are in place, and the role of domestic institutions (formal and informal) in the adaptation process to Europe. Radaelli calls this, as explained earlier, the post-ontological stage (*ibid.*). In 2004, Radaelli continued this discussion by saying that contrary to European integration theory, Europeanization does not assume that the balance of power is being tilted in one direction or another (Radaelli 2004:3).

Grabbe makes three further distinctions that she finds necessary when it comes to applying the concept to CEE applicant states:

Europeanization is not a theory of EU enlargement. Theories of enlargement search to explain *why* the enlargement process is taking place, whereas Europeanization concerns the *effects* of the enlargement. Furthermore, Grabbe

emphasizes the fact that Europeanization happens at the same time as the CEECs are undergoing major reform and modernization, so it is not only important to distinguish it from globalization (an exogenous process) as Radaelli stresses, but also from post-communist transition (endogenous factors). Otherwise one runs the risk of exaggerating the influence of the EU. Finally, it is important to examine and distinguish between the intended and unintended consequences of the EU, as EU norms and models are often cited in CEE debates to legitimate political choices of different kinds, even when the EU has not asked for compliance (Grabbe 2003:310-312).

## 2.3 Mechanisms of Europeanization in CEECs

As Grabbe writes, by the time of year 2002, previous studies of Europeanization had dealt almost exclusively with countries that had already joined the EU. However, CEE applicants such as Bulgaria and Romania are subjected to basically the same pressures of adaptation as current members. Compared to earlier enlargements, the 2004 enlargement meant a bigger adaptation not only because of the deepening of the EU with Single market, Schengen, and EMU, but also because the CEECs approached the EU with different starting conditions in terms of level of democracy and economic development. The pressures on CEECs for adaptation were and are therefore greater than those on previous applicants (Grabbe 2003:304-305).

Moreover, looking back at the definitions of Europeanization, most of them do not speak of the EU's influence on member states only, but of the domestic impact of policies generated at the EU level in general. Investigating how the Europeanization process is taking place in Bulgaria and Romania is therefore well suited for a study of domestic change and adaptation.

Grabbe lists five mechanisms of Europeanization in the EU accession process concerning policy processes that can be studied, and they will provide the framework of analysis in this thesis. They will be explained further in the following section, and the mechanisms are:

- Models
- Money
- Benchmarking and monitoring
- Advice and twinning
- Gate-keeping

### 2.3.1 Models: Provision of Legislative and Institutional Templates

Conditionality means that there are criteria attached to the membership, and the principle is that a country can join when fulfils these criteria. They will be

explained further on, but already at this point is it important to note that the candidates cannot “upload” their own preferences to the EU level, only “download” what the EU basically tells them to. As Grabbe puts it, they are only consumers, not producers of the outcome of the EU:s policy-making process, and one might speak of a power asymmetry (Grabbe 2003:312-313). How and what Bulgaria and Romania need to prioritise is found in the 2002 Roadmap, which will be reviewed together with to Regular Reports (see 2.3.3).

Furthermore, the candidates are subjected to “framing” mechanisms by these models. With this Grabbe means the encouragement to comply with non-compulsory directives in order to convince reluctant member states that they are worthy of being members, showing how willing they are to adapt to the EU and be accepted in the club (*ibid.*).

### 2.3.2 Money: Aid and Technical Assistance

Not only has the EU been the largest source of external aid for CEECs, this aid reinforces the transfer of EU models. Programmes such as Phare helps to pay for the implementation of the EU *acquis* and for the technical assistance to improve the institutional capacity to use EU practices. Furthermore, according to Grabbe, “the co-financing requirements force applicant countries to allocate public resources to particular policy areas”, so the EU aid can change the order of priorities on a government’s agenda (Grabbe 2003:314). Regarding this mechanism, I will investigate the amount of money received from the EU and the priorities set the EU for the Phare projects.

### 2.3.3 Benchmarking and Monitoring

The Commission produces Regular Reports on how prepared each applicant country is in different fields each year, which provides a direct influence on domestic policy-making as the EU sets out a list of priorities that have to be implemented (Grabbe 2003:315). I will start my analysis with the 2002 Roadmap for Bulgaria and Romania, that states what the countries need to improve to be able to fully implementing the *acquis*, and then summarize the following reports up to this date.

### 2.3.4 Advice and Twinning

By “twinning”, it means that civil servants from member states work alongside their CEE counterparts in ministries and public administration to reform and help in certain areas. However, one problem is that the advice offered by the twinning agents are not controlled centrally by the EU, there is no one consistent European model. Where the advisor comes from and his or her background can make a big

difference to the advice given (Grabbe 2003:315). This is only one of the implications of twinning, which will be studied in chapter six.

### 2.3.5 Gate-keeping: Access to Negotiations and Further Stages in the Accession Process

Grabbe calls this the most powerful conditionality tool: access to the different stages in the accession process, e.g. achieving candidate status, starting negotiations, and finally gaining membership. The Commission can also attach specific conditions to the particular stages in the accession process, which as we will see was done with both Bulgaria and Romania before they could join negotiations in 2000. The gate-keeping mechanism is not a precise instrument; its main value is as a shock tactic. When a country is stopped in the accession process, the government is more or less forced into making dramatic changes to meet the EU requirements by the press as well as by political pressure. This tactic is called “shaming” (Grabbe 2003:316).

# 3 Conditionality

## 3.1 The Copenhagen Criteria

The only condition set out in the Rome Treaty was European identity. In 1978, with the transitions to democracy in countries like Greece, Portugal and Spain, the European Council declared that respect for and maintenance of representative democracy and human rights were fundamental elements of membership in the EC, but the applicant's economic and administrative capacities became an implicit membership condition (Smith 2003:109-110).

The membership conditionality was not applied consistently, as Greece did not meet the economic criteria but was allowed to open full negotiations anyway, while Turkey in 1989 was judged not ready on political and economic grounds.

In 1992, the Commission once again declared that the three basic conditions for membership were European identity, democratic status, and respect for human rights. They also insisted that the applicant countries had to accept the *acquis communautaire* and be able to implement it. A year later, in June 1993, the Copenhagen European Council was held. It declared that the candidate countries must meet three conditions (Smith 2003:112-113). The Copenhagen criteria require:

- stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities;
- the existence of a functioning market economy as well as the capacity to cope with competitive pressure and market forces within the Union;
- the ability to take on the obligations of membership including adherence to the aims of political, economic and monetary union (*Internet 1*).

What can be seen as a fourth criteria is that the EU must be able to absorb the new members as well, but this is something that the candidate countries cannot influence and hence does not affect them in the same way. However, what can be seen as an extra condition has since then been set, concerning "good neighbourliness", which means a willingness to cooperate with neighbour as to resolve disputes peacefully (Smith 2003:114,118).

The Copenhagen European Council did not prioritise the conditions. Nevertheless, the Helsinki European Council in December 1999 did. Democracy

is the main prerequisite for beginning negotiations, and the capacity to implement the *acquis* seems to come in a close second, according to Smith. Do the applicants have any say in these matters then? As Grabbe put it (see 2.3.1), the models are being “downloaded” from the EU level without any “uploading” of their preferences. This argument is supported by Smith, who writes: “several observes have noted that the CEECs have been virtually unable to voice objections to the conditions”. Furthermore, the laws and standards are sometimes imposed with little consideration of local habits, tradition, preferences and resources. They may be formally adopted, but in practice ignored or not correctly implemented (Smith 2003:119, Zielonka 2001:513).

The focus in this thesis is on the Copenhagen criteria, but it is important to stress that they are not the first use of conditionality on aspiring members. Already in 1988, association agreements (“Europe agreements”) were established, which were quite similar to the Copenhagen criteria. They too emphasized democracy, the rule of law, human rights, and respect for and the protection of minorities (Smith 2003:121). The Europe agreements were signed with Romania in February 1993 and with Bulgaria one month later. The agreements entered into force in February 1995 (*Internet 2 and 3*).

Bojkov argues that it is still understandable that Bulgaria and Romania chose to pursue a policy of EU, rather than regional integration because of the economic benefits that the prospect of EU membership would render (Bojkov 2004:511).

Although the criteria may seem clear and straightforward, they have despite further definitions been accused of being too ambiguous and general. As Bojkov puts it: “The ‘readiness to join’ lay in the eyes of the beholder” (Bojkov 2004:517).

## 3.2 Financial Assistance

There are three main programmes of financial assistance in the pre-accession process for Bulgaria and Romania<sup>5</sup>. Here, the Phare programme will be in focus since it involves institution-building, and measures to promote social and economic cohesion (*Internet 4*). It was created in 1989, but was reoriented after the Copenhagen Council in 1993 to deal with CEECs only. The Phare funds deal exclusively with the priorities highlighted in the Roadmaps and the Accession Partnerships, which are guidelines from the EU of what needs to be done to fulfil the accession criteria (*Internet 5*). Phare can therefore be called the financial instrument to help implementing the *acquis*. The other two programmes, ISPA and Sapard, will not be in focus in this study as they do not focus on policy

---

<sup>5</sup> Turkey receives financial assistance via similar but different instruments. The programme for the Western Balkans is called CARDS. All of these programmes (including Phare, Sapard, and ISPA) will in 2007 be replaced by one single programme: IPA (Instrument for Pre-Accession Assistance) (*Internet 4*).

processes and the Copenhagen criteria in the same way as Phare does. ISPA concerns large-scale environment and transport investment support, and Sapard supports agricultural and rural development (*Internet 4*).

Through the Phare programme Bulgaria received a total of € 1,35 billion between the years 1992-2002. In 2003, the amount was € 94,9 million, followed by € 172,5 million in 2004. In 2005, the total was € 174,9 million. In addition, Bulgaria received complementary money for the Cross-Border Co-operation, and for the closing of four units in the Kozloduy nuclear power plant. On top of that, the Sapard and ISPA programmes also provide large amounts of financial assistance each year. According to the Commission, in the period of 2004-2006, Bulgaria will on average receive around € 500 million in total each year in financial assistance from the EU, which is 2 % of its GDP (*Internet 6*).

The corresponding amounts for Romania are in fact much higher: when Bulgaria now receives an average of € 500 million per year, Romania obtained € 952 million in 2005, and will get approximately € 1 155 million in 2006 (*Internet 7*). Already at this point, this would suggest that Romania experienced more difficulties in managing to fulfil the accession criteria. However, numbers do not tell the whole story, and in the following two chapters I will summarize the Roadmaps and Regular Reports between 2002-2005 to get a better understanding of how the Europeanization process takes place through these different mechanisms. When reviewing the Regular Report from 2003, I will also highlight the Phare programme and on what the projects were focusing on, to get a fuller picture.

### 3.3 Discussion

Conditionality has for example allowed the Commission to intervene directly in the designation of the so-called NUTS regions, which basically mean that the Commission determines how the structural funds will be shared among the regions. The NUTS classification in three levels is an important tool for the Commission to shape and standardize regional policy. An interviewee at the Romanian Mission stated in an article that officials from the Commission pressured them to design regions with the NUTS II level (which would mean that they would have a population of at least 800 000 and maximum 3 million), when in fact there were not such regional division in Romania. Overall, interviewees in CEECs expressed a frustration with what they perceived to be an overly interfering approach by the Commission (Hughes *et al.* 2004a:535-537). This phenomenon will be explored further on in this thesis, but it illustrates how the pressure from the EU can make the candidate country comply with something they are reluctant to do, in order to obtain the structural funding. The Phare programme provides huge sums of financial assistance to both Bulgaria and Romania, money that amounts to 2 % and 1,4 % of GDP respectively (*Internet 6 and 7*).

One can always discuss the fairness of conditionality, but I find the interesting issue here to be the actual implementation (and not only the adoption) of the new practices and policies. Can “downloading” the *acquis* really work?

## 4 The Roadmaps to Accession

In November 2002, the Commission presented detailed Roadmaps for Bulgaria and Romania, and their purpose was to highlight the most important measures that the countries had to take on in order to be ready for membership in the EU. They are based on the commitments made in the negotiations and on what needs to be done to fulfil the criteria for membership. The emphasis is especially on the administrative and judiciary capacity to implement the *acquis*, and on economic reform (COM 2002, 624f:2).

### 4.1 The Political Criteria

#### 4.1.1 Bulgaria and Romania

The political criteria is surprisingly not included in the roadmap for Bulgaria. Although some measures have to be taken, Bulgaria fulfils the criteria, the Commission states. The exact same words are used for Romania (COM 2002, 624f:7,24). This is quite interesting because, as I will show later, although the political criteria is fulfilled, it is long from being flawless in both countries.

### 4.2 The Economic Criteria

#### 4.2.1 Bulgaria

Bulgaria is here judged as partly fulfilling the economic criteria, in the sense that it is a functioning market economy, however it would not cope with the competitive pressures within the EU (COM 2002, 624f:6).

Bulgaria receives praise for its macroeconomic stability, and should continue with its reform programme. Good progress with the structural reform is also observed, especially in areas concerning restructuring of the financial sector and privatisation. As we will see more thoroughly in the next section, the Commission wants to see a strengthening of the public administration and the efficiency of the

judiciary. A rationalization of bankruptcy procedures, enforcement of property rights, and a reduction of state aid are just some of the things that the Commission lists on the to-do list. That would result in a more stable and predictable economic climate, which would encourage private and public investments and sustainable economic growth.

## 4.2.2 Romania

Although progress towards becoming a functioning market economy has been made, Romania does not fulfil the economic criteria. The focus on the roadmap is thus on the necessary steps that need to be taken in order to meet the criteria (COM 2002, 624f:24).

The progress towards macroeconomic stability needs to continue, as the inflation has been lowered and the economy has started to grow again. The emphasis is on keeping down inflation, and the establishment of company financial discipline. Further privatisation of the banking sector, a reform of public expenditures and budgetary procedures, and ensuring the implementation of the improved regulatory frameworks, are also outlined as the important areas to focus on in order to reach the economic criteria (COM 2002, 624f:26).

## 4.3 The Administrative Criteria

### 4.3.1 Bulgaria

Bulgaria is judged as not fully fulfilling the administrative (or the *acquis*) criteria. Further transposition, implementation, and enforcing of the *acquis* is necessary. To handle this, a reform of the public administration and the judiciary is required (COM 2002, 624f:6).

Concerning the public administration, Bulgaria accepted a strategy for modernization in 2002. A continuing horizontal reform of the administration is vital, and the areas that need extra attention regard developing a capacity to be able to be a part of the internal market, and the adoption of the *acquis* in areas like agriculture, environment, and regional policy. Bulgaria should during 2003 develop a comprehensive reform strategy and action plan to work for an efficient, transparent and accountable public administration. Once this is done, Phare projects will be developed to implement such reform (COM 2002, 624f:6-7).

Furthermore, although significant reform strategies have been made and action plans developed to reform the judiciary, the judicial system remains weak and little actual change has occurred. The reforms already agreed upon need to be implemented. The questions of immunity and of how investigations are conducted also need to be addressed (*ibid.*).

### 4.3.2 Romania

Romania does not fully meet the administrative criteria. Further transposition, implementation, and enforcement is required (COM 2002, 624f:24).

The Regular Report from 2002 pointed out that the transposition of the *acquis* was making steady progress, the major problem was the implementation and enforcement of the new legislation: “The overall capacity of the public administration to implement the *acquis* remains limited and represents a major constraint on Romania’s accession preparations”. The management of the EU financial assistance is also concerned by this critique, and further reform is vital: introducing and implementing secondary legislation, designing implementations mechanisms, ensuring political independence and accountability of civil servants by devising mechanisms, improving provisions, developing a career structure based on transparency, just to name some of the Commissions recommendations in the Roadmap (COM 2002, 624f:24-25).

The overall administrative structures thus need to be strengthened and reformed, which will be supported by Phare projects. Regarding the judiciary, effective independence and a comprehensive strategy to improve its functioning are the main priorities. The Commission also recommends a review of the appeal system, improvement of the education, professionalism and ethics, and better coordination between different state agencies dealing with judicial matters (COM 2002, 624f:25).

## 4.4 Discussion

### 4.4.1 Uneasy buddies?

In October 2002, only one month before the presentation of the Roadmap, a top Bulgarian official told Radio Free Europe that Bulgaria was much more advanced than Romania in the accession negotiations, and that teaming up with its northern neighbour would hurt its chances of joining the EU sooner. At that point, Bulgaria had opened 30 chapters of 31, and closed no less than 21. Romania on the other hand, had opened 28 and only closed 13 (Tomiuc 2002, *Internet* 8).

Only three years earlier, a similar article, called “The Tortoise and the Hare” was published in *The Economist*, stating that the capital of Bulgaria is cleaner than Bucharest in Romania, has better roads, and – more importantly – the economic crisis that Bulgaria had experienced in the 1990s was now under control. Romania still struggled with inflation while Bulgaria had stabilized it, and moved forward with privatisation and attracted foreign investments (*The Economist* 1999, *Internet* 7). In these Roadmaps, it is evident that Romania was indeed one step behind Bulgaria, as it did not fulfil the economic nor the administrative criteria. Areas of concern for Bulgaria regarded the transparency

and accountability of the administration, and coping with the competitive market pressure within the EU.

In a study of implementation capacity and the case of child protection in Romania, Jerre repeatedly refers to Romania as the weakest of the EU applicants at that time. She quotes both qualitative evaluations of policy-making structures as well as analyses based on quantitative indicators such as the level of corruption, and relates this to the old Ceausescu regime between 1965-1989. Even in comparison to other countries of the Soviet bloc, the regime had strong totalitarian and highly “personalistic” features. This heritage has been difficult to erase as the communist-time structures have been able to stay because former communist parties (under new names) were in power in Romania until 1996, which meant that structural reforms were delayed compared to other transition countries (Jerre 2005:107-109).

In sum, Bulgaria was indeed more advanced than Romania in the accession process. But as I will show later, they also share many of the difficulties of meeting the accession criteria.

#### 4.4.2 Why roadmaps?

The Roadmaps provide a general reform framework, which is constructed to fit into the existing EU structures such as the Regular Reports and the Phare financial assistance. However, although the EU will help the applicant states, the burden for the execution of the reform is still on Bulgaria and Romania and on their domestic level of politics. (Spendzharova 2003:149).

In the case of Bulgaria and Romania, both countries experienced severe economic crisis in the early 1990s. According to Spendzharova, the changing governments lacked the vision, will, and capabilities to undertake painful reforms. With the accession process, however, politicians saw the benefits of a future membership and started “a contest for the credit of domestic trust”. In Bulgaria an interesting situation emerged when the government received two non-confidence votes in the Parliament, something that had never occurred before. The rivaling parties argued that the government had closed the Energy chapter too soon in the negotiation process (see chapter 7 for more information), against the national interest of the country. (Spendzharova 2003:152). This can be related to we saw earlier in this thesis, the importance of highlighting the unintended consequences, but also how EU models are cited in debates to legitimate political choices. In an era when political stability was vital in Bulgaria, the consequences of conditionality re-emerged as conflicts on a domestic level.

By the time of the presentation of the Roadmaps, although the Commission does not say it out clearly, it was obvious that Bulgaria was well ahead Romania in the accession process. The biggest difference between the countries in 2002 can be found especially in the economic criteria.

In countries with unfavourable initial conditions like Bulgaria and Romania, with significant ethnic cleavages and a lack of strong democratic and capitalist tradition, conditionality is said to work more slowly and less effectively

(Spendzharova 2003:147). I will now move on to the benchmarking and monitoring mechanism - the Regular Reports - to see if the Europeanization process was speeded up after the Roadmaps.

## 5 The Regular Reports

In 1997, the Commission said in the Agenda 2000 that it would make Regular Reports from the year 1998 to the European Council on the progress towards membership by the candidate countries in CEE. Because this thesis focuses on the time period from the Roadmaps in 2002, the reports produced in 2003, 2004 and 2005 will be summarized and reviewed.

### 5.1 The 2003 Regular Reports

#### 5.1.1 Bulgaria

Despite of a – compared to the Roadmap – detailed overview of the democratic “flaws” of Bulgaria, the report maintains that Bulgaria continues to fulfil the political criteria. The Phare programme concerning the political criteria focused this year on projects for the Council of Electronic Media, civil society development, Roma health and education, and child welfare and mental health (RRB<sup>6</sup> 2003:8). A programme and Action Plan for modernisation of the state administration was adopted and needs to be implemented. The fight against corruption was judged to remain high on the political agenda, but further measures were adopted and need to be maintained. The living conditions in institutions for mentally disabled are criticized, and the new Action Plan for integration of Roma was a positive step but needs determined and sustained efforts (RRB 2003:121).

The Phare projects concerning the economic criteria focused on the State Agency for Metrology and Technical Surveillance, Tourism Agency, “cluster approach” and food safety, as well as on projects for alternative employment, regional development, and more (RRB 2003:8). Macroeconomic stability is still achieved, and there has been good progress in structural reforms. However, flexibility of the labour market, privatisation, and reduction of unemployment need to be prioritized. The *acquis* has to be applied in areas such as agriculture, environment and regional policy (RRB 2003:121,124).

---

<sup>6</sup> RRB: Regular Report for Bulgaria.

Regarding the administrative criteria, the Phare programme focused on projects for public administration reform, institution building for Structural Funds, and customs and financial control. Efforts were also made to meet obligations of the *acquis* regarding veterinary border control, agriculture, maritime transport, employment, social policy, education, energy, and environment. And finally, concerning Justice and Home Affairs, there were projects for civil and penal procedures, information technology for judicial reform, police academy, border units and refugees agency accommodation (RRB 2003:8). The Commission then goes through different chapters of the *acquis*, and it is evident that continued sustained efforts to develop administrative and judicial capacity to implement the *acquis* is crucial (RRB 2003:120).

### 5.1.2 Romania

The Phare projects in Romania in 2003 focusing on the political criteria concerned mostly child welfare, education, integration of the disabled, and anti-discrimination institutions (RRR<sup>7</sup> 2003:8). The political criteria continues to be fulfilled, but the reform process of the civil service is at an early stage. Cumbersome procedures, limited transparency, and limited capacity for policy execution still characterize the Romanian civil service. Laws on transparency and a constitutional reform are necessary. Corruption is also widespread and should be addressed, and the work on modernising the police, reducing prison overcrowding, and implementing anti-discrimination legislation should continue (RRR 2003:32).

Regarding the economic criteria, support was provided for the Romanian National Bank to strengthen its capacity to implement the *acquis*, and to improve economic analysis and macro-economic planning (RRR 2003:8). The Commission notes that Romania has implemented a policy mix for economic stability, but there are still risks. Privatisation accelerated, but “the authorities’ agenda remains unfinished”, and complex administrative procedures and a failure of imposing financial discipline are still very much present. Finally, the overall efficiency of the judicial system and public administration needs to be improved (RRR 2003:38-40)

The Phare projects concerning the administrative criteria was provided for strengthening the capacity to manage and monitor the EU financed programmes, for instance by supporting a civil service reform and institution building. Twinning, technical assistance, and investment were provided in many areas (RRR 2003:8). Steady progress with the adoption of the *acquis* is observed, but weaknesses in the legislative process mean that the quality of the transposed legislation is uneven and revision is in some cases needed before the laws can actually be implemented (RRR 2003:118).

---

<sup>7</sup> RRR: Regular Report for Romania.

## 5.2 The 2004 Regular Reports

### 5.2.1 Bulgaria

As stated in the Roadmap and the 2003 Report, Bulgaria fulfils the political criteria and has over the past year deepened the stability of its institutions guaranteeing democracy, the rule of law, and respect for and protection of minorities. Legislation on anti-discrimination has been adopted, but the necessary independent body has not yet been established. The freedom of expression and human rights are respected, efforts are vital in areas dealing with child welfare, trafficking, and for combating anti-Roma prejudices (COM 2004, 657f:27,140).

Bulgaria is still a functioning market economy, but efforts are needed to increase Bulgaria's attractiveness for investment. Privatisation needs to continue as well as a reduction of unemployment (COM 2004, 657f:141).

The Commission points out several areas where transposition and implementation of the *acquis* is indispensable, but states that Bulgaria has overall achieved "a reasonable degree of alignment with the *acquis* in the large majority of areas", and should complete the required transposition before the planned date of accession if the current pace of progress is maintained (*ibid.*).

### 5.2.2 Romania

Once again, Romania continues to fulfil the political criteria, and the Commission uses the same phrases as with Bulgaria in the introduction. (2004:31). A public administration reform strategy was launched in May 2004 and had a positive start, however it is interesting to note that Romania is lagging behind Bulgaria in this area. Corruption is still a serious and widespread problem, and the Commission recommends a focus on investigating high-level corruption. Human rights and fundamental freedoms are respected, but further efforts for child protection and the freedom of expression for journalists are necessary. Other areas of concern regard human trafficking and overcrowded prisons, as well as the discrimination of Roma. Although efforts have been made problems still exist in these areas and should be addressed (2004:31-32).

Regarding the economic criteria, macroeconomic stability is now judged as achieved and Romania is a functioning market economy. The structural reforms that have been taken should be deepened, and priority should be given to keeping inflation at a normal level and accomplish the privatisation process. The Commission states that progress in the functioning of the judiciary and the public administration is required to create a better business environment (2004:47-48).

Romania, like Bulgaria, should complete the required legislative transposition before the planned date of accession if the current pace of progress is maintained. But not all the necessary institutions are in place yet, especially in areas

concerning the internal market, agriculture, and more. Overall, the alignment with the *acquis* has reached a fair level in the majority of areas (2004:144,151).

## 5.3 The 2005 Comprehensive Monitoring Report

### 5.3.1 Bulgaria

As in previous reports, Bulgaria continues to fulfil the political criteria and is judged to have reached “a satisfactory level of compliance with EU requirements”. Further action is however still needed in the areas highlighted in the 2004 Report (COM 2005, 534:14).

Regarding the economic criteria Bulgaria is still a functioning market economy with macroeconomic stability. The implementation of the structural reform programme continued and progress has been made in most areas where improvements were suggested in the 2004 Report. Nevertheless, challenges remain in certain areas concerning sensible fiscal policy and wage increases. Overall further reforms are needed for the business environment, and the administrative and judicial systems are still not functioning satisfactory. They also note that little progress has been made in improving the flexibility of the labour market and the reform for the educational system, which is judged as crucial for the Bulgarian economy (COM 2005, 534:14-15).

Finally, the administrative criteria still poses the biggest challenge for Bulgaria, as a legislative framework for guaranteeing the principles of legality, accountability, reliability, and predictability of the public administration. Serious concern is also expressed about the weak results in the efforts of combating corruption, as well as combating human trafficking. A programme for integration of Roma into the Bulgarian society should be implemented (COM 2005, 534:14).

The major problems in Bulgaria at this point are still concerning the administrative and judicial system, trafficking, corruption, and Roma integration.

### 5.3.2 Romania

Romania is also judged as fulfilling the political criteria, with almost exactly the same wording as Bulgaria. Overall improvement for child protection and the situation of minorities is necessary for Romania as well, but the Commission also draws attention to the importance of ensuring greater media freedom and a new legislation on property refunding (COM 2005, 534:16).

Romania continues to be a functioning market economy, and by implementing its structural reform programme it should be able to cope with the competitive pressure within the EU after accession. Regarding macroeconomic stability, it has been broadly maintained although there are some concerns about the sustainability

of recent stabilisation achievements. Uneven progress has been made in the problem areas highlighted in the 2004 Report, but disinflation has slowed down and growth was increasingly unbalanced, so priority should be given to “re-establishing a prudent fiscal policy”, according to the Commission (COM 2005, 534:17).

Finally, just as the case is for Bulgaria, the Commission emphasizes the need of a continuing public administration reform and a general strengthening of the administrative capacity. Corruption remains a major problem, and further professionalisation of the civil service and funding is a must for the application and enforcement of EU rules (COM 2005, 534:17). For Romania the importance of child protection is thus highlighted once again, as well as the question of economic stability.

## 5.4 Discussion

One recurring area for both Bulgaria and Romania is child welfare. Jerre has conducted a case study of the implementation of child protection in Romania, and makes an interesting reflection in her conclusion. She writes that she, in the beginning of the 1990s, was under the impression that the problem of institutionalised children was particularly pronounced in Romania. However, UNICEF reports claim that Bulgaria, rather than Romania, had the highest rate of infants aged 0-3 in institutions in 1997. Jerre finds this conflicting to the impressions she got from the EU and its reports, and claims that for Bulgaria this issue still receives less attention and that child protection has only been a top priority of the political criteria for Romania (Jerre 2005:176). The reader of this thesis might be surprised, because as I showed earlier, Bulgaria does receive criticism for its child welfare. But it is also true that in 2004 and 2005, the issue does not receive as much attention in the Bulgarian Reports as in the Romanian ones. What Jerre wants to highlight is the fact that the reform has barely started in Bulgaria, while Romania is taking the matter more seriously. Why is this relevant to Europeanization and this thesis? Because Jerre argues that this variation between the countries actually depends on the person being the rapporteur in the European Parliament. As it turns out, for Romania this was a person who had long been working with child protection, and therefore emphasized this area (Jerre 2005:177). I believe that this example highlights the subjective nature of some parts of the Europeanization process, which will be discussed further in the next chapter.

Regarding the political situation and administrative capacity in Bulgaria, the first decade after the collapse of the Soviet bloc was marked by political instability, and it was not until 2001 that a majority in Parliament managed to stay a full term and its government served a full term in office. During the first years of transition, political power also stayed with former communists, which delayed the reform process. However, the situation was even worse in Romania where, as pointed out earlier, Ceausescu had been the worst totalitarian regime in CEE. The

loss of social identity, autonomy and entrepreneurship, together with a strong political and economic oligarchy and widespread corruption, have all been major obstacles in the way of reforming Romania (Bojkov 2004:512).

In sum, the areas of concern for Bulgaria have been the administration reform, child welfare, combating corruption, integration and anti-discriminatory measures for the Roma community, privatisation, and flexibility of the labour market.

For Romania, child welfare, macroeconomic stability, combating corruption, administration reform and transparency. Bulgaria has continued to stay in front of Romania in the Europeanization process.

# 6 The Twinning Programme

## 6.1 Background

The twinning programme was launched in 1998 by the European Commission. Its objective was to improve the impact of Phare because of dissatisfaction with the results (O'Connor – Kowalski 2005:437). This policy instrument means that civil servants from member states go to applicant states to help speeding up the process of their legal convergence, and development of institutions for implementing the *acquis* in CEECs (Papadimitriou – Phinnemore 2004:620).

A network of so-called National Contact Points between the member states and the beneficiary countries are established, and specific and mandatory results of the twinning projects are agreed upon. In an information folder from the Institution Building Unit in the Commission, it cites an evaluation that states the twinning projects acted as a catalyst in setting the candidate countries' reform in motion by bringing together specialists (IBU 2005:3-4).

## 6.2 Bulgaria

Unfortunately, there seems not to exist any examination or article about the twinning programmes in Bulgaria of the kind that we will see in the next section about Romania, which makes a comparison between the countries hard to make. It is nevertheless possible to see in the Regular Reports what the twinning programmes in Bulgaria have concentrated their efforts on. To mention an example, the 2003 Report names a successful twinning project from 2001, where the Bulgarian National Bank received support from French and Dutch central banks to consolidate its leading role, strengthen its administrative capacity, and restructure its activities to fit better with the European System of Central Banks (Regular Report 2002:9). Further information on the twinning processes in Bulgaria is therefore necessary to be able to judge how successful they have been. There are some reports on the twinning mechanism generally, which will be presented in the discussion section.

## 6.3 Romania

Papadimitriou and Phinnemore have examined the twinning exercises in Romania, with focus on the areas of regional policy and Justice and Home Affairs, areas which have been judged problematic for Romania's progress. By interviewing 47 officials involved in different twinning projects, they find out that the PAAs never received specific training on the local culture and practices of their host administration. As a result, most PAAs experienced a long and difficult period of adjustment to their new working environment. Moreover, they faced an administration plagued with a lack of resources, low levels of expertise, and a hierarchical structure that suppressed innovation and initiatives from junior staff (Papadimitriou – Phinnemore 2004:630).

Furthermore, the local Romanian staff showed mixed emotions, sometimes even resentment, towards the arrival of highly paid foreign officials. The language barrier was also a hinder to communication between the PAAs (Pre-Accession Advisors) and their Romanian colleagues. Nevertheless, this does not automatically mean that the twinning exercises were not effective. As Papadimitriou and Phinnemore put it, an overall assessment of their impact is difficult, it depends to a large extent on the yardstick with which one chooses to measure their success (Papadimitriou – Phinnemore 2004: 630-633).

The “painfully slow reflexes of the Romanian administration” become evident in the study presented above. Yet, the interviewees believe and hope that although the actual result of the twinning exercises were not always extensive, it still produced strong pressures for rationalization and would, in the long run, pose a challenge to the Romanian way of “doing things” (Papadimitriou – Phinnemore 2004:635).

## 6.4 Discussion

The Commission's delegations in the applicant countries have a key role in monitoring the implementation of the twinning exercises. Their powers are extensive and include to right to “on-the-spot visits”, responsibility for holding monthly meetings with the PAAs and the relevant local officials, responsibility for drafting the quarterly progress reports, as well as responsibility for a final assessment of the exercise (Papadimitriou – Phinnemore 2004:625-626).

In the introduction to an evaluation of completed twinning project, presented in January 2003, the researchers state: “this short exercise [evaluation] has been compiled very quickly and on a tight budget” (Cooper – Johansen 2003:2). Their evaluation is in fact the only one found on the Commission's website on twinning. Nonetheless, they state that they have found some evidence that the concept of twinning was resented in its early years, and that this was because the overall philosophy of the programme was not properly discussed and agreed upon. There

was no flexibility, and a feeling that twinning was imposed on the accession states without adequate consultation (Cooper – Johansen 2003:5).

The difficulty in finding empirical evaluations of twinning in Bulgaria and Romania are regrettable. But of the little information available we can assume that the practice of twinning have not worked smoothly in CEECs, although positive results do exist. As stated in the presentation of the framework of analysis, Grabbe has some concerns about the effectiveness of twinning in the Europeanization process. First of all, the focus of the civil servants used is on standards and technical issues, and not on the overall institutional models or policy directions. But more importantly, the advice of the expertise coming to the candidate country are not controlled centrally by the EU, so rather than “importing” and applying a single European model, we have an impact of diffusion of several different models and procedures in the CEE public administrations. Depending on whether the advisor is German, British or Greek could make a big difference to the advice on how to meet the EU standards in a certain area (Grabbe 2003:315).

## 7 Gate-keeping

With “gate-keeping”, Grabbe refers to situations where the EU attaches specific conditions to particular stages in the accession process. This was made at the Helsinki European Council 1999 when Turkey was excluded from negotiations on the grounds of democracy and human rights (Grabbe 2003:316). It can thus be explained as the ultimate consequence for not meeting the EU criteria if it leads to exclusion.

### 7.1 Specific Tasks for Bulgaria and Romania

In the case of Bulgaria, the EU imposed specific tasks before they could join the negotiations in 2000. The issue concerned the Kozloduy nuclear power plant, which dated from the Soviet era, and Bulgaria had to agree to close down two reactors. However the issue arose again in 2002, when the EU wanted Bulgaria to close down two more reactors, despite a decade of safety improvements on them (*Internet 9*) The third and fourth reactor will be decommissioned in 2006, this year (*Internet 6*).

Romania was also exposed to the gate-keeping mechanism for the 2000 negotiations, when the EU imposed specific tasks on economic reform and state orphanages (Grabbe 2003:316).

Grabbe comes to an interesting conclusion regarding this “carrot and stick” method of the EU, i.e. that cooperation is rewarded and non-compliance punished. It only works when the governments and the political elites as a whole are committed to joining the EU, otherwise it only works as a carrot, not as a stick (Grabbe 2003:317). As we have seen earlier in this thesis, the particular situation regarding the shutdown of several reactors in Bulgaria resulted in non-confidence votes from the opposition (in 4.4.2), so the political elite did not have a gathered view on this. Nevertheless, Bulgaria yielded and the negotiations could continue.

This section will not be as detailed as the other ones, as the verdict on whether or not Bulgaria and/or Romania will join the EU in January 2007 will not be in until autumn 2006. If one or both countries are left out, we would really have an interesting situation. Could they really be separated in the accession process, or is Bojkov correct when he argues that they are bound to join together?

## 8 Conclusion

### 8.1 How the Europeanization Process is Taking Place

By using the five mechanisms identified by Grabbe as a framework of analysis, I have been able to investigate and see large parts of the Europeanization process in Bulgaria and Romania.

Starting with the first mechanism, the models provided by the EU in the shape of conditionality and especially the Copenhagen criteria are essential in the enlargement process. There is a strong power asymmetry, and the criteria must be met, although they can be seen as ambiguous. The financial aid to help meeting the criteria work as a mechanism in itself, as the large amount of money is a strong incentive for following the recommendations of the EU, although it does not always fit in the domestic context.

The Roadmaps provide a blueprint for the measures that need to be taken according to the EU for the applicant country to be able to fully meet the criteria. By the monitoring reports, the countries' progress in different areas is followed. Here we have also seen how subjective these reports can be with the example of a focus on child protection in Romania but not in Bulgaria. However, these reports also reveal the complexity of restructuring the public administration as well as the economy, especially in these two countries where post-communist structures, weak administration capacity, and corruption still exist.

Furthermore, the twinning programme is a very hands-on example of how Europeanization works. On one hand we have increased internationalisation and contact with other countries. On the other hand, it illustrates the difficulties of implementing new procedures when you are not familiar with the local culture and traditions. In addition to this, one can question whether we can really speak of Europeanization, when there in fact is no European model, only a spectrum of many different national models. Nevertheless, the twinning programme can be successful and work as a catalyst for reform where progress has been slow.

Finally, the gate-keeping mechanism is an important tool for the EU, even if they do not have use it explicitly. The fact that the countries know that non-compliance could mean exclusion from the accession process underlines their already weak power position. Nevertheless, the EU cannot use this tool in every situation, as the candidate country can turn its back towards the EU and seek cooperation in other organizations if it feels that the rules of the game are not fair. One could argue that the imposition of conditionality itself could have had a destabilizing effect in Bulgaria and Romania when it was made clear that they

were not close enough to fulfilling them to be invited to join the EU together with the other ten countries in 2004. Such differentiation between applicant countries means that the ones that joined earlier will naturally enjoy the benefits of EU membership (both economical and political) sooner, which in theory could cause irritation within the countries left outside the enlargement process. In the case of Turkey, the EU had seen how applying membership conditionality and isolation of countries that did not meet them, could be discouraging and result in an attitude of “why even bother?” It becomes harder for the EU to exercise influence when membership prospects appear distant (Smith 2003:123-124). In the case of Bulgaria and Romania however, this seems not to be the case.

Just as Hughes *et al.* argue, it is important to distinguish between the formal rush by candidate states to adopt the *acquis* into domestic law, and their capacity to effectively and meaningfully implement it. They also come to the conclusion that the carrot of EU membership helped reinforcing the democratization process that was already on the way for most CEECs (Hughes *et al.* 2004b:165-166). However, one can wonder if the impact of conditionality is greater on Bulgaria and Romania since they obviously failed to be invited to the 2004 enlargement.

To turn to the definition of Europeanization provided by Radaelli, this study reveals that processes of construction are indeed taking place, and as the twinning example illustrated, processes of diffusion are very much present as well. But when it comes to the third process – “of formal and informal rules” etc – I do suggest that such a process of incorporation from EU level into the domestic discourse, identities, political structures and public policies is very much going on, but it might be slower in some areas than other. It is difficult to say how much of this that depends on communist legacies, corruption, or other thing, but these processes take time and Bulgaria and Romania are not even members yet. So, to finish where I started, Europeanization is a matter of degree, and a process that will continue for a long time ahead.

## 8.2 Differences and Similarities between Bulgaria and Romania

One of the reasons for comparing Bulgaria and Romania was because they were teamed up in the accession process. Bojkov argues that the countries were bound to join together, but he also admits that this contradicts the stated objective that countries should be offered membership on an individual basis, depending on the progress made in adopting and implementing the *acquis* (Bojkov 2004:518). So in what ways are they similar and different?

The contrasting of the two countries in the analysis showed that Romania was constantly lagging behind Bulgaria, although Bulgaria shared many of the obstacles in the way towards accession like a weak public administration, problems with high-level corruption, need for child protection and more. During the course of this research, several studies have suggested that the former

Ceausescu regime is part of the explanation of why Romania is having such difficulties with reform compared to other CEECs. I personally feel that a more detailed comparison could answer that question, but the result of my study point in that direction as well. Bulgaria managed their economic crisis far more smoothly than Romania, but I would not go as far as suggesting that this was the crucial variable.

### 8.3 Final Reflections

Finally, I would like to round up with a few comments on this thesis and its results. Obviously many aspects have not been included in this study, but I do feel that the definition given by Radaelli and especially the mechanisms by Grabbe have provided a nice structure to work within. Europeanization theory is a relatively new and exiting way of looking at domestic change. However, including so many parts of both an actor-structure approach, institutional theory, integration theory and more sometimes gives the impression of being what Radaelli warned for, an all-inclusive theory. To repeat the question from before, what is *not* Europeanization?

There has been a focus on theorizing Europeanization lately, but I would urge for more empirical studies of this kind, but on a lower level of abstraction. Case studies based on interviews with the people involved “on the field” would really be welcomed.

## 9 References

- Baird, Heather, 2004. "Bulgaria and Romania: Second Wave or Second Class?". *eSharp issue*, autumn 2004.
- Bojkov, Victor D., 2004. "Neither Here, Not There: Bulgaria and Romania in Current European Politics". *Communist and Post-Communist Studies*, vol 37 (pp. 509-522).
- Börzel, Tanja A. – Risse, Thomas, 2003. "Conceptualizing the Domestic Impact of Europe" in Featherstone, Kevin – Radaelli, Claudio (eds.) *The Politics of Europeanization: Theory and Analysis*. New York: Oxford University Press.
- Commission of the European Communities, 2002. *Roadmaps for Bulgaria and Romania*. COM (2002) 624f. Brussels: CEC.
- Commission of the European Communities, 2003. *2003 Regular Report on Bulgaria's Progress Towards Accession*. Brussels: CEC.
- Commission of the European Communities, 2003. *2003 Regular Report on Romania's Progress Towards Accession*. Brussels: CEC.
- Commission of the European Communities, 2004. *2004 Regular Report on Bulgaria's Progress Towards Accession*. SEC (2004) 1199. Brussels: CEC.
- Commission of the European Communities, 2004. *2004 Regular Report on Romania's Progress Towards Accession*. SEC (2004) 1200. Brussels: CEC.
- Commission of the European Communities, 2005. *2005 Comprehensive Monitoring Report on the State of Preparedness for EU Membership of Bulgaria and Romania*. COM (2005) 534. Brussels: CEC.
- Cooper, Chris – Johansen, Mikael, 2003. "An Evaluation of Completed Twinning Projects. A Report Presented to the National Contact Points' Meeting Brussels 30<sup>th</sup>-31<sup>st</sup> January 2003". Available at:  
[http://www.europa.eu.int/comm/enlargement/phare\\_evaluation\\_pdf/phare\\_ex\\_post\\_twinning.pdf](http://www.europa.eu.int/comm/enlargement/phare_evaluation_pdf/phare_ex_post_twinning.pdf)
- Cowles, Maria Green – Caporaso, James A. – Risse, Thomas, 2001. *Transforming Europe: Europeanization and Domestic Change*. Ithaca, New York: Cornell University Press.
- Dimitrova, Antoaneta L., 2005. "Europeanization and Civil Service Reform in Central and Eastern Europe" in Schimmelfenning, Frank – Sedelmeier, Ulrich (eds.) *The Europeanization of Central and Eastern Europe*. Ithaca and London: Cornell University Press.
- Featherstone, Kevin, 2003. "Introduction: In the Name of "Europe" in Featherstone, Kevin – Radaelli, Claudio (eds.) *The Politics of Europeanization: Theory and Analysis*. New York: Oxford University Press.
- Grabbe, Heather, 2003. "Europeanization Goes East: Power and Uncertainty in the EU Accession Process" in Radaelli, Claudio (eds.) *The Politics of Europeanization: Theory and Analysis*. New York: Oxford University Press.

- Howell, Kerry E. 2004. "Developing Conceptualisations of Europeanization: Synthesising Methodological Approaches". *Queen's Papers on Europeanization*, no 3 2004.
- Hughes, James – Sasse, Gwendolyn – Gordon, Claire, 2004a. "Conditionality and Compliance in the EU's Eastward Enlargement: Regional Policy and the Reform of Sub-national Government". *Journal of Common Market Studies*, vol. 42, no. 3 (pp. 523-551).
- Hughes, James – Sasse, Gwendolyn – Gordon, Claire, 2004b. *Europeanization and Regionalization in the EU's Enlargement to Central and Eastern Europe. The Myth of Conditionality*. New York: Palgrave.
- IBU, Institution Building Unit, DG Enlargement, 2005. *Twinning: A Tested Experience in a Broader European Context*. The European Commission.
- Jerre, Ulrika, 2005. *Conflicting Logics? Implementing Capacity and EU Adaptation in a Postcommunist Context*. Lund: Department of Political Science, Lund University.
- Ladrech, Robert, 1994. "Europeanization of Domestic Politics and Institutions: The Case of France". *Journal of Common Market Studies* vol. 32 no. 1, (pp. 69-88).
- Landman, Todd, 2003. *Issues and Methods in Comparative Politics. An Introduction. Second Edition*. London – New York: Routledge.
- O'Connor, Steven – Kowalski, Robert, 2005. "On Twinning: The Impact of Naming an EU Accession Programme on the Effective Implementation of its Projects". *Public Administration and Development*, vol. 25, no. 5 (pp. 437-443).
- Papadimitriou, Dimitris – Phinnemore, David, 2004. "Europeanization, Conditionality and Domestic Change: The Twinning Exercise and Administrative Reform in Romania". *Journal of Common Market Studies* vol 42 no 3 (pp. 619-639).
- Radaelli, Claudio M., 2003. "The Europeanization of Public Policy" in Featherstone, Kevin – Radaelli, Claudio (eds.) *The Politics of Europeanization: Theory and Analysis*. New York: Oxford University Press.
- Radaelli, Claudio M., 2004. "Europeanisation: Solution or Problem?". *European Integration online Papers* vol. 8, no 16.
- Smith, Karen E., 2003. "The Evolution and Application of EU Membership Conditionality" in Featherstone, Kevin – Radaelli, Claudio (eds.) *The Politics of Europeanization: Theory and Analysis*. New York: Oxford University Press.
- Spendzharova, Aneta Borislava, 2003. "Bringing Europe In? The Impact of EU Conditionality on Bulgarian and Romanian Politics". *Southeast European Politics* vol. 4, no. 2-3 (pp. 141-156).
- The Economist, 1999. "The Tortoise and the Hare"
- Tomiuc, Eugen, 2002. "Romania/Bulgaria: Uneasy Buddies Strive For EU Membership", *Radio Free Europe*. See *Internet 6*.
- Zielonka, Jan, 2001. "How New Enlarged Borders Will Reshape the European Union". *Journal of Common Market Studies* vol. 39 no. 3, pp. 509-536.

## Internet sources

Internet 1:

[http://www.europa.eu.int/comm/enlargement/towards\\_EU\\_membership/criteria\\_en.htm](http://www.europa.eu.int/comm/enlargement/towards_EU_membership/criteria_en.htm)

Internet 2: [http://www.europa.eu.int/comm/enlargement/bulgaria/key\\_events.htm](http://www.europa.eu.int/comm/enlargement/bulgaria/key_events.htm)

Internet 3: [http://www.europa.eu.int/comm/enlargement/romania/key\\_events.htm](http://www.europa.eu.int/comm/enlargement/romania/key_events.htm)

Internet 4:

[http://www.europa.eu.int/comm/enlargement/financial\\_assistance/index\\_en.htm](http://www.europa.eu.int/comm/enlargement/financial_assistance/index_en.htm)

Internet 5: <http://www.europa.eu.int/comm/enlargement/pas/phare/index.htm>

Internet 6: [http://europa.eu.int/comm/enlargement/bulgaria/eu\\_relations.htm](http://europa.eu.int/comm/enlargement/bulgaria/eu_relations.htm)

Internet 7: [http://www.europa.eu.int/comm/enlargement/romania/eu\\_relations.htm](http://www.europa.eu.int/comm/enlargement/romania/eu_relations.htm)

Internet 8: <http://www.rferl.org/features/2002/10/0410200217507.asp>

Internet 9: <http://news.bbc.co.uk/1/hi/world/europe/2131640.stm>

- All as of March, 2006.