

# **Enlargement at Stake: How Can Future EU Member States Be Kept on the Path of Reform?**

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## Introduction

There is currently a widespread perception among both the public and the elite in Europe that the most recent European Union accession process, which culminated in ten new entrants in 2004 and two more in 2007, was not a complete success. The general view is that the ten former communist countries were not ready for accession, and, once in the EU, they abandoned the stringent legislative reform process that had begun years before and that was designed to prepare them to be model constituents of the newly enlarged EU (De Pauw 2007). Many of the concerns stem from the sorts of issues that impacted the public more directly, such as the influx of low-cost workers from the much poorer new member countries to the wealthier ones, a result of the EU rules that allow for free movement of labor (Barysch 2009). More pernicious, however, are the fears that, contrary to the expectations of most people, reform of the governmental systems and of the societies themselves have not been wholeheartedly embraced by the citizens and governments of the newly acceded countries. Specifically, the fears seem to revolve around corruption, which is generally more widely spread among former communist countries than countries which were on the other side of the “iron curtain” (Transparency International 2010). Other areas of concern are the robustness of democracy and the respect of civil rights, but these issues are related to corruption, in the sense that higher levels of corruption at the governmental level are more likely to produce governments that use authoritarian measures to protect the rent-seeking activities in which their members and associates engage. Also related to authoritarianism and corruption is the perceived increase in the popularity and political power of extreme right-wing nationalists, who openly eschew the concept of civil rights for all and unfettered democracy (Freyburg and Richter 2010). Their appeal is often partly a result of the lack of progress made in the fight against corruption, so having a relatively ‘clean’ country makes such groups less likely to gain power, thus strengthening democracy.

Before the enlargement process was completed, there was some skepticism about whether it would be beneficial to the EU as a whole, but the potential positive impact was viewed as significantly larger than the negative consequences that might

accompany it, so the idea of letting over one hundred million poorer people into the club was viewed favorably by the bulk of the public, and by the overwhelming majority of members of the political elite. The biggest benefit would be the same as the one which was envisioned during the creation of the precursor to the EU: namely, that larger markets for goods and services create economies of scale, efficiencies, and opportunities for specialization, as well as worldwide trading power and influence. This brings added wealth (through higher growth rates) and economic sophistication, so adding countries to the EU increases the power of all citizens of the EU while strengthening the entity as a whole, *ceteris paribus*. Other expected benefits included new access to less-developed markets and cheap, educated labor (for the older member states), plus new foreign investment and foreign employment opportunities (for the newer member states).

Beyond such direct economic benefits, there were also 'soft power' reasons to favor enlargement. For the new entrants, there would be greater political and economic stability, as well as an opportunity to improve governance by instituting the reforms and laws required for full integration. This legislative process would be streamlined and ensured, since national governments would be constrained in their ability to avoid making the difficult, possibly otherwise unpopular decisions, in the name of fulfilling the requirements of accession, that are designed to improve the effectiveness and efficiency of governance. At the same time, constituents who have a lack of trust in their government could feel confident that corrupt politicians would be forced to act against their own interests; without the incentive of EU accession and the benefits (including larger flows of aid) that it would bring nearly everyone, public servants might never deign to enact the necessary laws on their own. Also beneficial for all countries involved, there would be much less likelihood of authoritarianism and military strife; this sort of benign environment normally leads to a 'peace dividend' of greater economic growth and political maturation, since energies and resources are not diverted to wasteful military spending and nationalistically-motivated governmental waste (Jessen-Petersen and Serwer 2010).

As Ulrich Siedelmeier found, however, the data show that the fears were initially overblown, at least as concerned the eight formerly communist countries that joined in 2004 (Siedelmeier 2008). Later there was some evidence of backsliding on the

part of some of the EU8, though. As *The Economist* magazine put it, “The carrot of EU membership seems to have worked on countries heading towards accession. Slovakia, for example, trimmed its structural budget deficit from 11.4% of GDP in 2000 to 2.3% in 2004, the year it joined the club. (By 2009, however, the gap had widened again, to 6.4% of GDP)” (2011). Also, his study did not include Romania and Bulgaria, sometimes known as the “R & B” countries (Euractiv.com June 7, 2011), which were unable to join at the same time because they were viewed by the European Commission as being less prepared than the others (Waterfield 2008). In fact, they were not even far enough along in the process to join in 2007, as planned. Much like the inclusion of Greece and Portugal in the euro zone (Charlemagne 2010), though, political considerations took precedence over purely technical ones, and they were allowed in on schedule, albeit with “accession conditionality”. This conditionality entailed the establishment of the Cooperation and Verification Mechanism (CVM), which was a combination of monitoring and sanctions that could be levied against the two countries, such as the withholding of structural funds and deciding not to recognize decisions by Bulgarian and Romanian courts (Euractiv.com February 2011).

As Florian Trauner discovered in his paper, which built on the work done by Sedelmeier, the R & B countries were indeed just as diligent as the EU8 in incorporating the *acquis communautaire*, or the body of laws required for accession into their legal code (2009). However, while there were no problems with legislative compliance, the real problem was with enforcement of those laws, as Sedelmeier alluded to in his study (page 821). Trauner decided that Romania and Bulgaria were good subjects to study in order to understand whether the post-accession processes used by the EU were adequate to keep new entrants with questionable commitments to reform on the path of further integration after losing the incentive of being admitted to the EU.

This paper will build on the work done by Trauner, and, by extension, Sedelmeier, in understanding to what extent Romania and Bulgaria are complying with their agreements to continue reforming after accession, and what factors influence the outcome of the EU’s attempts to hold them to those agreements, with a focus on corruption. The method used will be analysis of the literature on the subject and the

updated Eurobarometer results that have been released since the Trauner study was published.

In the process of enlargement, the EU acts as a beacon of wealth and freedom to its neighbors, who, as a result, are more likely to share the EU's values and, therefore, be more stable, less threatening, and more open to trade and cooperation. That is why the enlargement process must be kept active, viable, and attractive to both current EU citizens and those who desire to be EU citizens (Bildt, et al 2010). The best way to do so is to, first, resist the urge to accept countries which are not ready, and second, make the post-accession process effective enough to ensure that countries avoid backsliding, which would damage the integrity and the popularity of the project among the public of the existing members. To that end, this paper will also include an outline of the potential entrants to the EU and the weaknesses that will need to be addressed before and after their accession, as well as a section on possible solutions to the challenge of keeping new entrants from backsliding after accession.

### ***The Sedelmeier study***

In his paper, entitled "After Conditionality: Post-accession Compliance with EU Law in East Central Europe", Ulrich Sedelmeier determined that the data he studied showed no deviation from reform after accession on the part of the EU8, contrary to the expectations of most experts in the subject and their literature (2008). In fact, he stated that these countries were even more likely to institute EU-sponsored legislation and avoid breaking EU law than the average EU member country. He outlined three possible reasons for this lack of backsliding: the threat of post-accession sanctions, the construction of a robust legislative infrastructure, and a form of international peer pressure, or "shaming". He decided that sanctions were probably not a significant deterrent, since they expired after 3 years, and compliance did not worsen after 2007, although there was not a long enough period of time to be certain. The second possible reason described methods put in place to, when necessary, effectively bypass parliaments to institute the *acquis communautaire*. Sedelmeier felt that this fast-track legislative process might have been a significant

factor in the appearance of a “good record”, but, because the laws eventually needed to be put into practice, the appearance might be deceptive, since the passage of a set of laws does not guarantee that they will be properly enforced (2008, 821). The third possible reason referred to different phenomena related to the socialization of elites: the possible development of a competition mentality between new members to appear the furthest ahead in integrating into the EU, and the possibility that the continuous process of monitoring and assessment may have conditioned elites to be “sensitive to criticism” by the European Commission (2008, 822). Sedelmeier felt that this idea of shaming being a possible reason for continued compliance needed further study, but did not find any reason to dismiss it as a possibility.

Even though Sedelmeier mentioned that his study only considered formal passage of laws when describing post-accession compliance, a factor that he did not consider is that the laws were not onerous enough to cause corrupt elites to feel the need to resist them. In other words, just because the executive membership of a government continued to push EU legislation through after accession, that does not mean those officials were not corrupt; perhaps they knew that the legislation was not effective at stopping their corrupt practices. If the legislation was so effective, then a corrupt president or prime minister would likely resist pushing it through the legislature, once the threat of punishment by the EU was no longer present. It seems unlikely that there were corrupt legislatures in the EU8 but no corrupt members of the executive. No amount of socialization or shaming would preclude a compromised politician from finding excuses to not implement laws that would force him or her to give up on being corrupt. Those same laws are likely in force in older EU countries, yet corruption happens there, as well.

Another possible reason not mentioned by Sedelmeier for the apparent lack of post-accession backsliding is that being part of the EU was so popular among the electorates of the EU that any government viewed as deviating from the reform path would be ousted. Perhaps the thought of losing an election, and, thus, power, might be enough to cause a rent-seeking government to seemingly act against its interest, in order to continue to gather reduced illicit gains, instead of none at all.

Perhaps the most likely explanation for the disconnect between the backsliding that was expected and what Sedelmeier's data showed was that the laws on the books need not necessarily be zealously and effectively enforced. If that were indeed the case in many of the EU8 countries after accession, the widespread perception of corruption and ineffective governance would be explained.

### ***The Trauner study***

In 2009, Florian Trauner wrote "Post-Accession Compliance With EU Law in Bulgaria and Romania: A Comparative Perspective", a paper that followed on the work done by Sedelmeier; specifically, he applied similar criteria to Romania and Bulgaria, since they had been in the EU long enough to have data to study, which was not true at the time that Sedelmeier wrote his paper on the subject. He also tried to determine if the high degree of post-accession compliance that Sedelmeier found was continued in the way the laws were enforced, which was also something that Sedelmeier was unable to do in his study. His conclusion was that transposition of the necessary legislation was maintained (and even improved) post-accession (page 15), but that it was in the application of those laws that they failed to continue their reforms (page 18). Furthermore, he said that the only time "sincere reforms" were made was when pressured to do so either by the European Commission or by commercial market forces (such as a drop in the stock market) (page 12). The EC first warned the countries, then imposed sanctions on Bulgaria; it withheld funds from different aid projects, of an amount that altogether added up to more than 825 million Euros (page 19). In addition, it released strongly-worded statements criticizing both countries, but Romania received much lighter treatment, and the Commission even praised it "for its efforts to reform the judiciary and to investigate corruption" (page 21).

In his conclusions section, Trauner compared the two countries unfavorably to Ireland and Italy, pointing out that all four countries were good at passing the necessary laws, but seemed uninterested in enforcing them properly (page 25). He suggested further research into why this was the case, as well as how these two endeavors affect one another. He also mentioned that further studies should be done, after more data is made available.



## Eurobarometers

One tool that Trauner used to probe the effectiveness of Bulgaria's and Romania's governments in fighting corruption was the Eurobarometer poll, produced on behalf of, and published by, the European Commission. He compared the data from Eurobarometer 65, produced in 2006, Eurobarometer 67, produced in 2007, and Eurobarometer 69, produced in 2008. This data was meant as a way to get an idea of how well institutions functioned in the two countries, without having to take the time and raise the funds for "rigorous empirical research over a longer observation period" (2008, 22). The survey responses showed that, in the R & B countries, trust in national institutions was very low; lower than almost all EU countries. In a reflection of the popularity of accession, there was unusually high trust in the EU itself, and a strong belief in the democratic credentials of the EU. The majority of respondents in both countries felt that EU membership was beneficial to their nations, though that feeling was only felt by slightly less than the majority in Bulgaria after that country was punished by the withholding of structural funds, in 2008. Trust in the national legal/justice system was much lower than average among both populations, which is a good indication of perceptions of corruption. In Bulgaria in 2008, the survey showed that 76 percent of people lacked trust in those institutions tasked with enforcing the law, while the percentage in Romania was 63 percent (Trauner 2008, 22). These numbers were up from 73 percent and 60 percent, respectively, in 2006 (the most recent survey in which this question was asked prior to 2008), even though accession had occurred in the interim.

The numbers from the spring of 2009 and the spring of 2010 (Eurobarometer 71 and Eurobarometer 73, in keeping with the pattern established in the Trauner paper), the most recent Eurobarometer poll results released by the European Commission, show that most trends pointed out by Trauner have continued (TNS Opinion and Social 2010), but there have been some surprises. Trust in the national government fluctuated and ended down in Romania in 2010 (reaching 12 percent), but ended dramatically higher in Bulgaria (from 17 percent to 48 percent), after continuous decline from 2007. There was a similar, though not as extreme, jump in respondents'

trust in the Bulgarian legislature (from 10 percent to 25 percent). This unusual turnaround may have reflected the election held in July 2009, which installed Boyko Borisov as Prime Minister; he ran on an anti-corruption platform, and immediately had some sensational apparent successes in his campaign against organized crime and alleged high-level graft (The Economist 2010). Still, the perception among the international media and relevant NGOs is that rule of law is still extremely weak, as evidenced by the fact that no major corruption trials had begun as of May 2010, two years after the elections (The Economist 2010). Even so, the optimism was evident in the responses of those surveyed, as the percentage who felt that their nation was heading in the right direction took a corresponding leap (from 26 percent to 37 percent). Romanians' trust in their legislature and optimism followed the same trend as their trust in their national government, plumbing depths much lower than the 2008 survey (the earliest survey in the set presented in the Trauner study that contained this question), when they were the third highest in the EU in terms of optimism; it went from 53 percent to 21 percent in 2009 and down to 9 percent in 2010. This contrasts with the EU average of 32 percent in 2008 and 27 percent in both 2009 and 2010.

This overall trend of pessimism is likely due to two factors: the deteriorating economic situation and the view that the EU was unable to effect a distinct, positive change in the culture of corruption after accession. The "most important public issues" responses (Table 3) support this idea; in the Trauner paper one can see that concern about the economic situation and unemployment was low and getting lower from 2006 through to 2008 in both countries, yet jumped noticeably in 2009, and stayed high in 2010. Similar results can be seen in the percentage of respondents who rated unemployment as a top concern. In 2009 and 2010, on the other hand, those numbers in the EU as a whole remained steady. This could be interpreted as a sign that the world-wide recession had a delayed effect on the economies of Romania and Bulgaria, which helped fuel the pessimism mentioned above. That would not explain, however, why the trust in national government jumped so high in Bulgaria in 2010. Therefore, that trust must be predicated mainly on the ability of the government to enact reforms, and the divergent numbers regarding the importance assigned to the economic situation and unemployment reflect the fact that most people realize the

recession has foreign causes, and cannot be effectively countered by the government.

**Table 1: Eurobarometer data on national institutions**

Percentage of respondents who:	Romania		Bulgaria		EU average	
	2009	2010	2009	2010	2009	2010
Trust in their national government	22	12	17	43	32	29
Do not trust in their national government	72	85	77	48	63	66
Trust in their national parliament	16	10	10	25	32	31
Do not trust in national parliament	76	85	85	64	61	62
Feel that their nation is heading in the right direction	21	9	26	37	27	27
Tend to not trust in their national justice/legal system	67	N/A	80	N/A	47	N/A

Sources: Eurobarometer 71 and Eurobarometer 73, European Commission website

Another indicator of the negative view of corruption, and the high level of concern it raises among the citizenry in these two countries, is the response to the question about the justice/legal system. Trauner mentioned the high levels of distrust in his paper: 63 percent of Romanians and 76 percent of Bulgarians in 2008 (page 22). The next year, those numbers jumped in both countries (Table 1) to 67 percent and 80 percent, which is remarkable, given how much higher they were than the EU average of 47 percent. This reinforces the notion that the pessimism pervading these two countries was heavily influenced by the feeling that the government was still hopelessly corrupt.

Public opinion in Romania and Bulgaria about the EU is a mirror image of responses about the national governments, as Trauner pointed out in his paper (page 23). All percentages in both countries are significantly higher than the EU average when questions are asked about how well-regarded the EU is in people's minds, except the question posed to Bulgarians about whether they feel that they benefit (or will benefit) from EU membership. The number of people who gave a positive response has been slightly below 50 percent since 2008 (Table 2, and Table 4 in Trauner's paper),

hovering around 47 percent, despite the fact that Bulgarian respondents have a very high positive image of the EU (hovering around 59 percent) and mostly trust the EU (over 60 percent since 2008, up from 57 percent in 2006). Trauner attributes this unusual deviation from the rest of the numbers to a reaction to the “financial sanctions posed by the European Commission on Bulgaria” (page 23), but perhaps a more likely (or additional) explanation is that respondents feel the Bulgarian government is so corrupt that it will keep all the benefits for its members and benefactors, and block any from reaching the average person. Support for this view can be found in the Bulgarian press; in 2005, the largest-circulation paper in Bulgaria reported that the Minister of State had full control of the disbursement of structural funds in the country (Bognár 2005). This could reflect the idea that the public sees the EU mostly as a source of this sort of monetary aid, rather than recognizing the myriad of other benefits that accrue across all areas of society; this also implies that there is a lack of awareness that any funds that enter the country could stimulate the economy through knock-on effects, such as the increase in demand for numerous local goods and services that comes with the higher salaries, new jobs, and better infrastructure that EU policies promote and fund.

Beyond that one instance, however, it is clear that people in the R & B countries recognize that the EU (and, by extension, the European Commission) has a low level of corruption, and that it acts in the public interest. Probably the fact that the positive numbers have been going down over time is a direct consequence of the recession and the difficulties it has caused for the European common currency, the Euro. This view is bolstered by the concurrent drop in the average EU responses to these questions. Still, even after all the problems encountered by the EU, both countries have large majorities of people who feel positive about it and trust it (in 2010, the percentages are in the mid- to high-50s or above, versus 34 percent in Romania and 24 percent in Bulgaria who do not trust in the EU). Interestingly, the number of respondents in both nations who are satisfied with democracy in the EU are within a point of the EU average, which suggests that there is also a concern about the EU’s ‘democratic deficit’, as can be found across the EU. Even though this does not seem to negatively impact the EU’s popularity in this region, this might be a weakness that could hurt the European Commission’s efforts to fight corruption. Alternatively, it could be seen as a plus, since the residents of these two countries (and most other

countries in the region) have not experienced much of a lessening of corruption since the overthrow of their communist regimes, and might even view democracy as having an inflammatory effect on corruption. Certainly, there's a certain amount of cynicism towards their elected officials, as is clear from their attitudes towards their own national governments. Whatever the case might be in regards to whether a perceived lack of democracy in the EU hurts public sentiment towards it, without a survey that specifically asks questions probing for such information, there will be no way to know with any certitude.

Concern about crime has been low in both countries since 2006 (Table 3, and Table 5 in the Trauner paper), except in Bulgaria in 2007, when it was reported as the number one public issue in the country. This anomaly could partially reflect concerns about corruption on both a local and national level, but any determination regarding that possibility would need much further research and multiple sources of information. Certainly, the deteriorating economic and employment situations crowded out crime from respondents' personal agendas during the period studied, since the overall trend in both countries was one of lower importance.

**Table 2: Eurobarometer data on attitudes towards the EU**

Percentage of respondents who:	Romania		Bulgaria		EU average	
	2009	2010	2009	2010	2009	2010
Have a very or fairly positive image of the EU	62	54	60	58	45	42
Are satisfied with democracy in the EU	N/A	52	N/A	51	N/A	50
Feel that they benefit from EU membership	63	56	48	46	56	53
Trust in the EU	65	56	63	61	47	42
Do not trust in the EU	25	34	23	24	41	47

Sources: Eurobarometer 71 and Eurobarometer 73, European Commission website

**Table 3: Eurobarometer data on important public issues**

<b>The Two Most Important Public Issues, percentage</b>	<b>Romania</b>		<b>Bulgaria</b>		<b>EU average</b>	
	<b>2009</b>	<b>2010</b>	<b>2009</b>	<b>2010</b>	<b>2009</b>	<b>2010</b>
Unemployment	32	39	38	53	49	48
Economic Situation	50	47	51	52	42	40
Crime	16	16	29	25	16	16
Rising Prices/Inflation	36	26	30	22	21	20

Sources: Eurobarometer 71 and Eurobarometer 73, European Commission website

The data show that there is still a large difference in the public perceptions of Bulgarians and Romanians between the trustworthiness of national institutions and the trustworthiness of the EU. This trust imbalance shows that it is possible for the EU to present itself as the champion of reform and good governance, as well as the impartial bulwark against corruption. If the European Commission were to make its case that every restriction that it put on the national government was actually in the best interest of the average citizen, and that it was protecting the populace from its national government (or at least the elements of the government that were protecting their own interests at the expense of the common good), then those average citizens might realize that the benefits they receive from being part of the EU are far more than just structural funds and hassle-free travel to the rest of the EU countries.

In EU public opinion as a whole, support for further enlargement has gone down in most countries, even among some of the recent entrants. In answer to the question, "Please tell me...whether you are for... or against... (f)urther enlargement of the EU to include other countries in future years" (TNS Opinion and Social 2010, 83), the EU average response was 40 percent 'for' (down 6 percent), and 48 percent 'against' (up 5 percent). Among the ten former communist states, only Latvia (47 percent) and the Czech Republic (46 percent) had a 'for' response lower than 54 percent; in both countries, however, the 'against' response was lower (in the Czech Republic, it was only one point lower). The unusual finding is that the Czech Republic's 'for' number had dropped 17 points since the previous Eurobarometer poll (Standard Eurobarometer 72, held just six months earlier), while the 'against' number had jumped 14 points. The responses were 59 percent 'for' and 39 percent 'against' in

the Eurobarometer 71 poll, the prior year, so opinion on enlargement had actually gotten more positive in Eurobarometer 72. This large, unexpected, swing in opinion could be the result of an anomaly in the sample, since one thousand respondents is not a very large number, but similar large changes of opinion were recorded in other countries for this question, so the cause may be something on which to do further study. If it is not an anomaly, the Czech Republic's apparent change of heart might reflect the concern that more entrants mean more competition for foreign investment and finite structural funds (this might be the case with Portugal as well, which had a similar 16-point swing in both percentages). Also, since the Czech Republic is the second wealthiest of the new entrants on a per capita basis, it is likely to become a net contributor of aid sooner than most. Furthermore, the phrasing of the question might be important, since it only asks about "future years", not just the next few years, or even the next decade.

Of course, the real concern is the larger, wealthier countries of the EU, who, arguably, are the more important ones to consider when asking about enlargement. Recently acceded ones are net recipients of EU aid, and might feel a moral or strategic imperative to promote further accession (because the newer countries would be more like them, and so probably more sympathetic to their interests), whereas the citizens of the larger, wealthier member states would provide the bulk of the funding for new entrants, and suffer more of the repercussions if they are not fully prepared for accession. In those countries, there were only three that had a reduction in percentages of 'against' responses (Sweden, the United Kingdom, and Italy), but two of those had majorities answering 'against'. Among the older, larger member states, only people in Spain and Sweden profess to be broadly supportive of enlargement. Of the three large 'core' states of the Union, Germany, France, and Italy (original members of the European Coal and Steel Community with a population over sixty million, which probably gives them further moral heft than the others), Germany is 21 percent 'for' and a staggering 71 percent 'against', France is 26 percent 'for' and 66 'against', while Italy is essentially evenly split at 39 percent 'for' and '42' percent against.

All of these data likely show that 'enlargement fatigue' is a real problem. That makes it all the more important that further enlargement be done properly and go smoothly,

if there is even the political will for it. Further problems and failures on the part of the European Commission will only serve to push these numbers higher.

## Possible entrants and their challenges

Among the ten former Soviet bloc countries that have joined the EU up to the present, eight (known as the EU8) were allowed to enter in the first group, and the R & B countries were let in later. Even among the EU8, there were stronger and weaker candidates. Slovenia has done very well in catching up to the rest of the EU, achieving near parity in both economics and politics, while the Czech Republic and Estonia have also done very well. Slovakia was initially considered to be one of the weaker entrants, since it had recently ejected a strongly nationalistic government and was exceptionally low-income, but it recently adopted the Euro, the EU common currency, along with Estonia and Slovenia. The other formerly communist-led countries in Europe were all much poorer and less-well-governed to various degrees, and so were not considered eligible for membership. Most of them have not even begun accession negotiations yet. Croatia is scheduled to join in 2013, but only Macedonia and Montenegro are official candidate countries at this time; the only other countries considered to be potential candidates are the former Yugoslav republics of Serbia and Bosnia, plus Albania and Kosovo (European Commission 2010). Turkey and Iceland are also candidate countries, but their circumstances are different. Other former communist countries in Europe include Belarus, Ukraine, Moldova, Georgia, Kazakhstan, Azerbaijan, and Russia. There are other, *de facto* formerly communist states in Europe, but they are not widely recognized as such, due to controversy over whether they should be allowed to secede from their original countries.

The recognized post-communist countries can be grouped, according to their eligibility to join the EU, into five groups: the EU8, who have integrated relatively well into the EU; the R & B countries, who have not integrated as well, the countries currently either in negotiations or who have just completed negotiations (Croatia), countries which are viewed as likely future inductees, and those which are seen as unlikely to join in the short- or medium-term. Looking at the first group can help to



understand why a country might do well after accession; looking at the second group can illuminate problems that can arise, and what remedies might or might not work; looking at the third group can help to prepare programs and restrictions which could work for each of them, depending on what challenges they face. It would be important to find ways to keep the fourth group interested in joining, even though their accession may be delayed for many years. Those in the fifth group should not be discouraged from eventually applying at some point in the future, since the theoretical goal of EU enlargement is to eventually include all nations within Europe. An example: even now, with Turkey's accession looking ever more unlikely and the zeal of its citizenry cooling, its government is still implementing reforms and improving its democratic credentials. Officially, these improvements are being made in order to move its application for EU accession along, but it likely is happy to be able to use this excuse to transfer even more power away from the military and the autocratic elements that remain from the previous regimes.

The main difference between the groups of former communist countries, known as CEECs, is economic. Of course, there are plenty of other reasons for the differences between the countries. Historically, countries closer to Western Europe have had more experience with democracy, have been wealthier, and have had longer periods of independence in their history. In fact, many of the former republics of the Soviet Union had never been independent, and had suffered through the much more severe version of communism that was implemented in the U.S.S.R. Also, much depends on what governments came into power during and after the transition, and what policies they put in place. The speed and extent of governmental and economic transformation created the conditions for positive change in some countries, while engendering a popular backlash or the conditions for stagnation in others, or both. There are numerous other factors to consider, such as the extent of urbanization and industrialization, as well as the presence of mineral wealth (for instance, oil in Azerbaijan) and the level of ethnic harmony (which has influenced separatist situations in Moldova, Georgia, and most of the former Yugoslavia).

Croatia – A small, relatively 'westernized' country that might have joined sooner if not for a minor border dispute with EU member Slovenia and problems stemming from its civil war that followed independence from Yugoslavia (BBC News 2011). There is

also a perception of deep-seated corruption in the government and problems with organized crime (BBC News 2011), but it has been working on all of its issues effectively enough to have very recently finished its accession negotiations (European Commission 2011). It is scheduled to join the EU in 2013 (European Commission 2011). It is approximately as wealthy as Poland and Hungary on a per-capita at purchasing power parity basis (Central Intelligence Agency 2011).

Iceland – Western and wealthy, it is on a fast track to accession, since there are no significant issues to work out. Its populace may derail its entry, though, since it is not as open to accession as it once was, immediately after the worldwide financial crisis struck (Reuters 2011).

Montenegro – A very small country that has only been independent from Serbia since 2006, it is officially an EU candidate country (European Commission 2010). There are perceptions of problems with organized crime, money laundering, democracy, and corruption, and, since it is such a small and young country, it may be susceptible to being controlled by larger nations, such as Serbia or Russia (Russian nationals and companies have been buying up large amounts of property in the country) (Kahn 2006).

Macedonia – Officially a candidate country, it is a special case, since Greece has consistently accused it of irredentism. This accusation is based on the fact that it refuses to change its name, which it shares with an adjacent province of Greece that used to have a large Slavic minority (Macedonia is majority Slavic). Therefore, Greece will likely block its entry into the EU until it changes its name, which it shows virtually no signs of doing. There are also some tensions between the majority and the approximately 25 percent of the population that is ethnically Albanian; in 2001, a short war erupted from these tensions. According to U.S. diplomatic communications available on WikiLeaks.org, the prime minister, Nikola Gruevski, and his inner circle are corrupt and abuse their power to control the judiciary and repress any opposition or even criticism; NGOs in the country are regularly harassed (Euractiv.com June 6, 2011). Phillip T. Reeker, the U.S. ambassador, is quoted from a leaked cable as saying that “such tactics can be sold to the Macedonian public as the government's

valiant efforts against corruption, which helps maintain public support for such abusive action” (Euractiv.com June 6, 2011).

Serbia – Long considered to be a “potential candidate” by the EC (European Commission 2010), it did not apply until 2009, due to numerous disagreements with EU states, the foremost one being recognition by all but five of them of Kosovo, a breakaway province that declared independence (Trudelle 2011). It recently boosted its chances of becoming an official candidate after arresting the former Bosnian Serb general Ratko Mladic, wanted for crimes against humanity, and turning him over to a Hague tribunal (Bilefsky and Carvajal 2011). Still, until it recognizes Kosovo as an independent country, it will not be admitted. Corruption is also considered to be a significant problem (Barlovac 2010).

Albania – A very poor, small country, with an ineffective government that suffers from the perception of high crime levels, pervasive corruption, and very weak democratic credentials (Koleka 2011), it has, nonetheless, been officially recognized by the European Commission as a “potential candidate” (European Commission 2010)

Bosnia – A small country split into two separate ethnic ‘entities’ after a long, vicious civil war, it is saddled with ineffective government as a result. Officially recognized by the European Commission as a “potential candidate” (European Commission 2010), but not likely to be able to join until it resolves its drawn-out political crisis. It is also considered to be very corrupt (Transparency International 2010)

Kosovo – A small state that declared its independence in 2008 from Serbia after years of *de facto* self-governance, following a war of independence that ended after intervention by NATO. Problems that plague it are poverty, organized crime, widespread corruption, an ethnic split, and a lack of recognition by a number of nations, including five in the EU (Trudelle 2011). Despite these many obstacles, it is officially recognized by the European Commission as a “potential candidate” (European Commission 2010).

Ukraine – A large former Soviet republic that underwent a period of political reform but has already begun to backtrack after those reforms ended in deadlock, it is still

viewed as a potential EU entrant in the medium-term; it is considered to be widely corrupt and growing more so (Neutze and Karatnycky 2007). It may possibly have become less democratic under its new president, who has changed the country's policy to be more cooperative with Russia, rather than with the EU.

Moldova – A small, poor country, it may someday join its neighbor Romania, with whom it shares a language. If not, it will most likely not join the EU in the medium term, largely due to its frozen conflict with the breakaway region of Transnistria. It is viewed as one of the most corrupt countries of the former Soviet Union, and is wrestling with state capture (Democracy International, IFES, and DPK Consulting).

Belarus – An authoritarian nation that is very close politically to Russia, it is very unlikely to join the EU in the medium term. The longtime leader does not seem to be significantly influenced by the EU (Schwartz 2011), so it is viewed as very unlikely to apply to join the EU in the foreseeable future.

Turkey – A large, majority Muslim country that began the application process in the 1980's, it is still technically seeking membership, but has faced much powerful opposition from inside the EU. It has been implementing measures to improve its democracy as part of the requirements for accession, so it is very influenced by the EU, but it has resisted a resolution of the Cyprus issue, so accession looks unlikely.

Georgia – A small, poor country that only slightly extends into Europe, it is considered to have a flawed, though vibrant, democracy. Eager to westernize, it has made great strides to fight corruption and modernize its economy (U.S. Department of State 2011). It recently fought and lost a short war with Russia over two breakaway regions that Georgia considers integral national territory (Central Intelligence Agency June 14, 2011), so that issue may be enough to keep Georgia from joining the EU in the near future.

Azerbaijan – Another small, poor country that only slightly extends into Europe, it is seen as very corrupt and undemocratic (Higgins 2010). A major oil and gas producer, it is not likely to join the EU in the medium term, although it has been cooperating with efforts by foreign governments to fight corruption and increase democracy,

although those actions have been seen by the local political opposition as not genuine (Higgins 2010).

Russia – A very large country that is mostly in Asia, it is seen as being very corrupt (Transparency International 2010) and not fully democratic (Freedom House 2011). It frequently acts as a rival to the EU, and so is not expected to apply for membership in the foreseeable future.

The common thread among the former communist countries that are viewed as aspirants to EU membership is a problem with corruption, which is probably (at least partially) a legacy of communism. Democracy is also not as strong as it would need to be for these countries to successfully accede. Since Croatia has now successfully ended negotiations, if its accession is ratified by all EU countries, it would be the test case to see if the EC has learned from its experiences with the R & B countries. According to its press release, “the Commission will closely monitor up to the date of accession Croatia's fulfilment of the commitments undertaken in the negotiations and its continued preparations to assume the responsibilities of EU membership upon accession” (European Commission 2011), which does not mention any post-accession conditionality. Hopefully that means that such conditionality is not necessary, but, based on recent press reports, there is still much to be done in the fight against corruption. Knowing this, and considering the unpopularity of further expansion, there might be at least one member state which refuses to ratify the accession of Croatia. This would be a major blow to the entire process, causing reticence among potential members, and possibly delaying or even forestalling further accession. The loss of the incentive of possible EU membership would probably result, which would be, for the reasons mentioned before, a catastrophe.

Even though Belarus, Russia, and Azerbaijan are not likely to join soon, if ever, they cannot help but be influenced to some extent by the pull of EU membership. That influence would increase markedly if the enlargement process were able to continue at a reasonable pace. The widespread corruption in the region naturally has some impact on the EU, even in neighboring countries that have no real chance to join, since borders are not impermeable. Smuggling of stolen goods and illicit drugs, as well as human trafficking, have their sources in these countries, and the violence that

can come from unstable nations can easily spill over the EU frontier, or even spread to EU countries.

Serbia, Georgia, Turkey, and, for a time, Ukraine, have all adopted EU values and systems to some degree, mostly in order to eventually be eligible. Bosnia is not at war with itself for the same reason, and Kosovo has its independence. This sort of success is not guaranteed to continue, however.

## Possible solutions

The experience with Bulgaria and Romania show that social conditioning, in the form of instilling respect for EU norms and standards, promoting a sense of benign competition for pride of place among the new entrants to the EU, and shaming by the European Commission, is not effective with all countries. The European Commission recognized this before Romania and Bulgaria were admitted, hence the post-accession conditionality that was imposed only on those countries. Since that approach failed to ensure a continued movement towards the kind of effective, modern government needed to succeed in the EU, the next countries that join should either not be allowed to join until they are truly ready, or the post-accession conditionality needs to be much more stringent. If either of those options are not possible or prove to be unsuccessful, other, more imaginative tools must be developed and deployed.

One possible solution is to give much less control of the EU structural funds to national governments: as mentioned above, the Bulgarian Minister of State was reported by a respected local publication in 2005 to have had full control of the disbursement of this form of aid in the country (Bognár). Given the high amount of trust in the EU held by the populace, not only will this be less controversial than it would be in other countries, but the EU might be viewed as a counterweight to their national governments; therefore, any extra controls put in place on a temporary basis after accession might even be welcomed.

Bulgaria responded quickly to the prospect of losing structural funds, but the response was not genuine; there must be a way to ensure that enforcement and implementation occurs and is sustained, not just the passage of legislation.

The Eurobarometer data show that there must be a concerted public relations effort to explain, to the majority of people who do not realize it, what benefits they receive, including the possible improvements to their individual lives that would come with cleaner, more effective, fairer and more responsive government.

Perhaps laws that promote transparency and clean government need to be added to the *acquis communautaire*. Along the same lines, the courts of the applicant country could be partially integrated into the European-wide justice system, in order to ensure fairness, impartiality, speed, and efficiency. Short of that, there should be stricter laws instilling these characteristics in the legal system, since their lack in the Bulgarian and Romanian systems are likely a major factor in the current, corruption-fostering environment, which fosters

## Conclusion

There are many reasons why a European country might not be ready for accession, both historical and modern, political and economic, sociological and anthropological; for those which are conceivably prepared to commit themselves to consistently tackling their remaining problems and continuing the necessary reforms to completion, the European Commission should be ready with an effective program to keep them on track, even after they are full-fledged members. To not do so would be damaging to the current member states, the entire EU system, and to the safety and well-being of all of Europe and even regions outside of Europe. However, admitting nations that are not ready can cause damage to the entire process, potentially removing political and popular support for further expansion, especially as countries are considered which do not lie entirely (or even mostly) within the widely accepted borders of Europe, are exceptionally large, or are considered to not be culturally European. The process itself is more important than any one individual nation, and

so must be safeguarded, or there will be much less incentive for non-EU countries to follow the European example of freedom, democracy, and good governance.

This is a unique moment in history, where a supra-governmental institution like the EU has such a good reputation that it can leverage its modest power to have a huge impact on creating stable, friendly neighboring nations on all its land borders; nations that not only have a positive view of it and want to emulate it, but which also are eager to join it as soon as possible, and are willing to go to great lengths to do so. The Roman and Soviet empires needed to use coercion and force to expand, but the EU can rely on its moral suasion and reputation, along with access to financial aid and a large, rich economy, to convince people outside its borders to mold their governing systems and societies in the 'European' image. Even countries that may not join for decades, if ever, might be persuaded to begin the process of changing their laws and societies to make themselves eligible, knowing that these changes can be intrinsically helpful in modernizing and developing.

This moment is in danger of passing, however, so the leadership of the EU needs to be careful not to squander it. The next round of enlargement could put too much strain on the EU itself, causing it to crack and splinter, or it could sully the reputation of accession among neighboring states, damaging its allure to the point that leaders in neighboring nations no longer feel the pressure of their populations to continue taking the necessary and painful measures that engender the spread of peace and prosperity throughout the region and into the neighboring ones, as well. In fact, this has already begun; Turkey and Ukraine have begun to turn their eyes away, disillusionment is seeping into some of the formerly enthusiastic faces of residents of current EU countries, and violent disagreements which have been suppressed for over a decade threaten to erupt and spread once again. If not admitted properly, or slowly enough, this next group of entrants could be the last.



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