

“Unless Bulgaria and Romania manage to enact judicial reforms, fight corruption and organized crime, and protect human and minority rights, they will not be able to capitalize on the benefits of EU membership, and will continue to be regarded as second-class EU members.”

## Bulgaria and Romania at Europe’s Edge

STEFANOS KATSIKAS

**B**ulgaria and Romania joined the European Union as full member states on January 1, 2007. This momentous event was the culmination of a long and demanding political project that has often been described as “Europeanization.” Although the foundations of this project were laid fairly soon after the fall of both countries’ communist regimes in 1989, the pace was slow, and did not really gain momentum until the end of the 1990s.

Over the years the project ebbed and flowed, but what kept both nations committed was their strong belief that joining the EU would fill the political, economic, and security vacuum that the dissolution of the communist bloc had produced. EU membership was popularly seen as a panacea that would allow Bulgaria and Romania to stabilize their newborn democratic systems and overcome the economic problems of the postcommunist transition. It offered confirmation that the Bulgarians and Romanians were really Europeans.

Seven years later, however, rather than feeling pulled into the heart of Europe, Bulgaria and Romania find themselves at the edge. Their EU partners raise questions about their commitment to the rule of law and their willingness to crack down on organized crime and illegal immigration. Does this mean that membership has not been an easy route to democratic stability, economic growth, and greater opportunity for all? European integration may be a difficult topic at a time when economic crisis has, for some, cast the entire effort into doubt. But the situation of Romania

and Bulgaria lends itself to reflection on the wider project and its overall historical importance.

### MEMBERSHIP TESTS

The integration project has achieved many positive things, including unprecedented economic prosperity, political stability, and social cohesion in Europe. The project has created an integral market in which goods, services, capital, and people move freely. It has simplified the requirements for living and working in other member states and increased competition within the single market, thereby improving the quality of goods and services while keeping their prices in check. It has also reduced the costs associated with operating businesses (despite the famously extensive EU regulations) and strengthened cooperation among member states in law enforcement and border control.

Above all, integration has stabilized democracy in Eastern Europe since the end of the Cold War and, before that, in southern Europe—in Greece, Portugal, and Spain, where it prevented the military from interfering with politics. Still, integration is an ongoing effort, and much remains to be done in many fields.

With the Cold War’s end, a number of East European states started accession negotiations, and in 2004 eight of them joined the union (the Czech Republic, Estonia, Latvia, Lithuania, Poland, Slovakia, and Slovenia), along with Cyprus and Malta. Three years later, it was Bulgaria and Romania’s turn to join. The EU’s presence in the Balkans grew even stronger with the accession of Croatia on July 1, 2013.

The accession process and the criteria for membership have changed at various stages of the union’s expansion. The growth of the European Economic Community (EEC), the EU’s forerunner,

---

STEFANOS KATSIKAS is director of modern Greek studies, a lecturer on Russian, East European, and Eurasian studies, and a member of the European Union Center at the University of Illinois, Urbana-Champaign. He is author of *Negotiating Diplomacy in the New Europe: Foreign Policy in Post-Communist Bulgaria* (I.B. Tauris, 2011).

was heavily influenced by intense competition between the Eastern and Western blocs. Greece, Portugal, and Spain encountered relatively undemanding membership conditions; their accession process was not complicated, nor did it involve much scrutiny on the part of the EEC. Since the end of the Cold War, criteria have become harder to meet, and the negotiation process has grown longer, involving a thorough examination of the candidate state's domestic politics and economy.

In 1993, the European Council set forth the so-called Copenhagen criteria, which required a candidate country to have a functioning market economy and reliable institutional mechanisms for guaranteeing the rule of law and the protection of fundamental rights. Under a standardized procedure for membership, the candidate first has to submit an application to the European Council (the institution defining the EU's political direction and priorities). Next the European Commission (the EU's executive body) provides a formal opinion on whether the candidate complies with EU principles.

The Commission conducts a "screening" of the candidate to determine its preparedness for accession. The Commission makes recommendations to the Council on whether to open negotiations or to impose certain conditions that must be met first. If the EU accepts the application, the Council opens formal negotiations between the candidate nation and all member states.

Accession negotiations focus on the candidate country's progress toward adopting, implementing, and enforcing the body of EU rules, known as the "*acquis communautaire*." The *acquis* (French for "that which has been agreed to") is divided into chapters based on issue areas and is non-negotiable. When negotiations of all chapters are completed, the terms and conditions are incorporated into a draft accession treaty. If the European Council, the European Commission, and the European Parliament (the EU's legislative body) approve the treaty, it is signed by the candidate and all member states, and must then be ratified by all signatories.

## ACCESSION CHALLENGES

Throughout the postcommunist period, more than 50 percent of the public in both Bulgaria and Romania supported joining the EU, and polls often registered support at over 70 percent. This popular enthusiasm was generally shared by most of the political formations of the post-1989 period.

Yet the process of joining the EU was not going to be easy: Bulgaria and Romania missed the first wave of postcommunist enlargement.

Almost four months after the resignation of Bulgarian communist leader Todor Zhivkov in November 1989, the Bulgarian government and the EEC signed a trade cooperation agreement. It provided for limited trade liberalization but excluded agricultural products and steel, which the EEC considered economically sensitive. In 1991, Romania signed a similar agreement.

Each country in 1993 signed an association agreement with the newly established EU, which provided trade concessions for all categories of Bulgarian and Romanian products in exchange for their commitments to pass reforms aimed at democratizing their political systems and liberalizing their economies. Yet despite frequent calls from Bulgarian and Romanian politicians for the start of formal EU membership negotiations, these did not commence until 2000.

The main reason for the delay was the continuing failure of both countries to institute the political and economic reforms stipulated by the association agreements. Bulgaria's progress was slowed by the financial crisis of 1997, which left the country effectively bankrupt.

A further serious impediment for Bulgaria was the country's close relations with Russia, which a large section of Bulgarian society strongly supported in the post-Cold War period, sometimes at the expense of relations with the West. This was due to the political, economic, and cultural relations that Sofia historically had developed with pre-Soviet and Soviet Russia. During the Cold War, Bulgaria obtained oil and natural gas from the Soviet Union at prices well below those set by world markets. It also enjoyed access to the huge markets of the Soviet Union and the Soviet bloc for Bulgarian industrial products, whose low quality had limited appeal in the competitive markets of the West.

## THE KOSOVO CARD

It was the 1997 decision by Bucharest and Sofia to offer unconditional assistance to NATO during the Kosovo crisis that produced the political will in the West for beginning serious accession talks. Bulgaria and Romania adopted clear pro-NATO stances, offering the alliance both logistical support and permission to use their national airspace. This support brought the two governments into conflict with the majority of domestic public

opinion, which strongly opposed NATO's military intervention in Kosovo.

The British ambassador to Romania, Christopher Crabbie, feared that the Party of Social Democracy in Romania would capitalize on this public opposition to undermine the government of Radu Vasile, endangering its pro-Western foreign policy agenda and its implementation of political and economic reforms. In May 1999, British Prime Minister Tony Blair visited Romania on an official tour of the Balkan countries that had given help to NATO during the Kosovo crisis. Crabbie persuaded him to announce a change to the United Kingdom's negative position on Romania's readiness to begin negotiations with both NATO and the EU. The speech that had been prepared for delivery to the Romanian parliament was rewritten overnight. Blair pledged British support to ease Romania's passage into NATO and the EU.

The UK adopted a similar policy on the issue of Bulgaria's joining NATO and the EU. At the end of May 1999, Blair visited Sofia. During his meetings with Bulgarian officials, including Prime Minister Ivan Kostov and President Petŭr Stoianov, Blair pledged that Britain would support an invitation to Bulgaria to begin talks for EU membership at the Helsinki European Summit in December 1999. Until then, Britain's policy had been that Bulgaria was in no state to start negotiations.

There was a widespread view among European officials that Romania and Bulgaria should be treated as a single case. They were seen as two Balkan states with similar economic and social structures that were different from those of other East European candidates for membership. They had also followed similar paths in their post-1989 relations with the EU. Both signed association agreements at about the same time and in due course both were excluded from starting negotiations for EU membership at the 1997 European Council of Luxembourg, when the process began for the countries that eventually acceded in 2004.

The change in British policy was to have a decisive effect on Bulgaria and Romania's EU aspirations. At that time Blair had considerable influence in European politics. His Labour Party was ideologically aligned with the governing parties in France (the Socialist Party) and Germany (the Social Democratic Party), as well as the ruling coalition of leftist parties in Italy. Blair was much admired

by most of his European counterparts, mainly because he favored a more active and deeper British engagement in European politics than had been the case before his party's rise to power in 1997. Blair's interventionist position on Kosovo also was seen as a triumph.

## ENLARGEMENT FATIGUE

The 2007 accession of Bulgaria and Romania completed the EU's fifth round of enlargement and its second expansion into Eastern Europe. The EU and the governments of both countries celebrated the event as a huge success. This went against the grain of public opinion: Polls showed that only about a quarter of the population in the largest EU member states approved of the expansion. This reluctance can be explained largely as a result of "enlargement fatigue" following the 2004 accessions, which included 10 former East European states whose economies were much weaker than those of the most advanced West European members. Helping them adjust imposed a major financial burden on the EU in terms of funding for infrastructure projects, other subsidies, and the absorption of immigrants.

In addition, EU institutions and political analysts claimed that Romania and Bulgaria were far behind all other member states economically and socially. Their struggles with judicial reform, corruption, and organized crime were supposedly unmatched by any of the member countries, including the 10 from the East that joined in 2004. However, without underestimating the challenge or all the mistakes, omissions, and ineffectiveness on the part of Bulgarian and Romanian authorities in dealing with issues of corruption and judicial reform, many of these claims should be taken skeptically. They often exaggerate the problem, and Brussels has used them as a political tool to stress the difference of these two countries and justify policies of exclusion—especially in relation to the free movement of citizens.

Of course, there are reasonable questions regarding the delay of judicial reforms and the effectiveness of measures against corruption and organized crime in both Bulgaria and Romania. Authorities in both nations often acknowledge the legitimacy of these questions. But similar problems in these areas, sometimes worse, have faced other EU member states. Corruption and

---

*Joining the EU in 2007 did  
not put an end to the different  
treatment of the two nations.*

---

organized crime, for example, have been an issue in Italian politics and society for years. The recent economic crisis has revealed that serious problems with corruption and the functioning of the judicial system, and to a lesser extent with organized crime, also exist in Greece—which has been an EU member state since 1981 and at the beginning of 2001 joined the European Monetary Union and adopted the euro as its currency.

## CLOSE SCRUTINY

From the outset, Bulgaria and Romania's accession was quite different from previous experiences. Before its 2007 expansion, the union required only that candidate countries adopt all existing EU law. In the case of these two states, however, the EU closely monitored their progress and declined to grant them membership in 2004 because they had not shown satisfactory progress. Never before had the EU postponed the accession date of a candidate country.

Nor did joining the EU in 2007 put an end to the different treatment of the two nations. In the first three years of membership, they were subject to three safeguard clauses under the 2005 accession treaty, covering the economy, the internal market, and justice and home affairs. (Another safeguard clause for the pre-accession period provided that the European Council, on the advice of the European Commission, could postpone the accession date for Bulgaria and Romania.) These clauses could be activated only within the first three years, but if activated could remain in force beyond the third year of membership. Although the EU had negotiated safeguard clauses in previous accessions, it had never before activated them.

In the lead-up to accession, both Bulgaria and Romania failed to reform their judicial systems and to effectively combat corruption and organized crime. In response, the EU created post-accession mechanisms to monitor these areas and to help both nations rectify their problems. In December 2006, the European Commission set criteria, known also as the Cooperation and Verification Mechanism, for assessing the progress of both nations.

Both the Bulgarian and the Romanian governments have made some progress toward meeting these standards. Bulgaria has enacted important legislation ensuring the independence

and accountability of the judiciary. Also, despite its shortcomings in the fight against corruption among high-ranking officials, the country has been successful in reducing graft within local government and among customs officials. Romania, too, has made some progress: The number of corruption convictions of high-ranking officials has increased. However, in both countries much remains to be done in judicial reform, as well as in effectively addressing corruption and organized crime in politics and society.

Recent developments in both countries have kept attention on these concerns. Antigovernment protests in Bulgaria began in June 2013 and have continued since then, denouncing corruption and demanding the resignation of the Socialist-led government of Prime Minister Plamen Oresharski. Some have turned violent. The protests have also expressed frustration with poverty and unemployment, which many Bulgarians blame on political corruption.

In December 2013, the Romanian parliament amended the criminal code to give its members, as well as other elected government officials, immunity from corruption charges. Former Prime Minister Adrian Nastase was released from prison in March 2013 after serving nine months of a two-year sentence for corruption. He had been convicted of taking bribes from the chief inspector at a state construction company.

Amid a power struggle between Prime Minister Victor Ponta and President Traian Basescu, the Romanian parliament voted in July 2012 to suspend Basescu and hold a referendum that month on whether he should be impeached for alleged abuse of power. The referendum was declared invalid because less than 50 percent of the electorate voted, though a majority of those who did vote favored impeachment.

## STICKING POINTS

Despite such setbacks, the process of EU accession has helped both Bulgaria and Romania stabilize their postcommunist democratic systems. Political parties are in close interaction with their ideological counterparts in the European Parliament, which in itself has helped Bulgarian and Romanian politics to adopt and adjust to the existing democratic norms and practices of Western Europe. The armies were put under effec-

---

*EU integration is an ongoing project that does not end with accession.*

---

tive civil control and accepted that their role is to defend their countries' territorial borders and not protect a certain type of regime and interfere with politics, as they had done in the past. Both countries have established freedom of speech, freedom of the press, and open and free general elections.

However, work still needs to be done in the area of human and minority rights. It is true that similar problems exist in other EU member states that joined the union long before Bulgaria and Romania. One must be careful not to present these two countries as unique cases. Nevertheless, this should not hide the fact that both countries have much room for improvement.

Reports by the World Bank, Amnesty International, and the Open Society Foundation often point to the appalling living conditions of the Roma (often called "Gypsies" by English-speakers). Roma live in ghettos or slums without rights or basic facilities, and often fall prey to stereotypes, stigmas, and discriminatory policies by state authorities, including police and security services in both countries. Roma also face attacks by racist and extreme right political groups.

The EU allocates funds to both Bulgaria and Romania to help them improve housing, infra-

structure, and education for Roma. Much more must be done to establish efficient mechanisms for monitoring how effectively these funds are spent. Yet the EU appears to have relaxed its pressure on both countries with regard to minority rights and living standards since their accession. Romania and Bulgaria have cooperated with other member states that seek to deport Roma immigrants back to their countries of origin.

Meanwhile, per capita incomes have risen steadily in Bulgaria and Romania since they joined the EU—by around 30 percent between 2006 and 2012 for each, according to International Monetary Fund data—and opportunities for their citizens have increased across Europe. Yet there still is a feeling of not being fully integrated into the EU, a sentiment reflected in opinion polls and interviews in both countries.

Despite increasing incomes, living standards remain low in comparison with other EU member states and the EU average. The average monthly salary in both countries is about \$500. This leaves many talented young people wishing to emigrate in search of a better future. But freedom of movement for Bulgarians and Romanians is not the same as it is for other EU citizens. Both countries

*Current History* presents:

### **Europe 2008-2012: A Current History Anthology**

This e-book, available through Amazon on Kindle and on Kindle-based apps, collects in one volume 37 complete essays that appeared in *Current History* from 2008 through 2012 on topics related to Europe. The price: \$8.95.

ESSAYS INCLUDE:

The Euro's Never-Ending Crisis  
*by Barry Eichengreen*

Europe's Threatened Solidarity  
*by Erik Jones*

The Transatlantic Turnaround  
*by Charles A. Kupchan*

Europe, the Second Superpower  
*by Andrew Moravcsik*

The Misdiagnosed Debt Crisis  
*by Daniel Gros*

Europe and Russia:  
Up from the Abyss?  
*by Andrew C. Kuchins*

France Returns to Center Stage  
*by Ronald Tiersky*

Italy's Choice: Reform or Stagnation  
*by Michael Calingaert*

Europe's Enduring Anti-Americanism  
*by Michael Cox*

Ukraine's Orange Evolution  
*by Mark Kramer*

The New Middle East Will Test Europe  
*by Simon Serfaty*

Turning Point for the  
European Social Model?  
*by Stein Kuhnle*

remain outside the Schengen Area of open borders within the EU.

Nine EU members (Austria, Belgium, France, Germany, Ireland, Luxembourg, Malta, Netherlands, and the UK) imposed a regime of temporary job restrictions for Bulgarian and Romanian migrants. It was lifted at the beginning of 2014 amid fierce political debates in some countries, like the UK, about whether their governments should explore ways to prolong this regime. Measures and debates such as these reinforce the view among many Bulgarians and Romanians that they are second-class EU citizens, or that their political elite is incompetent and fails to protect their interests inside the union.

According to 2008 surveys by the Open Society Institute in Sofia, only 25 percent of Bulgarian citizens trusted their parliament and even less trusted the judicial system; the average figures for the rest of the EU were 46 and 48 percent, respectively. Also, due to high corruption levels and mismanagement of EU funds, the European Commission in December 2013 suspended \$500 million in subsidies to Bulgaria for agriculture, rural development, and road improvement.

## ONGOING PROJECT

There is no doubt that both Bulgaria and Romania have benefited politically, economically, and socially by integrating into the EU. In addition to the economic benefits, direct and indirect, both states have developed stable democratic systems with open, free elections and freedom of speech

and the press. Their accession to NATO filled a security vacuum created by the dissolution of the Soviet bloc in Eastern Europe and the Balkans.

However, EU membership has not proved an easy path to democratic stability, economic growth, or greater opportunity. Since accession, Bulgaria and Romania have taken on obligations as EU member states that they struggle to meet. Accession may have disappointed many who expected a speedy solution to all their problems. But this does not mean that they have been misled. Many of the countries' political and economic reforms likely would not have been achieved without the scrutiny of the accession process.

EU integration is an ongoing project that does not end with accession. Unless Bulgaria and Romania manage to enact judicial reforms, fight corruption and organized crime, and protect human and minority rights, they will not be able to capitalize on the benefits of EU membership, and will continue to be regarded as second-class EU members. Political, economic, and social reforms will not take firm root. In the long term, this could undermine the stability of their post-communist democratic systems.

The process of EU accession has paved the way for consolidated democratic systems and rising living standards in Bulgaria and Romania. However, these gains are no reason for complacency. Nor are they irreversible. EU integration should be seen as a work in progress that does not settle merely for club membership but aspires to higher ideals of national development and European cooperation. ■

### From *Current History's* archives...

"By midcentury, the unity of purpose between America and Europe that underwrote their alliance was marked by divergent views toward every aspect of a changing world. Europeans rejected overwhelmingly the exaggerated fears of the Soviet Union that dominated the official American outlook as early as Harry Truman's presidency. They also rejected the American propensity to see the Kremlin's hand in every third world upheaval and challenged Washington's conviction that the security interests of the United States were global."

Norman A. Graebner

"The United States and West Europe: An Age of Ambivalence," November 1986

HISTORY IN THE MAKING  
100  
years  
1914 - 2014