

## *European Union Enlargement Conditionality*

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As the European integration project evolved tremendously over time, so did its enlargement policy. Consequently, EU enlargement policy became a prominent research area over the years with a growing literature on its aspects and implications. This book adds to that agenda, contributing to the literature on EU enlargement conditionality. In particular, the book offers a new and innovative model for a comprehensive and comparative assessment of the evolving EU conditionality in order to better understand the dynamics of EU enlargement policy.

The author is a teaching fellow at Queen Mary University of London, UK, with a major research focus on EU enlargement policy, europeanization and regional developments in Central and South-Eastern Europe. Having a particular interest in EU enlargement conditionality, the author explored this subject extensively and this book represents her most recent endeavour in this respect. The main aim of the book is to trace the growing application of detailed and country-specific conditionality over different enlargement waves and to illustrate the influence of different actors and external factors on the accession process. The book investigates how and why EU conditionality changed across both different stages of the accession process and different enlargement waves by employing the stage-structured conditionality model developed by the author. The stage-structured conditionality model distinguishes four different stages of the EU accession process (the pre-negotiation; negotiation; accession; and post-accession stage) and specifies three key elements of EU conditionality (EU conditions; an incentive structure, including accession advancement rewards and explicit or implicit threats; and monitoring). In addition, the author analyses the role and influence of EU institutions, EU member states and their citizens (public opinion) and enlargement countries in development of EU enlargement conditionality. The impact of external pressures on the accession process is also examined.

The book consists of five chapters. The first chapter starts with a brief history of the EU enlargement waves and proceeds with a review of current literature on EU conditionality, outlining in the end the author's conceptual framework for the examination of the evolution of EU enlargement conditionality. The next three chapters are empirical and examine the most important developments of EU conditionality in the context of the 2004, 2007 and the South-Eastern enlargements. The fifth and final chapter elaborates on key findings of the analysis.

The author's point of departure is that it was the fifth EU enlargement round, 'unprecedented in scope and scale, which presented the Union with an opportunity to develop a multifaceted set of instruments and transformed enlargement into the EU's most successful foreign policy' (p. 4). Therefore, the analysis of the evolution of EU conditionality using the stage-structured conditionality model in the second chapter starts with the 2004 enlargement wave, including the eight Central and Eastern European countries (CEECs), Malta and Cyprus. The analysis revealed three specific trends. The first trend refers to the changes in the EU's approach towards membership conditions for ten applicant countries during four different stages of the EU accession process. In particular, the analysis demonstrated a gradual expansion and specification of EU conditions in the pre-negotiation stage (by adopting the Commission's communication "Agenda 2000") and the negotiation stage (by introducing the 'road-map', a new instrument for opening and closing 29 *acquis* chapters), while the accession stage was marked with a shift towards differentiated and targeted conditionality (by introducing country-specific conditions with a list of benchmarks). The second trend is related to transformations in the incentive structure during the EU accession process. Namely, the analysis highlighted a shift from positive conditionality (in terms of accession advancement and financial rewards) in the early accession stages towards negative conditionality in the accession and post-accession stages (preventive sanctions in the form of the internal market and justice and home affairs safeguard clauses to the Accession Treaty). Finally, the third trend pointed to the growing relevance of monitoring reports, not only as instruments for the evaluation of the progress achieved but also as the instruments for political pressure.

In order to better explain the evolution of EU conditionality towards the ten applicant countries of the 2004 enlargement wave, the author examined

the influence of institutional and external factors on the accession process. The findings have highlighted the importance of external pressures, namely the end of the Cold War, the collapse of communism and wars following the dissolution of Yugoslavia. The author underlines the crucial role of these events on the EU's decision to enlarge eastwards and to establish accession of the eight CEECs as a shared objective. Furthermore, the findings stressed the relevance of the Member States' support to the candidate country for the advancement of the accession process, for example Germany's support to Poland. The study confirmed a leading role of the European Council in decision-making related to the enlargement process but also highlighted the influence of the Commission's position in preparation of recommendations and EU's enlargement strategies. The significance of the European Parliament was mostly reflected in the opportunity of channelling the political pressure to influence the advancement of the accession process. The enlargement countries were also an important factor given that their profile and specific challenges facing each candidate country affected the scope and type of EU conditions.

In the third chapter, the author analyses the evolution of EU enlargement conditionality in the context of the 2007 enlargement wave, concerning Bulgaria and Romania. The study is more focused on the novelties introduced to the enlargement process of Bulgaria and Romania and their implications on EU enlargement conditionality towards Turkey and the Western Balkan countries. The analysis confirmed the application of more detailed and differentiated EU enlargement conditionality. In particular, the EU has made a significant shift in its requirements in the pre-negotiation stage by making compliance with the Copenhagen political criteria a mandatory condition for the opening of accession negotiations. In addition, individual country-specific conditions were introduced for the start of accession negotiations. The negotiation and accession stages were also marked by a growing number of country-specific requirements and stricter rules for closing benchmarks. Finally, the evolving nature of enlargement conditionality culminated in the post-accession stage by the establishment of the Cooperation and Verification Mechanism (CVM) for monitoring Bulgaria's and Romania's progress in several areas after their accession. Regarding the incentive structure, the most important change occurred in the accession stage. In particular, the Accession Treaty for Bulgaria and Romania included a 'super' safeguard clause in

addition to the same two safeguard clauses in the case of countries from the 2004 enlargement round. Also, the EU has further differentiated its approach between the two countries by allowing for a majority vote on the accession postponement in the case of Romania. The post-accession stage is dominated by a negative incentive structure in the form of the stricter monitoring framework (CVM), which was set for an unspecified time period. The analysis of developments in the monitoring process during different enlargement stages revealed that monitoring reports were also used as a basis for prioritizing negotiation conditions and setting further recommendations. The political impact of the progress reports for Bulgaria and Romania is also highlighted as their publication attracted great attention of national and foreign media.

When examining the influence of institutional factors on the enlargement process of Bulgaria and Romania, the author underlined the key role of the Commission 'in engineering the accession process (...) by introducing three novel developments to the EU's enlargement policy: the super safeguard clause; enhanced accession monitoring; and the post-accession monitoring mechanism (the CVM)' (p. 110). Furthermore, the role of Bulgarian and Romanian rapporteurs and the influence of their reports demonstrated a growing potential of the European Parliament to impact the accession process. The study also confirmed a strong link between the introduction of specific conditions and mechanisms by the EU and the main issues that the two countries needed to address. Furthermore, the examination of the relevance of external pressures on the EU's decision to advance the accession process with Bulgaria and Romania demonstrated a significant impact of the Kosovo crisis and the NATO enlargements.

The fourth chapter examines the evolution of EU conditionality in the context of the South-Eastern enlargements and Turkey. The author concentrates on 'the scope and the implications of four far-reaching changes: the 'chapterisation' of the political criteria; the introduction of the opening and interim benchmarks; the transformation of the accession negotiations into 'an open-ended process'; and the introduction of disequilibrium clauses' (p. 124). The study of EU conditions over four accession stages revealed their expansion in scope and range and confirmed the growing application of detailed and differentiated conditionality. Furthermore, the analysis of the incentive structure showed that positive conditionality in the

pre-negotiation stage was weakened by the introduction of the specific penalising measures but also by the eroded credibility of the accession process in the case of Turkey and FYROM. Negative conditionality dominated the negotiation stage as the EU was reluctant to set a timetable for the progress of the accession process and introduced new threats (the suspension of negotiation talks) to the negotiation frameworks. Moreover, the EU defined membership negotiations as an 'open-ended process'. The incentive structure was further modified by establishing disequilibrium clauses linked to progress in key areas (in the case of Serbia<sup>1</sup>) and by applying a differentiated approach to the scope of threats applicable to different candidate country. The case of Croatia confirmed the findings that the accession stage is dominated by a negative incentive structure as the EU incorporated the same two safeguard clauses to the Accession Treaty for Croatia, as the ones included in Accession Treaties of the two previous enlargement rounds. However, a super safeguard clause was not included for Croatia. Monitoring during the accession stages gained significant importance. This refers to different monitoring instruments (Annual Progress Reports, Regular Reports, and the SAP Reports) that the EU has used to track compliance with its conditions at a much earlier stage but also in a more rigorous way. The EU has also prepared an additional Interim Report for the first time during the negotiation stage, while during Croatia's accession stage it issued three monitoring reports, assessing its progress by a new instrument of half-yearly monitoring tables. In the post-accession stage, the EU did not establish any monitoring mechanism for Croatia. Therefore, post-accession conditionality was limited to the safeguard clauses incorporated to the Accession Treaty with a time period of three years after the accession.

The analysis highlighted the detrimental impact of the open bilateral issues between Member States and candidate countries on the accession process in the context of South-Eastern enlargements. Examples include, among others, the border issue between Slovenia and Croatia and the name issue between Greece and FYROM. Another aspect providing the Member States with an additional opportunity to influence the on-going enlargement process is related to the growing application of benchmarks, multiplying thus their veto powers. The case of Turkey also demonstrated the impact of Member States' preferences on the advancement of the

1 In the case of Serbia, the EU linked the overall progress of membership talks to the progress in the normalisation of relations with Kosovo, dealt with under Chapter 35 (p. 143)

process. Furthermore, the analysis confirmed a strong link between profiles of the candidate country (notably problematic issues) and the evolution of EU conditionality. Also, the lack of strong group dynamics affects the advancement of the accession process, as illustrated in the case of Croatia. As per external factors, the study confirmed the link between the troubled past of the Western Balkan countries and the membership perspective as a stabilisation factor of the region. The failed ratification of the Constitutional Treaty followed by enlargement fatigue as well as the financial crisis significantly affected the dynamics of EU enlargement policy.

The detailed and systematic analysis demonstrated linear trajectories of development of EU conditions and monitoring, resulting with the fact that the on-going enlargement round is now characterised by more detailed and differentiated conditionality and a rigorous monitoring process. On the other hand, the incentive structure was transformed in a way that the EU has become more reluctant in providing timetables for the accession process. By analysing policy dynamics, the book confirms the leading role of the Member States and the European Commission for the development of enlargement policy but also highlights an increasing impact of the EU public support on the on-going enlargement process. The study has also demonstrated catalysing effects of different external factors on the developments of EU enlargement policy.

The EU country-specific conditionality was analysed from different perspectives by many authors. This book by Eli Gateva represents the first comprehensive and comparative analysis of EU conditionality across different enlargement rounds and it is therefore a recommended read for scholars and students with an interest in EU enlargement policy. The book refers to a great number of highly ranked official interviewees, providing thus more detailed insights into the issues at stake. Three empirical chapters of the book analyse the most important developments of EU conditionality in the specific enlargement wave, making them convenient to read as individual papers. The added value of the book is the stage-structured conditionality model developed by the author, which can be applied in a wider context and therefore contributes further to the literature in the field of European Studies.

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