

8 July 2011

# **The impact on the duration of EU accession negotiations**

Bachelor Thesis

**University of Twente**

**Faculty of Management and Governance**

**European Studies 2008-2011**

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## Abstract

In this thesis it has been analyzed why Croatia's EU accession negotiations last longer than the negotiations with Slovakia and Romania. The stages from the association agreement to opening the accession negotiations were passed the fastest by Croatia, and therefore the assumption is made that accession negotiations are being closed the fastest. Since this, however, is not the case the question "*Why does the duration of accession negotiations vary among the EU candidate countries?*" will be answered. Four factors have been examined: level of compliance, the use of rhetorical action, economic development, and the uprising of a contested issue.

As a result it has been found that the level of compliance and the economic development do not play an important role, whereas rhetorical action and the contested chapters provide the basis for an explanation of this difference in duration. Rhetorical action alone, however, is not the decisive factor; rather, it is combined with an overall attitude towards enlargement. Thus, the use of rhetorical action with a positive attitude from the EU towards enlargement leads to faster negotiations, whereas the use of facts and a negative attitude slows down the negotiations. Since it only came up in the results that the attitude plays a great role, further research has not been done on this. In the beginning, all four factors have been held apart, in the end it can be concluded that this attitude also might cause the long duration of negotiations of individual chapters.

To conclude, rhetorical action, the attitude towards enlargement and the duration for closing individual chapters have been identified as the factors influencing the accession negotiations the most.

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## 1. Introduction

Since the establishment of the European Coal and Steel Community in 1951 through the Treaty of Paris, the number of members of the European Union grew from six in 1951 to 27 in 2007. The largest round of enlargement happened in 2004, bringing ten new member states to the Union.

Having a look at the developments of negotiations in the 2004 and 2007 enlargement rounds of the European Union, it can be seen that the time between the signing of an association agreement between the EU and a third country and the start of accession negotiations varies greatly (Sedelmeier, 2010, pp.404-405). Also, it can be seen that Romania had the longest negotiation phase compared to all the countries from the 2004 enlargement and Slovakia had the shortest. Since the time between association and accession is shorter in Croatia's case than in Romania's and Slovakia's, it is to be expected that the actual negotiation period is also shorter than the ones for the 2007 enlargement, or, at most, the same. However, this is not the case. Contrary to this expectation, Croatia's negotiation time already exceeds Slovakia's and Romania's.

Regarding the periods between the association agreement - which is the first indicator for a third country to show its willingness for membership - , the membership application, the Commission opinion and the opening of the negotiations, it is a surprise that Croatia has not become a member state until now. Whereas it took Romania and Slovakia longer to take the steps towards opening the negotiations in comparison to Croatia, it is the other way around concerning the actual negotiation process. Croatia's negotiations are taking surprisingly long compared to those from Romania and Slovakia. In the table 1.2 (1) below, an overview about this can be found.

Table 1.2 (1): Timeline Slovakia, Romania, Croatia

Country	Association agreement	Membership application	Commission opinion	Opening negotiations	Closing negotiations
Romania	Feb. 1993	Jun. 1995	Jul. 1997	Feb. 2000	Dec. 2004
Slovakia	Oct. 1993	Jun. 1995	Jul. 1997	Feb. 2000	Dec. 2002
Croatia	Oct. 2001	Feb. 2003	Apr. 2004	Oct. 2005	Jun. 2011

Even though it is clearly visible that Croatia passed the steps towards opening the negotiations faster than the other two countries, the negotiations took ten months longer than Romania's. Thus, Croatia is not only exceeding Slovakia's duration, which could happen easier, because they had the shortest period, namely 35 months, but it is also exceeding Romania, which took the longest, namely 59 months.

This contradictory development led to the following research question:

*Why does the duration of accession negotiations vary among the EU candidate countries?*

A remarkable difference in duration could be found between negotiations leading to the 2004 enlargement and the 2007 enlargement, and the negotiations going on right now with Croatia. Therefore the question arises, why this is the case. This research will deal with this issue in more detail in order to define what the differences between the three countries are and why the development evolved in different directions. Four factors have been chosen for this research ranging from rhetoric to economic development: level of compliance, rhetorical action, economic development, and disagreement on one single issue. The data that is used for this study are Annual Progress Reports about these countries and Enlargement Strategy Papers provided by the Commission.

This study will show which factors influence the accession negotiations and which factor leads to this remarkable difference in negotiations length. For doing this, in the following section the theory and the resulting hypotheses are presented. Afterwards the variables involved are being operationalized in order to measure them. Compliance is being split up in three levels, for rhetorical action a coding scheme is introduced, the economy is represented by most important factors determined by the Commission, and at last the duration concerning a contested issue will be defined. These two rather theoretical parts lead up to the next section, which is the analysis. At last, a conclusion is drawn and recommendations for further studies are given.

Even though this is a case study of Slovakia, Romania and Croatia, the results can also be valid for other candidate countries. When it is known which factor is the most important during the negotiations, they can focus on this and speed up the negotiations by doing so. Future candidate countries could benefit from that. The factors that have been chosen are not Croatia specific, but can also be applied to other countries, which makes the outcome transferrable to other countries.

## 2. Theory

The accession negotiations are determined by the EU on the one hand, and the candidate country on the other hand. Whereas the EU sets the criteria, sets the dates for opening and closing the chapters, evaluates the development of the candidate country, and in the end decides which country is allowed to join the EU and which country is not, the candidate country can decide whether to comply with the Criteria and follow the EU's lead. Thus, both sides have an impact on the development of the negotiations.

In the following four factors are being examined which have an impact on the negotiations period: compliance with the Copenhagen Criteria, the use of rhetorical action, a country's economic performance, and the existence of one controversial issue. In theory one factor could be enough the cause a delay in the negotiations. It is not necessary that all four aspects occur, but rather that one of these factors occurs in all three cases and this factor is the decisive one. Below, this theory is examined in detail for each factor, followed by the hypothesis for each factor.

### 2.1 Compliance

Fulfilling the Copenhagen Criteria is the basis for access to the EU. Therefore it needs to be examined to what extent the three countries, Croatia, Romania and Slovakia, complied with the criteria.

Conditionality was a big topic especially concerning Central and Eastern Europe (e.g. Haughton, 2007; Hughes et al, 2004; Pridham, 2005; Schimmelfennig & Sedelmeier, 2005; Vachudova, 2005). During the enlargement procedure of the 2004 enlargement, conditionality worked the best before opening the negotiations, but after a country was admitted to the negotiations it delayed implementations or simply resisted to implement the required measures (Haughton, 2007).

Two main types of conditionality can be found: fulfilling the Copenhagen Criteria and applying the *acquis communautaire*. Whereas the Copenhagen Criteria give a rather loose framework, the *acquis* contains detailed descriptions and rules that have to be accepted by the future member state. The introduction of formal requirements has given more leverage to the EU to make candidate countries comply with conditionality, and reduced the scope for negotiating (Grabbe, 2003, p.305). This pressure for compliance is even larger for the candidate countries than for the member states (Glenn, 2004). Whereas it, thus, already became rather difficult to get around conditionality, in the Western Balkans accepting those conditions is not the only requirement for future accession. Additional criteria aiming at the post-conflict regional challenges of reconstruction,

stabilization and reform have been introduced (Anastasakis, 2008, p.368). The importance of complying with conditionality can be seen as very high in all three countries.

In contrast to the approach above, which states that conditionality is getting more and more important, Schimmelfennig (2007) criticizes the effectiveness of conditionality in the Central and Eastern European Countries (CEECs). He claims that the effectiveness of conditionality depends on the size of the reward, the adoption costs and the credibility of conditionality. The challenge there was credibility, because the EU did not have incentives to allow accession except as a reward for successful democratic compliance (Schimmelfennig, 2007, p.129). Only after opening accession negotiations with some of the CEE countries, solving the problem of credibility, the countries that were left out also believed that applying with conditionality actually leads to the promised rewards. The credibility problem however can be ruled out for the negotiations with Croatia, because the EU has already shown during its 2004 and 2007 enlargements that countries actually have the chance to become a member when they fulfill the criteria.

All in all, applying the Copenhagen Criteria is the main requirement during the negotiations. In addition, the acceptance of the *acquis* is indispensable. Taken together, setting criteria and the existing credibility form a solid basis for rigorous implementation of conditionality. Since there is a rather limited chance of successful negotiations when a candidate country does not comply, it is very likely that the negotiations will last longer. Thus, the first hypothesis that can be formulated is:

*H1: The more the candidate country refuses to comply with conditionality, the longer the negotiations will last.*

## 2.2 Rhetorical Action

Rhetoric is central in politics and defines how certain events or decisions are being portrayed (Krebs & Jackson, 2007, pp.35-36). Although most scholars do not recognize the importance of rhetoric, a few researchers show the contrary (Krebs & Jackson, 2007; Schimmelfennig, 2001). Whereas rationalist approaches often cannot account for policy outcomes, for example the decision for the 2004 enlargement (Schimmelfennig, 2001; 2003), “rhetorical interplay itself provides leverage in explaining outcomes” (Krebs & Jackson, 2007, p.36). By strategically using rhetoric, actors can be maneuvered into positions they otherwise would not have taken.

A concept called rhetorical action has thus been developed (Schimmelfennig, 2001; 2003). It is defined as “the strategic use of norm-based arguments” (Schimmelfennig, 2001, p.48). This concept is linking the rational preferences of the member states with the identity-based outcome reflecting the sociological approach. Several assumptions need to be made for applying this concept. The actors participating are weakly socialized. On the one hand, as a member of a certain community they share common norms and values with the other members, on the other hand national preferences are this shaped by rational interest not necessary along the lines of the common norms and values. “The causal mechanism of rhetorical action then describes how the actors are brought to focus on their collective interests and honor their obligations as community members” (Schimmelfennig, 2001, p.63). Thus, rhetoric is being used by the proponents of enlargements to convince the opponents to support enlargement. In this research it will be analyzed whether the Commission as a supporter of enlargement used rhetorical action in their communication to the European Council, where some countries do not favor enlargement. Taking the model by Krebs & Jackson (2007) the claimant (C) provides arguments to the opposition (O) under the auspices of a public (P). That means that the Commission, being the claimant, uses arguments to convince the

opposition, thus the European Council, which consists of member states that agree with C and member states that are opposed.

The question arises why the Commission is supposed to be in favor whereas the European Council is supposed to be against enlargement. The Commission, like the Parliament, is the actor in favor of the most harmonization among member states (Thomson, 2009, p.758) with regard to internal policies. This indicates the general positive position towards European integration (Thomson, 2009, p.758). Hence, the Commission can be seen as being in favor of EU enlargement. The European Council on the other hand is a composition of all member states representing one opinion each. Thomson's study (2009) shows that old member states are more in favor of harmonization and integration, whereas the new member states vote for autonomy and diversity. Thus, after the 2004 enlargement, the number of member states not necessarily in favor of integration increased. This shows that the Commission on the one side represents the position in favor of enlargement, whereas the European Council comprises a diversified picture.

It can also be argued that, as Schimmelfennig (2001) describes, member states use rhetorical action vis à vis other member states. However, since the Commission is the institution that initiates legislation in most policies and since it gives its opinion on whether to open accession negotiations, it is important to follow up Schimmelfennig's research by studying the impact of the Commission's use of rhetorical action.

Legitimacy is the tool for influencing the national preferences. Political legitimacy is based on collective identity, defines rights and duties of the members in a community, and sets out proper behavior in exercising power. Weakly socialized actors, however, do not have this standard of legitimacy but rather consider it as an external resource. As a result, legitimacy has an effect on the interaction of the community members and at the same time influences their power in negotiations. The example of the 2004 enlargement round clearly shows the importance of legitimacy and credibility: the EU "could not have denied membership to consolidated democracies in Eastern Europe without contradicting the community's legitimating discourse which had intertwined the European concept with liberal democracy" (Krebs & Jackson, 2007, p.56).

Thus, to strengthen its position, the Commission can use common norms and values to convince the opposed member states to agree with accession. According to this theory in case of absence of rhetorical action the decision for accession will be less likely to be taken. The hypothesis that derives from this is as follows:

*H2: The more rhetorical action is being used, the faster the negotiations are being closed.*

### **2.3 Economy**

A third possible explanation can be the economic circumstances. A liberal market economy is required by the criteria. But even if the country developed a market economy, the economy can be so weak that the EU might not be able or willing to deal with such a burden to the common market. The drastic shift from a planned economy to a liberal market brings up many challenges that cannot be resolved over a short period. Many reforms are still needed to catch up in the Central and Eastern European Countries (Ott, 2005). Even though according to the criteria a liberal market economy has been introduced, this does not mean that the economy is flourishing. In a Commission Opinion from 2004 it is, for example, stated that "full integration in the single market and the adoption of the *acquis* would, at this stage, cause difficulties for a number of sectors in withstanding the competition within the single market" (European Commission, 2004, p. 54). Although the criterion is fulfilled, the Commission does not advise to let Croatia become a member.



Furthermore, the recent economic crisis from 2008/09 led to a rapid decline in production all over Europe. Since economic circumstances play such an important role, because the new member state will get access to the common market, the EU members will be rather strict when negotiating this issue. Especially because the Commission was already reluctant before the crisis, the economic situation after the crisis probably didn't change this opinion.

Thus, the hypothesis that can be derived from this is:

*H3: A weak economy leads to a slower negotiation process.*

## 2.4 One disputed issue

Whereas the other three factors are rather representing external factors, this aspect deals with the negotiations directly.

After the negotiations have been opened, each chapter that needs to be negotiated is opened and closed separately. Therefore it can happen that some chapters are closed rather quickly, whereas other chapters require more negotiation time. Because the negotiations are based on the candidates' individual merits (Commission, 2010) instead of on a strict schedule, the duration of the negotiations varies. Glenn (2004) argued that no differentiation is made among the candidate states from the first wave of the Eastern Enlargement (Cyprus, Czech Republic, Estonia, Hungary, Poland, Slovenia) and the second wave (Bulgaria, Latvia, Lithuania, Malta, Romania, Slovakia). This forces the countries from the second wave to take over the speed that the first wave set out and does not give them the chance to develop their negotiations at their own speed. The exceptions to this are Bulgaria and Romania, which were left out at the 2004 enlargement.

Since the EU is expecting the candidate country to accept the *acquis* and is not leaving much room for negotiations, problems can arise while negotiating one chapter. Even though almost all chapters were closed in a short time, one single contested issue could lead to the delay in closing the negotiations. With regard to the three cases of this research, this means that Slovakia, Romania and Croatia have the same speed in all chapters with the exception of one. Whereas the overall negotiation speed is the same for all countries, one issue where no agreement can be found is the reason that the negotiations take longer.

*H4: One single contested issue is enough reason for longer duration of the overall negotiations.*

## 2.5 Conclusion

Two alternative explanations for long duration of negotiations will be ruled out, because they are claimed to not hold true.

The first explanation is that the EU wants to prevent another premature decision for enlargement as was criticized after the 2007 enlargement, by setting the conditions higher and hence make it more difficult for candidate countries to become a member. By making the criteria more specific and increase the requirements that a candidate needs to fulfill, the possibility to comply with all those expectations becomes lower and would take more time for the candidate country. If that was the case, it would be a valid reason for the long negotiation time with Croatia. "So far, however, there is no evidence that the EU sets tougher thresholds for current candidates than in earlier enlargements" (Sedelmeier, 2010, p.427). Hence, an increased difficulty of accession will be precluded in this research.

The second alternative is based on the idea by Anastasakis & Bechev (2003) who claim that the EU is making wrong assumptions about the countries in South East Europe where conditionality is applied and therefore conditionality does not work as intended. Three factors - competition through

differentiation, support of reforms and equal benefits - are supposed to lead to successful conditionality. However, this was not the case in the countries of their research. This possible obstacle to fast negotiations will in this study be rule out, because the countries that are being examined are all in South East Europe and two of them are already member states. Therefore it cannot be claimed that the approach towards these countries is not successful.

The willingness to comply with the Criteria, the use of rhetorical action, economic developments, and problems with closing a chapter are the three factors that will be part of this research. Following from the explanations above these factors seem the most influential concerning negotiation developments. Higher thresholds and wrong assumptions will not be part of the research, because it has been shown that these two factors have a rather limited impact and therefore do not play a crucial role.

### 3. Methodology

#### 3.1 Research Design

The research design chosen for this study is a comparative case study. This method provides the opportunity to connect independent variables to the dependent variable (Gerring, 2007, p.215). By examining a specific case, complex relations can be traced. Case studies in general inherit a trade-off between specificity and generalizability (Bennett, 2004, p.43). On the one hand the study provides very detailed information about the cases, but on the other hand, this information is so specific that it is rarely applicable for other cases. In this study, the focus is on defining the variables that have an impact on the dependent variable, and therefore it is more important to be specific, rather than make it generalizable. This trade-off is therefore not a problem here.

In contrast to statistical analyses, which are most of the time probabilistic, comparative case studies mainly are, as most small-N studies, deterministic (Mahoney, 2000, p.388). The deterministic understanding focuses on the idea of necessary and sufficient conditions. The definition of deterministic plays a great role here. A deterministic explanation as defined by Mahoney (2000) is "one in which explanatory variables (or combinations of explanatory variables) are treated as potential necessary and/or sufficient causes of an outcome" (Mahoney, 2000, p.392). Thus, by applying this analysis, combinations of necessary and sufficient causes can be determined.

Selecting the cases for a comparative case study is often based on selection on the dependent variable (Dion, 1998, p.127). As will be explained below, in this study the cases have been selected due to their difference in duration of the accession negotiations, which is the dependent variable. The advantage of this method is that it can be tested whether a variable is necessary for a certain outcome (Dion, 1998). Thus, if in theory a variable is necessary for an outcome, but in one of the cases it can be shown that the outcome is also possible without this variable, this variable can be excluded from the necessary variables. When selecting on the dependent variable, selection bias can occur when the selection process leads to results that are determined by the selection process, rather than by actual inferences (Geddes, 1990). This, however, is a major problem for quantitative research (Bennett, 2004, p.39), whereas the main selection bias in qualitative research occurs from selecting the independent and dependent variables in such a way that they match with the theory (Bennett, 2004, p.40). As is outlined below, this was not the case here. The cases have been chosen on the dependent variable, but not in order to match the theory. Whether the cases match with the theory or not will be analyzed in section 5.

### 3.2 Case Selection

The countries chosen for the research are the two EU member states Slovakia and Romania, and Croatia, which will become a member state in 2013 (European Commission, 2011a). In order to select those two EU member states for this research, three eliminations have been undertaken.

First, all countries that were not part of the 2004 or 2007 enlargement are being excluded, because conditionality has not been used in those cases. Conditionality has been introduced especially for the Eastern Enlargement and since then is being used for all accessions. Thus, 12 countries are left over: Bulgaria, Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia and Slovenia.

In the second step the countries with the longest negotiation period and the shortest negotiation period are selected. The shortest time was 35 months, whereas the longest time was 59 months. Four countries met the criterion of the shortest duration and two countries took 59 months. Malta, Latvia, Lithuania and Slovakia took 35 months, whereas Bulgaria and Romania needed 59 months.

The third round of elimination included comparisons of all other steps that have been taken towards accession. The goal was to keep the time development from association to opening the negotiations very similar, so that later the variation of the duration will not be connected to the already differing durations until the negotiations. Thus, the steps from the association agreement to the opening of the accession negotiations should have been taken at the same time. As a result, Malta, Latvia, Lithuania and Bulgaria are excluded. Slovakia and Romania show almost the same development towards the start of negotiations. Both started with the association agreement in 1993 and opened negotiations in 2000. However, Romania closed the negotiations two years after Slovakia (see Table 3.2 (1)).

*Table 3.2 (1): Accession steps Romania and Slovakia*

<b>Country</b>	<b>Association</b>	<b>Application</b>	<b>COM opinion</b>	<b>Open negotiations</b>	<b>Closing negotiations</b>
<b>Romania</b>	Feb. 1993	Jun. 1995	Jul. 1997	Feb. 2000	Dec. 2004
<b>Slovakia</b>	Oct. 1993	Jun. 1995	Jul. 1997	Feb. 2000	Dec. 2002

Because Romania and Slovakia have taken these steps quite at the same time, both, Romania and Slovakia, are the two EU members that will be part of this research.

Considering the time periods between signing the association agreement, the application for membership and opening of accession agreement, one would expect Croatia to be a member state of the EU by now. Romania and Slovakia became associates in beginning of 1993 and started accession negotiations in the beginning of 2000, whereas Croatia signed the association agreement in end 2001 and started the negotiations only four years later. Compared to Romania and Slovakia this was a rather fast development and hence it could be assumed that the negotiations will take less time as well. However, the contrary currently takes place. Croatia already exceeds the negotiation duration of Romania, which had the longest period since 2000, although all the steps before the negotiations were taken comparatively quickly. An overview about the durations (given in months) from all three countries shows this difference very clearly.

Table 3.2 (2): Duration comparison Croatia, Romania, Slovakia

Country	Association - application	Application - COM opinion	COM opinion – open negotiations	Open – close negotiations
Croatia	17	15	19	69
Romania	29	26	32	59
Slovakia	21	26	32	35

Due to this rather contradictory development, Croatia has been chosen as a third case.

For comparing the speed of closing the separate chapters during the negotiations, it would be more interesting to have a look at another country that currently is negotiating, and compare this country with Croatia instead of comparing member states. However, at the moment only Turkey is negotiating next to Croatia. As a comparison country, Turkey will be ruled out, because it can be expected that it is an exception to the rule. Turkey already applied for membership in 1987 and accession negotiations started in 2005, which shows that the time range between these two dates is the largest of all countries and therefore it is to be expected that Turkey will hold exceptionally long negotiations. Iceland had its meeting with the EU in July 2010 to decide that negotiations will be opened soon, which has only been done on June, 27 2011. The two possible countries for comparing the speed of opening and closing the individual chapters can thus be eliminated.

To conclude, because of the above explained criteria, the countries Romania, Slovakia and Croatia will be the cases used for this study.

## 4. Operationalization

In this section the measurement of the four independent variables is explained in detail. The actual analysis of the variables follows in the next section.

### 4.1 Compliance

#### Indicators for compliance

In order to determine whether a country is complying with the EU’s criteria, the annual progress reports during the negotiations are being analyzed. For each country and each year one report has been published. In these reports the Commission’s evaluation on the political and the economic criteria can be found. These evaluations will be taken to determine the level of compliance of a country, which will be explained below. The number of reports differs among the countries, because the negotiations periods differ. Hence, for Slovakia there are three reports to be analyzed (2000,-2002), for Romania five reports are studied (2000-2004) and in Croatia’s case six reports will be analyzed (2005-2010).

“Romania’s democratic institutions are well established, but the process of decision making remains weak” is an example from the 2000 Regular Report<sup>1</sup> on Romania showing the critique on the decision making process. This is counted as one point of critique, but also as a positive development since there is the positive remark about the institutions. In contrast to the quasi-sentences which are used for the analysis of rhetorical action, here the overall points are taken, instead of specific requirements. Thus, when the protection of minorities is criticized, then this is counted as one critique aspect, rather than the following remarks concerning more specific requirements. The table

<sup>1</sup> European Commission (2000). Romania 2000. Retrieved May, 05th 2011 from [http://ec.europa.eu/enlargement/archives/key\\_documents/reports\\_2000\\_en.htm](http://ec.europa.eu/enlargement/archives/key_documents/reports_2000_en.htm)

below gives a few examples from the Regular Report 2002<sup>2</sup> on Romania. The positive and negative evaluations in one row are not necessarily linked to each other. It is rather a list of examples for each side.

Table 4.1 (1): Examples for compliance

Positive evaluation	Negative evaluation
Significant process in demilitarizing police	Actions needed to ensure proportionality
Respect for human rights	Additional steps to safeguard freedom of expression
Significant progress in child protection	More financial resources to combat discrimination
Promotion of equality	Improve decision making process

When an issue is mentioned several times, this is only counted as one issue, because the focus lies on the various aspects that were evaluated and not on which detail exactly has been improved. For example, adopting a law on civil service and setting up a civil service agency are not counted as two topics of positive evaluation, but as one, because they both concern civil service.

### Level of compliance

The levels of compliance range from low to high, meaning that the level is low when many reforms and implementations are still required, and that the level is high when only a few requirements are still set to be met. Thus, the expected improvements and the critique on existing reforms will be counted, and the less there are, the higher is the level of compliance.

Three levels can be determined: the lowest level (L), where negative evaluations outweigh positive ones, a medium level (M) where the numbers equal, and the highest level (H) where positive aspects occur more often than negative aspects. Thus, when 14 negative aspects are mentioned and 10 positive aspects, that report will fall into the category L. If it was the opposite, it would be category H. The more H categories a country can score, the more it complies with the EU's criteria. In this research it is not necessary to introduce a scaling since the interest lies in the general difference between positive and negative and not in the exact numerical difference.

There are two major sections where a country's compliance is measured: political criteria and economic criteria. These two categories will be held apart during this research as well. Thus, a country will have score for political criteria independent from the economic criteria and not an overall value summarizing both. This is done to ensure that the outcomes are not falsified. It could happen that a report contains 13 positive and 7 negative aspects on political criteria, thus having the highest level, but at the same time 4 positive and 12 negative aspects for economic criteria, thus having the lowest level. Taken together the country would have only reached a low level of compliance since the negative aspects (19) outweigh the positive ones (17). In order to prevent this from happening, these two sections are held apart.

### Measurement

Two steps need to be taken to compare the countries on the compliance basis. First, the level of compliance will be identified as explained above. The percentage of each level for each country will be calculated and a ranking will be introduced, where the country with the highest percentage of (H)

<sup>2</sup> European Commission (2002). 2002 Regular Report on Romania's Progress towards accession. Retrieved May, 05<sup>th</sup> 2011 from [http://ec.europa.eu/enlargement/archives/key\\_documents/reports\\_2002\\_en.htm](http://ec.europa.eu/enlargement/archives/key_documents/reports_2002_en.htm)

is the country complying with conditionality the most, and the country with the lowest percentage of (H) is the country complying with conditionality the least.

In a second, more detailed, step it will be analyzed how the ratio of positive and negative evaluations changed. Each positive evaluation counts +1, whereas each negative evaluation counts for -1. The numbers of positive and negative aspects per year are added up once for the political criteria and once for the economic criteria. The result is then a positive or a negative value or zero. For example, Romania had nine positive evaluations and 13 negative evaluations in 2000 for the political criteria, and as a result the overall evaluation of this year is -4. This means that Romania had four negative aspects more than positive. That will be done for each year and both types of criteria. Afterwards the numbers of the starting year of the negotiations will be compared to the numbers of the year when the negotiations have been closed, to get a broad overview about whether the situation improved or worsened. This however leaves out the changes that happened between the first and the last year. To get a better insight into the developments, the average will be calculated for all years of negotiations. Taking the example of Romania again five numbers, one for each year, are summed up. The calculation here is the following:  $-4 (2000) + 3 (2001) + 4 (2002) + 2 (2003) + 4 (2004) = 9$ . This number is then divided by five, because the negotiations took 5 years:  $+9/5 = +1.8$ . This result means that Romania had on average per year 1.8 positive evaluations more than negative ones. By following those two steps, it is possible to give an overall impression about the developments throughout the years and draw a conclusion based on the results of the calculations.

#### 4.2 Rhetorical Action

A few general remarks need to be made about measuring rhetorical action before turning to the actual operationalization. First of all, it is impossible to be sure that people always say what they think and sincerely mean what they say, or as Wittgenstein formulates it: “conclusive proof of persuasion is elusive, for it requires unmediated access to people’s minds” (Wittgenstein, 1953, para.150-155). This leads to the second aspect causing difficulties measuring rhetoric. A distinction should be made between the serious belief of what is said or the strategic use behind it. It is still claimed that this problem cannot be overcome (see Payne, 2001, p.39-41; Scott, 1990). Even private statements cannot account for this problem, since also private statements can be used for strategic purposes (Scott, 1990). Because no distinction can be made between a strategic use of rhetoric and a firm belief of what is said, in this research all rhetoric aspects as described below will be evaluated as the strategic use of rhetoric and no distinction is made. Even though this can lead to a bias regarding the results, it is simply not possible to make such a distinction, because only documents can be evaluated and not the actual thoughts behind it.

#### Indicators for Rhetorical Action

The data sources for rhetorical action are the enlargement strategy papers (ESPs) by the Commission which are published every year. These documents have been chosen for this research, because they are available for each year of the study, they are written by the Commission and they are the only documents where some informal remarks are being made. Regular Reports would have been the alternative to the ESPs, but they are only based on facts and figures and do not allow for common values and norms. This possibility however is given in the introductory parts of the ESPs, which are the documents used for this section.

In order to compare the levels of rhetorical action the content of these papers needs to be coded. Open coding is the analysis of key concepts in a certain text. The concepts mentioned by Schimmelfennig will be used in this research and contain the emphasis of the European identity, the

credibility of EU actions and a “long-term collective interest in European peace, stability, and welfare” (Schimmelfennig, 2001, p.69). This includes the rule of law, a market-based economy, political participation in democracy, and social pluralism, thus the four Copenhagen Criteria, and in addition private property, democratic peace and multilateralism. In this research however the emphasis on welfare and a market-based economy will be left out during the analysis of rhetorical action, because the economy is studied in a different section.

Applying rhetorical action is strategically using arguments that are based on norms or values. In order for the EU to foster stability in Central and Eastern Europe, it seeks to stabilize the common European values, which are democracy, rule of law, respect for human rights and protection of minorities (European Commission, 2000, p.3). The frequency of these words occurring in the strategy papers were measured and related words included, like “prevent minority issues”, “manage migratory pressure” and “acceptance of rules and laws”.

In addition to the values that are measured, the emphasis on uniting Europe is also being examined. Without this unification of Europe, there is no enlargement necessary, because all countries could implement the values also without being a member state. The use of values alone does not represent the necessity of enlargement. Only when the emphasis on values occurs in relation to unity or integration, it can be said that the actual aim is integration. Without the relation to unity, the values might be important, but not related to EU accession. Words that are striking for this are for example “our continent”, “unity”, “bringing together” and “peaceful unification”.

A third category for indicating rhetorical action is credibility. Although credibility is not one of the norms or values in the common sense, it contributes to the impression that the EU is indeed willing to grant membership. However, using credibility as an argument rather leads to the claim that rhetorical action has been used, than that strictly set criteria play the main role.

Table 4.2 (1): Rhetorical action indicators

Category	Indicators
Values	Common European Values Democracy Rule of law Respect for human rights Peace
Unity	Bringing together Unity Overcome division Peaceful unification United Europe
Credibility	Ensure democratic legitimacy Consolidate existing commitments Building consensus on enlargement Demonstrate that EU membership is a reality Perspective of EU accession

The table 4.2 (1) above contains a non-exhaustive list of words that represent either the values or unity. An exhaustive list cannot be provided, because there are too many different ways of saying something that this list would become too long. However, a few examples are provided above.

When the expressions are in relation to economic development or competitiveness, they are not counted as rhetorical action but classified into the category called economy, which will be explained below, because then it is an economic issue and not related to any values.

### **Coding unit: Quasi-sentences**

All introductory chapters of the Enlargement Strategy differ in length. Some only consist of one page, others of three or four. This leads to a bias in the measurement results when only counting the amount of indicators for rhetorical action. In order to prevent this, each introduction is split up into so called quasi-sentences according to the publication by Budge et al (2001). A quasi-sentence represents one argument (Budge et al, 2001, p.217). On the one hand this can be a simple sentence representing one argument. On the other hand, it can also be just part of a sentence representing an argument, which is connected to the second part of the sentence representing a second argument. The arguments within a sentence can either both point in the same direction or be unrelated. In any case, one sentence is being split up into quasi-sentences containing one argument each. The quasi-sentence is then being classified in one of the existing categories, which is explained in detail below.

There are three different possibilities of how a quasi-sentence can be identified. The first is a whole sentence. Usually these sentences are rather short, because they only represent one thought or one argument. An example from the Enlargement Strategy Paper 2000<sup>3</sup> is: "The benefits of enlargement are already visible." This sentence only represents the argument of benefits.

The second type of quasi-sentence are two independent sentence connected by, for example, an "and". "The next enlargement of the Union will further strengthen the unity of the European continent and help create an area of lasting peace and prosperity." This example of the European Strategy Paper 2002<sup>4</sup> actually represents three thoughts. Thus, three quasi-sentences can be identified: 1) The next enlargement of the Union will further strengthen the unity of the European continent; 2) It will help create an area of lasting peace; 3) It will help create an area of lasting prosperity.

The third possibility is that different arguments are listed within one sentence. Another example from the Enlargement Strategy Paper 2001<sup>5</sup> is: "Each member state will bring to the EU its own political, economic, cultural, historical and geographical heritage, thus enriching Europe as a whole." Six quasi-sentences can be identified here: 1) Each MS will bring to the EU its own political heritage; 2) Each MS will bring to the EU its own economic heritage; 3) Each MS will bring to the EU its own cultural heritage; 4) Each MS will bring to the EU its own historical heritage; 5) Each MS will bring to the EU its own geographical heritage; 6) Each MS will enrich Europe as a whole.

These three ways of identifying quasi-sentences have been used to analyze the Enlargement Strategy Papers 2000-2010.

### **Coding framework**

Each quasi-sentence is classified into one category. Five broad categories are being distinguished, where two are clustered into three sub-categories each. Each quasi-sentence can only fall into one category, thus the categories are mutually exclusive. When two issues occur in one sentence, this sentence is split up and each issue is assigned to one category.

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<sup>3</sup> European Commission (2000). *Enlargement Strategy Paper. Report on Progress towards accession by each of the candidate countries*. Retrieved May, 12th 2011 from <http://www.esiweb.org/enlargement/wp-content/uploads/2009/02/ec-2000-strategy-paper.pdf>

<sup>4</sup> European Commission (2002). *Towards the enlarged Union*. Retrieved May, 12th 2011 from [http://ec.europa.eu/enlargement/archives/key\\_documents/reports\\_2002\\_en.htm#paper2002](http://ec.europa.eu/enlargement/archives/key_documents/reports_2002_en.htm#paper2002)

<sup>5</sup> European Commission (2001). *Making a success of enlargement*. Retrieved May, 12th 2011 from [http://ec.europa.eu/enlargement/archives/key\\_documents/reports\\_2001\\_en.htm#paper2001](http://ec.europa.eu/enlargement/archives/key_documents/reports_2001_en.htm#paper2001)



### *Category 1: Rhetorical action*

Rhetorical action is the strategic use of norm-based arguments. Whenever those norms are stressed in favor of enlargement, this quasi-sentence will be classified as rhetorical action. A distinction is drawn between three sub-categories - *values*, *unity*, and *credibility* – as explained above.

### *Category 2: Economy*

The second category is economy. Each time there is a reference to prosperity, economic growth, competition, or other economy related factors, this argument is counted into the economy category. Even though it might be possible that the economy is also used in a strategic way to convince the opponents, economy is not considered being part of rhetorical action. This is due to the fact that rhetorical action is about norms and values, and economy does not represent this.

A distinction between different types of economic arguments is not necessary, because only the overall percentage in relation to the other categories is relevant for this research.

### *Category 3: Other issues*

This category represents arguments that are mentioned in the Strategies, but without valuable content for this study. These are mostly arguments that are not related to rhetorical action, the economy, but rather arguments connected to policies that are not significant for this analysis or represent facts. The first subcategory is *stating facts*. An example from the 2004<sup>6</sup> Strategy is: “Already, the Former Yugoslav Republic of Macedonia has applied for membership, and upon the Council’s request, the Commission is preparing an Opinion on that application.” Also plans from the Commission for the upcoming year are included here and all statements telling what has been published in the progress reports.

In the second sub-category, called *History*, all arguments can be found that refer to historical events like, for example, the Second World War. When a connection to, for example, unity is made in relation with the historical event, two quasi-sentences are made, where one is falling into the History category and the other one into the sub-category of rhetorical action.

Protection of the environment, social services or statements like “The resultant social stresses cannot be ignored” from the ESP 2000<sup>7</sup> and “The journey towards membership has value in itself, even in cases where accession is many years away” from the ESP 2005<sup>8</sup> are arguments that belong to the third sub-category of *irrelevant* argument. Also connecting sentences between the arguments are grouped here. These sentences do not contribute to the actual argument, but are used to connect them. In the end, these three categories will be taken together, but in order to make more precise classifications, these three sub-categories have also been developed.

### *Category 4: Attitude*

The overall attitude of the EU towards another enlargement is captured in this category. Two sub-categories have been created.

As a *positive attitude* all statements are categorized that generally support enlargement and which stress and overall positive contribution to a wider Europe, without going into detail. A few

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<sup>6</sup> European Commission (2004). *Communication from the Commission to the Council and to the European Parliament*. Retrieved May, 12<sup>th</sup> 2011 from [http://ec.europa.eu/enlargement/archives/key\\_documents/reports\\_2004\\_en.htm](http://ec.europa.eu/enlargement/archives/key_documents/reports_2004_en.htm)

<sup>7</sup> European Commission (2000). *Enlargement Strategy Paper. Report on progress towards accession by each of the candidate countries*. Retrieved May, 12<sup>th</sup> 2011 from <http://www.esiweb.org/enlargement/wp-content/uploads/2009/02/ec-2000-strategy-paper.pdf>

<sup>8</sup> European Commission (2005). *Communication from the Commission*. Retrieved May, 12<sup>th</sup> 2011 from [http://ec.europa.eu/enlargement/archives/key\\_documents/reports\\_2005\\_en.htm](http://ec.europa.eu/enlargement/archives/key_documents/reports_2005_en.htm)

examples from the Strategy 2003<sup>9</sup> are: “Never before have they so thoroughly prepared, with a sweeping transformation of the economies and societies of the applicant countries”; “In fact, it is a realization of a dream of the founders of European integration”. Thus, when there is a positive attitude, independent from the strength of it, it is categorized as *positive attitude*.

A category *negative attitude* was not necessary to establish for the first few Enlargement Strategies, however starting from 2005, a more negative attitude can be found. This includes caution towards another enlargement and stresses the challenges and problems that arise instead of stressing the benefits as with the *positive attitude*. “Moreover, the Commission is prepared to recommend the suspension of a progress in case of a serious and persistent breach of the EU’s fundamental principles”<sup>10</sup> is a not so straightforward example for a negative attitude, but still shows the reluctance to support enlargement. This and the direct arguments of upcoming problems and challenges are part of this category.

*Category 5: Conditionality*

Conditionality is the term used for the criteria that have to be met by the candidate counties. These criteria are set by the EU and therefore depending on the amount this conditionality is mentioned, the importance of it can be determined. But not only the word itself is counted, again all the quasi-sentences that deal with that topic. An example here is “... on the basis of agreed principles and conditions” from the 2008<sup>11</sup> strategy. The naming of criteria also falls into this category.

Along with these distinctions, a coding frame (Budge, 2001, CD-ROM) has been developed, which is demonstrated in the table 4.2 (2) below. As already mentioned above, each quasi-sentence must be classified into one of these categories. In case it does not fit into the more specified categories, is it classified as non-relevant.

Table 4.2 (2): Coding frame

Category	Code
<b>Rhetorical action</b>	
Values	101
Unity	102
Credibility	103
<b>Economy</b>	200
<b>Other issues</b>	
Stating facts	301
Historical events	302
Non-relevant	303
<b>Attitude</b>	
Positive attitude	401
Negative	402
<b>Conditionality</b>	500

<sup>9</sup> European Commission (2003). *Continuing Enlargement*. Retrieved May, 12<sup>th</sup> 2011 from [http://ec.europa.eu/enlargement/archives/key\\_documents/reports\\_2003\\_en.htm](http://ec.europa.eu/enlargement/archives/key_documents/reports_2003_en.htm)

<sup>10</sup> See Footnote 6

<sup>11</sup> European Commission (2008). *Communication from the Commission to the Council and the European Parliament*. Retrieved May, 12<sup>th</sup> 2011 from [http://ec.europa.eu/enlargement/pdf/press\\_corner/key\\_documents/reports\\_nov\\_2008/strategy\\_paper\\_incl\\_country\\_conclu\\_en.pdf](http://ec.europa.eu/enlargement/pdf/press_corner/key_documents/reports_nov_2008/strategy_paper_incl_country_conclu_en.pdf)

### 4.3 Economy

#### Indicators

As could already be seen in the section about compliance, the economy plays an important role. To determine the economic development, the GDP and its growth rate in the three countries will be examined. In addition, inflation rate, unemployment rate and the general government deficit will be taken into account for this elaboration. This information is provided by the Commission in their annual reports as the first numbers of the economic evaluation, and therefore is of great importance. That is the reason why these indicators have been chosen.

When talking about the inflation rate, the annual average inflation rate is meant. No distinction is made between consumer price inflation or the core inflation, but the overall inflation rate is the indicator for this research.

The general government deficit is given in relation to the GDP. Thus, the percentages given are relative to the Gross Domestic Product. Since it is a deficit, number will be given as negative numbers.

#### Measurement

To determine the economic situation, the overall development is being examined. There is no division into different levels, but rather a comparison by year in relation to the previous year, and various years among the countries. Thus, two steps are taken. Firstly, the developments throughout the years concerning one country are analyzed. By doing this, it can be seen whether a country improved or worsened its situation. Secondly, the starting and final number will be compared among the countries. For Romania and Slovakia the starting point is 2000, for Croatia it's 2005. Hence, the numbers from these two years are taken for comparison. With this it becomes visible whether the situation differed already from the beginning or whether it was rather similar already to start with. The numbers for finalizing the negotiation process are taken from the years 2002, 2004, and 2010 for Slovakia, Romania and Croatia respectively. Because Croatia has not closed negotiations yet, the last available Progress Report is used for analysis. It is not the final number for the negotiations but it is a good indicator for the recent developments. A number is always seen relative to other numbers. Absolute values are not categorized, but put into relation with the numbers from previous year or from the other countries.

### 4.4 Identifying a contested issue

#### Standardization of measuring duration

Another reason for the difference in length of the accession negotiation can be troubles with a certain chapter. Even though most of the chapters have been closed within the expected timeframe, one chapter can delay closing of negotiations when no agreement is being found there. To see whether one of the countries had difficulties with closing a chapter, all chapters will be compared concerning the length of the negotiations. The duration will be given in months following the research by Glenn (2004). One reason for that is that there needs to be a certain standard to make the duration comparable, another reason is that the resources for this thesis are rather limited and therefore some simplification is necessary. In order to get information about the dates for opening and closing individual chapters, press releases were collected and published dates on the Commission's website have been used.

The specification of dates varied from a precise day to a full semester. For example, the time for opening Chapter 4 concerning the free movement of capital was given as "spring 2001" in the case of Romania, "autumn 2000" in the case of Slovakia (European Commission, 2004), and as

02.10.2009 in the case of Croatia (European Commission, 2011b). In order to create a more unified measurement, all dates have been transformed into a month and a year. That means that one season (winter, spring, summer, autumn) counts as two months, because it is not known whether it took one, two or three months. ‘Two’ is therefore the average and hence that number will represent one season. In order to define the correct month the starting and end months of the seasons need to be laid out: winter: January – February - March; spring: April – May - June; summer: July – August - September; autumn: October – November - December. As a result, negotiations starting/ending in summer will always start/end in August, because that is the month representing the average. The same principle is used for the other three seasons.

Another possibility is that only the half of the year is given. “The first half of...” represents the first semester, hence January until June, and “the second half of...” is thus July until December. When only a semester is given, that semester counts as four months, because it is not known whether it was the first or the last month of that semester and therefore the average of 3.5 months is rounded up and thus four is being used. As a result, when opening a chapter in the first semester, in the transformed version it will always be March of that year, because March, April, May and June will then represent the average of four month. Closing in the first semester will always be in April, because then the counting starts in January of that year, followed by February, March and April.

When only having a month and a year, the whole given month is counted, because it is not known, whether the chapter was opened or closed in the beginning or the end of the month. Another reason for counting the whole month is that there is no precise date available for Romania and Slovakia. Only the month and the year are given, and hence that month cannot be left out. Therefore, when the month is known, it is counted as a whole month. For Croatia precise dates are known, however they have been transformed into the month/year depiction. Thus even though a precise date was known in the beginning, due to a standardization the month is counted as a whole month. According to this measurement it is therefore not possible to have a period of zero months. Even if the opening and closing took part within one month and thus only lasted a few days, this will be counted as a month.

The time between the given dates is always counted in months. Thus, when the opening is in spring and the closing in autumn that does not mean that the summer in between is also only counted as the average of a season, because it is obvious that it took the whole summer. Therefore the summer counts as a whole season, hence three months.

This way of measuring provides the necessary information about the duration of negotiations even though it is not very precise. Since the goal was not to compare the exact dates of opening and closing, but rather give an overview about the differences in length, these measurements are precise enough for this research. A difference of a few days is not relevant here. The most interesting points in this part of the research are, when chapters are discussed much longer than the average. These are called outliers. A few days or even half a month more or less is not significant in this case and therefore as already said above even a few days can be counted as a month.

In the table below, some examples are given.

Table 4.4 (1): Standardizing chapter measurement

Country	Chapter	Opening	Closing	Transformation	Duration
Slovakia	1	March 2001	March 2001	Not necessary	1
Slovakia	4	Autumn 2000	Spring 2001	11/2000-05/2001	7
Romania	14	Sem. 1/2002	Sem. 2/2004	03/2002-10/2004	32
Croatia	19	17.06.2008	21.12.2009	06/2008-12/2009	19

### Reference number

Because it is not possible to say whether one issue during the negotiations led to a longer durations without having a number to refer to, such a reference number is introduced here.

Slovakia is the country which was fastest with closing the negotiations. The longest negotiation time was 30 months. That means that it was opened three months after the official opening of the negotiations in February 2000 and closed two months before the official closing in December 2002. Because Slovakia still had the shortest negotiation period, although one chapter took 30 months to negotiate, this number will be taken as a reference. Each number below this, including 30, is considered as an average number and thus as not having a special impact on the duration. However, when a number higher than 35 is reached, it can be said that this was a rather contested issue and therefore the negotiations took longer. That means that from 36, which is half a year longer than the longest period by Slovakia, upwards it took exceptionally long to find an agreement. Between 31 and 35 the country also had difficulties with the negotiations, however minor problems can always occur which cause a slight delay. Therefore, these five months are tolerated here.

## 5. Analysis

### 5.1 Compliance

In this section it will be analyzed in how far the countries complied with the EU criteria. First the levels of compliance will be compared and afterwards more detailed developments of each country will be presented. The more detailed results are given in comparison with the other countries and in the end conclusions are being drawn.

#### 5.1.1 Comparing the levels of compliance

To get a broad overview about how willing the countries were to comply with the conditions set by the EU, the levels of compliance are being compared here.

##### *Political Criteria*

Romania had four times a high level of compliance and only once a negative level of compliance. For Slovakia three reports were analyzed. In the first one, a low level of compliance was detected, whereas in the other two a high level of compliance could be found. Croatia had five times a high level of compliance and once a medium level.

Table 5.1.1 (1): Political Criteria

Country	High level Count/percentage	Medium level Count/percentage	Low level Count/percentage
Croatia	5/83%	1/17%	-
Romania	4/80%	-	1/20%
Slovakia	2/67%	-	1/33%

As can be seen from this table, the percentage for a high level of compliance is the highest for Croatia. In addition, Croatia does not have a low level, but only one a medium level. In comparison to the other two countries, this is the best outcome of the evaluation. Slovakia has the lowest positive number and the highest negative number. Romania, with 80%, almost reaches Croatia's percentage of 83% of high level compliance. However, Romania also has one low level evaluation, like Slovakia.

Croatia is the country which is complying with conditionality the most with regard to these calculations by having more positive evaluations than negative ones, whereas Slovakia is the country complying the least. A more detailed analysis is given in section 5.1.2.

*Economic Criteria*

With regard to the economic criteria it can be seen that Croatia again has the highest percentage of (H). With 67% high level compliance, thus four times the positive aspects outweighed whereas only two times there were more negative aspects, it is far ahead in comparison to Romania with 40% and Slovakia, which does not show any high level of compliance. In contrast, Slovakia has the highest number of low compliance and the only representation of medium compliance. Out of three evaluations, Slovakia had two times more negative aspects than positive ones, and only once the numbers equal.

Table 5.1.1 (2): Economic Criteria

Country	High level Count/percentage	Medium level Count/percentage	Low level Count/percentage
Croatia	4/67%	-	2/33%
Romania	2/40%	-	3/60%
Slovakia	-	1/33%	2/67%

Not only concerning the economic criteria, but also the political criteria, Croatia shows the best outcome, followed by Romania. Slovakia once has the lowest percentage for the high level, and once only reached the medium level. A provisionally ranking of the countries shows Croatia as the most complying and Slovakia as the least complying, with Romania in between.

**5.1.2 Comparing the yearly positive-negative-ratio**

The evaluation of each year will first be shown separately for each country and in the end a comparison is made. The number of positive evaluations has been set off against the negative evaluations. Thus, a plus sign indicates that there were more positive evaluations, whereas a minus sign indicates a higher number of negative evaluations. The numbers given show the magnitude between the two.

*Slovakia*

Slovakia’s analysis shows a slight increase in positive and a slight decrease in negative aspects concerning political criteria can be found: whereas seven positive aspects could be found in the first year, in the third year twelve were counted; the number of negative evaluations dropped from eight in the first year to five in the third. The economic criteria almost stayed the same. The number of positive evaluations diminished from seven to six and the negative evaluations from eight to six. Thus, both numbers decreased, which leaves the ratio almost the same.

As a result, in the first year Slovakia had one more negative evaluation, both regarding the political and the economic criteria. Whereas a positive development of political aspects can be noticed, the economic expectations could not be met. In the last year of negotiations, Slovakia had seven positive evaluations more than negative evaluations, whereas the numbers of economic evaluations were the same. These developments are shown in the table 5.1.1 (1) below.

Table 5.1.2 (1): Evaluation Slovakia

Year of negotiations	Political Criteria	Economic Criteria
1	-1	-1
2	+1	-2
3	+7	0

To summarize, concerning the political criteria, Slovakia can show an improvement of +8 (from -1 to +7), and an improvement of 1 (from -1 to 0) with regard to the economic criteria. Since the time span between the opening and the closing of the negotiations constitutes only circa three years, no major developments can be found in the year in between. The average for Slovakia is +2.3 for the political criteria and -1 for the economic criteria.

#### Romania

Having analyzed Romania's progress reports, it becomes visible that the number positive evaluations regarding the political criteria increased from nine in 2000 to 16 in 2004, whereas the negative evaluations decreased from 13 in 2000 to eight in 2002 and increased then to 12 in 2004. Almost the same development is visible for the economic criteria: until 2003 the positive aspects increased, but dropped in 2004, whereas the negative evaluations first became more and afterwards only became less. Comparing the first year of negotiations with the last, the positive aspects increased, and the negative decreased, leading to an improvement of the ratio of positive and negative aspects. A significant change can be seen with the political criteria, where a steady increase shows the ongoing improvements of the situations and implementation of reforms. The number there changed from -4 in 2000 to +4 in 2004. In total, thus the change from 2000 to 2004, Romania shows an improvement of +8 (from -4 to +4) with regard to the political criteria.

Table 5.1.2 (2): Evaluation Romania

Year of negotiations	Political Criteria	Economic Criteria
1	-4	-9
2	+3	-6
3	+4	+1
4	+2	+1
5	+4	-2

Also with regard to the economic criteria and improvement can be observed. In contrast to the political criteria, also in the last year of negotiations the negative evaluations overweigh. The number increases from -9 to -2, which represent an improvement of +7, but nevertheless the outcome is negative. Romania's average numbers for the political and economic criteria are +1.8 and -3 respectively.

#### Croatia

The evaluation of Croatia's progress reports show an overall positive development regarding the political criteria. Only in 2010 the numbers of positive and negative evaluations equal, whereas in the five preceding years the number of positive evaluations was always higher than the number of negative evaluations.

Also from the evaluation of the economic criteria it can be seen that the positive evaluations most of the time overweigh. During the first four years the number of positive evaluation exceeds

the number of negative evaluations. In 2009 and 2010 the negative aspects increased and the positive aspects decreased. This is due to the economic crisis, as also stated in the progress reports of these years<sup>12</sup>. In table 5.1.1 (3), the summed up results can be found.

Table 5.1.2 (3): Evaluation Croatia

Year of negotiations	Political Criteria	Economic Criteria
1	+2	+5
2	+2	+3
3	+1	+10
4	+4	+4
5	+2	-1
6	0	-1

Even though the ration regarding the evaluation of political criteria deteriorated from +2 to 0, no negative number is found here. Nevertheless, resulting from a comparison the first year and the last the outcome is negative, namely -2. The number of the economic criteria dropped from +5 in the first year to -1 in the last, leading to a margin of -6. Because the years throughout the negotiations were evaluated more positive than the last, the average values are still positive. For the political criteria it adds up to +1.8 and for the economic criteria to +3.3.

#### Comparison

From a comparison of these developments three conclusions can be drawn.

Firstly, a good starting situation does not guarantee fast negotiations. Croatia is the only country having positive results in the first year of negotiations, but the longest negotiations, whereas Romania and Slovakia both had a negative outcome, but shorter negotiations.

Secondly, when only comparing the first and the last year of the negotiations for each country, Slovakia and Romania are the countries with the most positive aspects of political criteria with +8 and Romania the country with the most positive aspect regarding the economic criteria with +7. Croatia is the only country having negative values with -2 for political criteria and -6 for economic criteria. Taking together both sets of criteria, Romania has the highest positive score with +15, followed by Slovakia with +9 and Croatia with -8.

Thirdly, when not only comparing the start and end point, but also taking into account the years in between, the numbers change significantly. Slovakia still has the highest number concerning the political criteria with +2.3, but shows a negative value for economic criteria. Romania however, with +1.8 for political criteria, has the same score as Croatia, and with -3 for economic criteria lies far behind Croatia with an average of +3.3. Adding up these values, Croatia has the highest number, namely +4.1, Slovakia +1.3 and Romania -1.2.

#### 5.1.3 Conclusion

The overall conclusion that can be drawn from this section is that the hypothesis concerning compliance can be rejected. The theory said that the higher the level of compliance, the shorter the duration of accession negotiations. If the hypothesis was correct, Slovakia, as the country with the shortest negotiations period, should be the country with the highest compliance. However, as could

<sup>12</sup> Croatia 2009 Progress Report. Retrieved May, 17th 2011 from [http://ec.europa.eu/enlargement/pdf/key\\_documents/2009/hr\\_rapport\\_2009\\_en.pdf](http://ec.europa.eu/enlargement/pdf/key_documents/2009/hr_rapport_2009_en.pdf) and Croatia 2010 Progress Report. Retrieved May, 17th 2011 from [http://ec.europa.eu/enlargement/pdf/key\\_documents/2010/package/hr\\_rapport\\_2010\\_en.pdf](http://ec.europa.eu/enlargement/pdf/key_documents/2010/package/hr_rapport_2010_en.pdf)



be seen, this is not the case. Rather, Croatia, which has the longest negotiations duration, represents the best outcome with regards to compliance. Table 5.1.3 (1) gives a summary of the results. First the percentage for the high level of compliance is given, once for the political criteria and once for the economic criteria. The next two rows show the margin between the first year of negotiations and the last year, also split up into the criteria, and at last the average for both sets of criteria is given.

Table 5.1.3 (1) Summary of results (compliance)

	Slovakia	Romania	Croatia
<b>High level political</b>	67%	80%	<b>83%</b>
<b>High level economic</b>	-	40%	<b>67%</b>
<b>first-last political</b>	<b>+8</b>	<b>+8</b>	-2
<b>First-last economic</b>	+1	<b>+7</b>	-6
<b>Average political</b>	<b>+2.3</b>	+1.8	+1.8
<b>Average economic</b>	-1	-3	<b>+3.3</b>

The bold numbers represent the best score of each row. Slovakia and Romania have the best score twice, whereas Croatia has it three times. Judging from this, Croatia should be the country closing the negotiations the fastest. Hence, as already said, the hypothesis can be rejected.

In order to find an explanation behind this contradictory development, it would be necessary to know the importance of each way of calculating. If the member states value it higher to have a positive average, Croatia would be the country with the shortest negotiations, except when the political average is the most important. If the value of the opening and the closing is the most important, Romania should be the country having the shortest negotiations. This distribution of importance however still needs to be studied further and is not included in this research.

Over all, from this section it does not become clear, why Slovakia came to an agreement the fastest and Croatia took the longest and Romania needed two years longer than Slovakia.

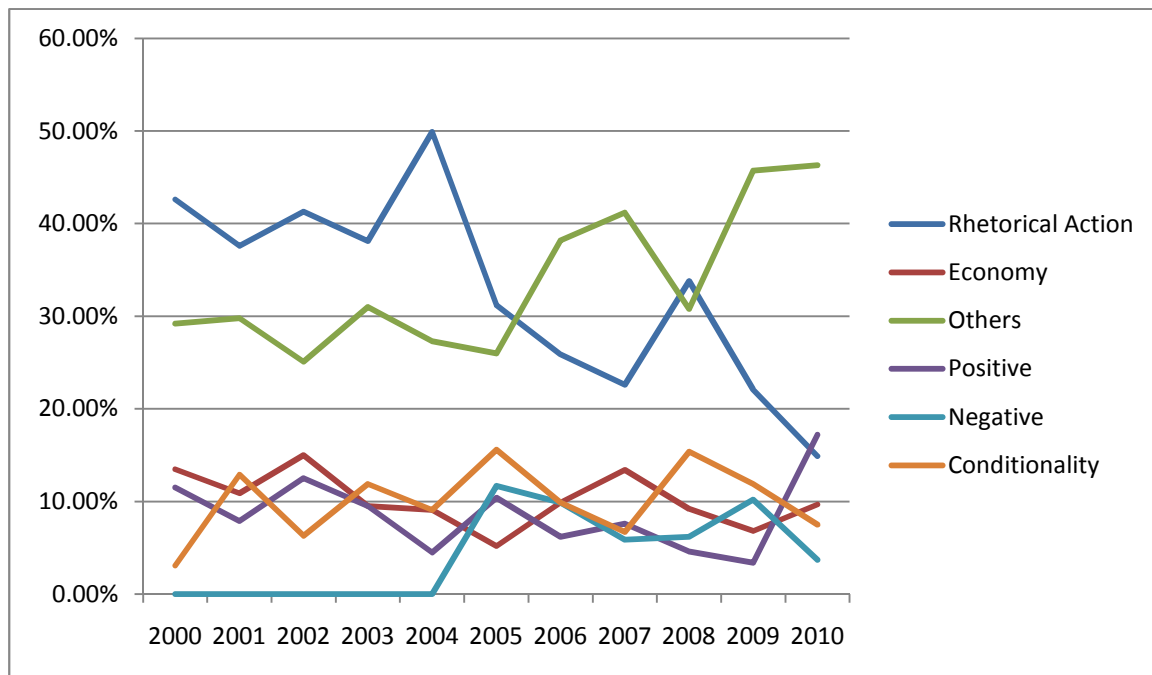
## 5.2 Rhetorical Action

As explained in the section about operationalization, six main categories have been established for coding the Enlargement Strategy Paper. The outcomes of this evaluation are summarized in the graph below.

Three striking developments can be found in this graph: (1) a negative attitude towards enlargement was visible since 2005, whereas before no negative attitude could be noticed, and positive attitude decreased from 11.5% in 2000 to 3.4% in 2009, but increased again in 2010 to 17.2% (2) other issues and sentences without relevant meaning increased since 2006, and (3) rhetorical action decreased after negotiations were closed in 2004. The emphasis on conditionality varies from year to year, but overall shows a slight increase from 3.1% in 2000 to 7.5% in 2010. A similar case is the economy, where the emphasis decreases from 13.5% in 2000 to 9.7% in 2010. The economy and conditionality are hence not the factors that lead to that difference in duration, because the numbers do not show a significant change throughout the years.

In 2000, rhetorical action comprised 42.6% of the introductory part of the Enlargement Strategy Paper. Between 2001 and 2003 it slightly decreased and in 2004, when the negotiations with Romania and Bulgaria were closed, the percentage rose to 49.9%, thus even exceeded the 2000 value. After 2004 the percentage of rhetorical action significantly dropped. Already one year later it was 18.7 percentage points lower, namely 31.2%, and in 2007 only 22.6%. In 2008 an increase to 33.8% could be denoted. This however was only an exception, because in the two years after the percentage declined to 14.9%.

Graph 5.2 (1): Results coding Enlargement Strategy Papers



The developments of rhetorical action partly confirm the hypothesis. Rhetorical action has been used in all the Enlargement Strategy Papers, but the number is steadily declining. Therefore it can be said that it is supporting the hypothesis in so far that rhetorical action has been used much less after 2004 than until 2004, however, because it is still used to a small extent, it cannot be said that its use leads to faster negotiations and not using it to longer negotiations.

Furthermore, since 2005 the category “negative attitude” was visible. During the time of the negotiations with Slovakia and Romania no negative attitude towards enlargement was denoted, after closing the negotiations in 2004 the number increased to 11.7% in 2005 and stayed around that value until 2009. Only in 2010 it decreased again to 3.7%. Although the positive attitude decreased between 2000 and 2004, problems or challenges with the upcoming enlargements were not mentioned.

Overall, the graph shows moderate developments with regard to the economy and conditionality, whereas the positive and negative attitude show remarkable changes, just like rhetorical action and other issues. Thus, it can be concluded that the shift from a norm based view to a rational view in combination with the introduction of a negative attitude supports the difference in length of negotiations. In contrast to the hypothesis however, rhetorical action alone can’t explain these developments.

### 5.3 Economy

In this section first the countries’ developments are described and afterwards compared with each other. The numbers provided have been taken from the Progress Reports for each country. For all three countries the Gross Domestic Product (GDP) is given in PPS per capita. PPS is the Purchasing Power Standard. “The purchasing power standard (PPS) is the name given by Eurostat to the artificial currency unit in which the PPPs and real final expenditures for the EU 25 are expressed – namely, Euros based on the EU 25” (OECD, 2007). This artificial currency has been extended to candidate countries as well, and therefore it can be used for all three cases of this research.

### 5.3.1 Development by country

#### *Slovakia*

The Slovakian economic situation shows mixed developments. The GDP is only growing very slowly and at the same time unemployment is slightly increasing and the deficit even doubling. Numbers for the inflation rate were not available. Thus, the situation worsened throughout those three years rather than improved.

Table 5.3.1 (1): Economy Slovakia given in percentages

Year	GDP in PPS per capita	GDP growth	Inflation rate*	Unemployment	Government deficit**
2000	10,800€	1.7	12.3	18.9	-3.4
2001	11,100€	2.9	-	19.2	-6.7
2002	-	3.9	-	19.4	-7.0

\*annual average inflation rate

\*\*relative to GDP

The GDP growth increased from 1.7% to 3.9%, which shows that the economy is growing, but at the same time the unemployment rate increases about 0.5 percentage points to 19.4%, and the government deficit rises from 3.4% of the GDP to 7.0% of the GDP. Thus, on the one hand a positive development can be marked with regard to the GDP and the GDP growth, whereas on the other hand a negative development is visible for the unemployment rate and the government deficit.

Slovakia, hence, did not have a good economic situation when the negotiations were closed, rather it stayed overall the same.

#### *Romania*

Romania can show a positive development in all four sectors. The GDP growth increased from 1.6% in 2000 to 6.1% in 2004, the inflation rate dropped from 45.7% in 2000 to 13.7 in 2004 and also unemployment and the government deficit decreased, however to a lesser extent. Only in 2002 the situation was not as positive with a growth of 3.1% and an unemployment rate of 8.4%, but this is the only exception to the overall improving economic performance.

Table 5.3.1 (2): Economy Romania given in percentages

Year	GDP in PPS per capita	GDP growth	Inflation rate*	Unemployment	Government deficit**
2000	6,000€	1.6	45.7	7.0	-4.5
2001	5,900€	5.3	34.5	6.6	-3.4
2002	-	3.1	22.5	8.4	-2.2
2003	6,300€	4.3	15.3	6.6	-2.0
2004	6,900€	6.1	13.7	-	-

\*annual average inflation rate

\*\*relative to GDP

#### *Croatia*

The economic situation in Croatia improved overall since the start of the negotiations in 2005. However, the economic crisis in 2009 had a negative impact on this development. The GDP growth increased first from 3.8% in 2005 to 5.6% in 2008, but dropped rapidly to -5.8% in 2010. This pattern can also be found with regard to the unemployment rate and the government deficit. The

unemployment rate decreased from 14.2% in 2005 to 9.1% in 2010 and the government deficit decreased from -4.9 in 2005 to -1.4 in 2009, but rose to -4.1 in 2010.

The inflation rate reached its highest point in 2009 and dropped rapidly in 2010. A summary of these numbers is given in the table below.

Table 5.3.1 (3): Economy Croatia given in percentages

Year	GDP in PPS per capita	GDP growth	Inflation rate*	Unemployment	Government deficit**
2005	12,700€	3.8	3.0	14.2	-4.9
2006	13,800€	4.3	3.0	12.3	-3.7
2007	15,200€	4.8	3.2	11.1	-2.5
2008	15,800€	5.6	2.9	9.6	-1.6
2009	15,100€	2.4	5.8	8.4	-1.4
2010	-	-5.8	2.2	9.1	-4.1

\*annual average inflation rate

\*\*relative to GDP

As can be seen, Croatia was on the right path, but suffered from the economic crisis which led to a negative GDP growth (-5.8 in 2010) and increasing government deficit. Positive results could still be achieved in the employment sector and with regard to the inflation rate. In 2010 the inflation rate only accounted 2.2% and the unemployment rate was 9.1%.

Thus, the overall performance of the economy is on the one hand good, because improvements can be seen, but at the same time also limited due to the crisis.

### 5.3.2 Comparison of countries

As described above, the economic performance varies from country to country. However, these numbers need to be put into relation with each other to make a proper comparison. The table below gives an overview about the countries and their starting and end situation of each indicator.

Table 5.3.2 (1): Economy all countries

	Croatia		Romania		Slovakia	
	Start	End	Start	End	Start	End
<b>GDP</b>	12,700	15,100*	6,000	6,900	10,800	11,100*
<b>GDP growth</b>	3.8	-5.8	1.6	6.1	1.7	3.9
<b>Inflation rate</b>	3.0	2.2	45.7	13.7	12.3	-
<b>Unemployment rate</b>	14.2	9.1	7.0	6.6*	18.9	19.4
<b>Government deficit</b>	-4.9	-4.1	-4.5	-2.0*	-3.4	-7.0

\*last available number

With regard to the GDP growth, Croatia started with the highest number, but ended up with the lowest, whereas Romania began with the lowest and ended with the highest. Slovakia lies in between those two countries. Romania thus shows the most development here. This however can be explained by the low GDP per capita in Croatia. Since the growth rate is seen in relation to the GDP, the lower the GDP, the easier it is to get a high growth rate. Romania therefore does have the highest GDP growth, however this is logical since the GDP is the lowest. Slovakia on the other hand has a comparable high GDP and a growth rate of 3.9%, which means that the economy there is

already developed better than in Romania and still growing quite fast. The same goes for Croatia. Except for 2010, where a negative growth was denoted, the growth rate was rather high, even though Croatia already had the highest GDP of the three countries studied.

The inflation rate stayed the highest in Romania and the lowest in Croatia. Again, Slovakia's numbers lie in between those two, but are closer to Romania's high inflation rate. For Slovakia no information is available, but both Romania and Croatia were able to decrease the inflation rate.

Romania has the best number with regards to unemployment with 6.6% in 2003, whereas Slovakia shows the highest unemployment rate with 19.4% in 2002. Croatia had an unemployment rate of 9.1% in 2010 and thus performs better than Slovakia but worse than Romania.

All countries started with a government deficit ranging from -4.9% in Croatia to -3.4% in Slovakia. Croatia could decrease its deficit slightly to -4.1%, whereas Slovakia showed an increase to -7.0%. Romania showed the best number when closing the negotiations with -2.0%.

### 5.3.3 Conclusion

If economy was the determining factor of the speed of negotiations, negotiations with Slovakia should have been longer due to its rather mixed performance. Only with regard to the GDP and its growth rate a positive development could be found, whereas the other three indicators showed a negative development.

Romania on the other hand had the highest GDP growth, the lowest unemployment rate and the lowest government deficit. But again, the high GDP growth results from the very low GDP in Romania. The inflation rate of 13.7% in 2004 in Romania exceeds by far the inflation rate in Croatia and is slightly higher than the one in Slovakia.

Croatia had the lowest inflation rate, the government deficit and unemployment rate higher than Romania and lower than Slovakia, and the lowest GDP growth. In addition, Croatia had the highest GDP to begin with and also showed a positive development there. With the exception of the GDP growth, all numbers were improving.

The hypothesis stated above claims that a positive economic development leads to a faster negotiations process. Resulting from this theory, all countries would have had the approximately the same negotiation periods, because all three countries bring up mixed results.

However, the negotiations showed that this was not the case. Slovakia was the fastest and Croatia the slowest country, which leads to the conclusion that this hypothesis can be rejected. Hence, the economic development does not have enough impact on the negotiations to determine the duration of these negotiations.

### 5.4 Contested issue

The comparison between the three countries shows, that Croatia and Romania both had an issue which took strikingly long during the negotiations. Whereas the negotiations in general went similar to the one with Slovakia, Romania faced one issue where no agreement could be found and Croatia even two. For Romania this was Chapter 6 "Competition Policy", which far exceeded the reference number of 30 with 50 months, whereas in Croatia's case it was Chapter 32 "Financial Control" with 38 months and Chapter 33 "Financial Budgetary Provisions" with 43 months.

Table 5.4 (1): Cause for delay

	36 and more	31-35	Up to 30	Not evaluated
<b>Slovakia</b>	-	-	30	1
<b>Romania</b>	1	6	23	1
<b>Croatia</b>	2	4	28	1

When only considering the table above it seems logical that Croatia had longer negotiations with the EU than Romania did, because not only one issue came up where an agreement was rather difficult, but even two issues. Thus, with regard to this evaluation, the hypothesis cannot be rejected and it can be said that negotiations take longer when there is one issue which is highly contested. On the other hand, the two chapters that caused the delay in Croatia’s negotiations were still closed faster than Chapter 6 of Romania’s negotiations. This means that Romania shows up the highest number and that even though it took seven months longer for Romania than for Croatia to find an agreement, Romania still closed the negotiations faster. The question therefore arises how this is possible.

Having a look at the dates when the individual chapters have been opened, an answer can be found. The Chapter “Competition Policy” has been opened in November 2000, ten months after the opening of the negotiations with Romania. In contrast, the Chapters “Financial Control” and “Financial and Budgetary Provision”, which are the problematic chapters for Croatia, were opened in June and December 2007 respectively, thus about two years after the opening of the negotiations with Croatia.

Table 5.4 (2): Timeline Chapters

	<b>Slovakia</b>	<b>Romania</b>	<b>Croatia</b>
<b>Opening negotiations</b>	02/2000	02/2000	10/2005
<b>Competition Policy</b>	05/2000	11/2000	06/2010
<b>Financial Control</b>	03/2001	03/2002	06/2007
<b>Financial and Budgetary Provisions</b>	03/2001	12/2002	12/2007

As the table above shows, the order of opening the chapters was similar in all three cases. There is thus no reason to claim that the chapters that were expected to be difficult were only opened in the end to delay the closing of the negotiations.

From this analysis it can be seen that one issue is enough to slow down the negotiation process. Whereas Slovakia did not have any chapters that needed exceptionally long, Romania had one, leading to longer negotiations, and Croatia had two, having the longest negotiations. Thus, if even only one issue arises where an agreement is not as easy as in the other cases, this is enough to postpone the date of closing.

### 5.5 Summary of the analysis

To summarize the results and give a short overview, the countries have been ranked in each section from 0-2, where zero is the best and two the worst result. For example, Croatia complied with conditionality the most and therefore gets a zero, Slovakia a two, because it complied the least.

Table 5.5 (1) Summary of the analysis

	<b>Slovakia</b>	<b>Romania</b>	<b>Croatia</b>
<b>Compliance</b>	2	1	0
<b>Rhetorical Action</b>	1	0	2
<b>Economy</b>	1	2	0
<b>Contested issue</b>	0	1	2
<b>Sum</b>	4	4	4

The overview shows that, taken all four factors together, all three countries have the same end result. In theory that means that all three countries should have had the same negotiation period, because overall they showed the same level of improvement. However, in practice these four factors are weighed differently. Where the politicians are putting their focus needs to be taken into account here. If compliance was the most important issue, Croatia could have accessed the EU in theory already earlier. But since Slovakia had the shortest negotiations, it seems that quickly finding an agreement on an issue is more important than compliance. Strictly taken, the contested issues are related to the individual chapters of negotiation which also ask for compliance since the countries have to accept the EU *acquis* to a great part. Taking these two together, all three countries end up at the same score again.

Rhetorical action and the economic performance do not seem to be the factors that have the decisive impact, because the numbers do not coincide with the reality. Whereas Slovakia both times only lay in the middle, it is the fastest country in the negotiations. If economy was the most important factor, Croatia would have had the shortest negotiations and focusing only on rhetorical action, Romania would have had the shortest negotiation period.

Coming back to the contested issue, this is the only factor where the numbers match with the negotiation duration. Slovakia with zero “problem” had the shortest duration, Romania had one issue, therefore it took longer than for Slovakia, and Croatia had two issues where no agreement was found, hence, there it also took longer. An explanation for the difference between the three cases cannot be found from this study. Romania took 24 additional months in comparison and Croatia ten months more than Romania. Where this difference comes from and why one country has no difficulties negotiating, whereas another country does, must be studied in a follow-up research.

## 6. Conclusion

The research that has been done followed up to the research already done by Schimmelfennig (2001) about the Eastern enlargement in 2004 and 2007. His result was that rationalist intergovernmentalism can account for national preferences and the actors’ bargaining behavior, whereas sociological institutionalism can explain the outcome of the negotiations. The actual decision between association and accession however cannot be explained by these two approaches. Schimmelfennig therefore introduced rhetorical action and shows that this had a decisive impact on the decision. This research tested if rhetorical action had and has that impact or whether other factors explain the negotiation process.

If it could have been shown that rhetorical action is getting more and more important in relation to satisfying the Copenhagen Criteria, it can be questioned how legitimate EU actions still are. Rhetorical action by the Commission towards the member states, thus convincing them to agree to accession by focusing on identity, can both foster and lower legitimacy. If accession agreements are mainly based on rhetorical action, whereas economic and political criteria slide into the background, the EU should rethink its credibility. Stating that countries can only join when they apply the Criteria, but allowing them to join also if they have not, but only due to identity, shows that the set up rules by the EU are not followed. Over time the EU will lose its legitimacy when national politicians and citizens don’t understand the rules and processes behind decision-making. However, at the same time it can be said that exactly this procedure fosters legitimacy, because it becomes more believable that countries may actually join and the EU does not only take accession for implementing the Copenhagen standards successfully.

The result of this research does not reflect the expectations about the outcome. It was expected that one of the factors has a significant impact on the negotiations duration, but the results don't confirm this. Out of four factors, two, namely the level of compliance and economic development, didn't show a remarkable impact on negotiation development. The other two, rhetorical action and the problematic issues, on the other hand provide a partial explanation for the exceptionally long duration of negotiations with Croatia. Rhetorical action alone however is not the independent variable alone that explains the duration of the negotiations. Thus, regarding the negotiations, rhetorical action does not influence the decisions as much as Schimmelfennig found out in his research. This is at least the case concerning rhetorical action by the Commission. In order to determine whether member states have used it among each other and how much impact that has, another study must be undertaken. Since the focus in this study was only on the Commission, this has not been taken into account.

In a follow-up study three important additions to this study should be made.

First of all, with regard to rhetorical action two factors need to be analyzed. On the one hand it is necessary to find out whether the Commission had an independent stand or whether its statements have been influenced by the member states. This study showed only the effects that the Commission statements had on the negotiations, which is an important starting point, but it is not certain that these statements have been made independently. Therefore, a possible causal relation between a third actor and the Commission's statements should be studied. On the other hand, it would be important to include more actors that can use rhetorical action and not only one in order to find out which actor is the most influential. Member states - not influencing the Commission but rather other member states - can then be the actors involved, but also international organizations like the WTO or the UN and third countries that would economically benefit from an enlarged EU.

Secondly, the negotiation process must be analyzed more in detail. This study only provides insight into the length of the negotiations, but does not offer insight into the actual negotiations. To see why in some chapters problems occurred in the one case but not in the other and how these might be solved faster, all the documents concerning the negotiations should be analyzed to trace the problem.

And thirdly, especially concerning the Eastern European Countries it would be interesting to see in how far the EU is in competition with Russia. Both actors are interested in maintaining and gaining influence in this region and hence studying whether there is such a competitive behavior, how strong it is, and how much it influences decisions of accession is a relevant addition to this research.

To conclude, this study provides a small insight into the possible factors influencing the negotiation duration and gives a basis for further studies. As mentioned above, more details regarding rhetorical action and the process of negotiations would add to the understanding of the EU's decision. That means that more research needs to be done in order to determine a factor - or a combination of factors - that accounts for the difference in duration of negotiations and which can be generalized to a larger group of countries. If such factors could be found which are applicable to each applicant country, it would be easier for the applicant country to fulfill the EU's expectations, because it then knows where the focus lies.



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## Appendix

### Appendix 1: Evaluation of compliance

The evaluative part of the first progress report of each country is presented here. Following this Commission evaluation, the evaluation for this research is provided. One example per country is demonstrated, thus this is not all data analyzed.

The positive aspects are given in old letters, whereas the negative aspects are in italic.

#### *Progress Report Slovakia 2000*

##### **Political Criteria**

Slovakia continues to meet the **political criteria (1)** for accession which the last report had recognized, for the first time, as having been fulfilled. Slovakia has further advanced in the consolidation of its **democratic system (2)** and in the normal functioning of its **institutions (3)**. However the speed of the *reform process (1)* has lost some momentum due, in part, to dissension within the ruling coalition.

Certain legal steps were taken to strengthen the **independence of the judiciary (4)**. However, key parts of the reform, in particular the constitutional amendment with regard to the *nomination and probationary system (2)*, which were set as a short term priority, have not yet been adopted. Therefore, continued efforts are needed to ensure the independence of the judiciary.

Progress was also achieved in the **fight against crime (5) and corruption (6)**, mainly in formulating a government policy and transposing international obligations. The translation of good intentions and well thought-out concepts into specific actions should not be delayed, in order to improve Slovakia's otherwise *insufficient record (3)* in this respect.

Further progress can be noticed in developing approaches to tackle the problems of **minorities (7)**, but there remains a *gap between policy formulation and implementation (3)* on the ground. Tangible improvement of the situation of the Roma minority in particular by implementing specific measures, a short term priority of the 1999 Accession Partnership, has therefore not been achieved to a large extent. Increased efforts in *implementing legislation (4)* in various sectors as well as *strengthening policies (5) and budgetary means (6)* in line with the medium term priorities of the 1999 Accession Partnership are needed in this respect.

The adoption of the *civil service law (7)* and starting implementing the strategy of the *public administration reform (8)*, both short term priorities of the 1999 Accession Partnership, have been delayed. Sustained efforts are required to maintain momentum in these important areas of the reform process.

	<b>Positive</b>	<b>Negative</b>
<b>1.</b>	Political criteria	Slow reform process
<b>2.</b>	Democratic system	Nomination and probationary system of judiciary
<b>3.</b>	Institutions	Insufficient implementation*
<b>4.</b>	Independence of judiciary	Protection of minorities
<b>5.</b>	Fight against crime	Strengthen policies
<b>6.</b>	Fight corruption	Strengthen budgetary means
<b>7.</b>	Protection of minorities	Civil service
<b>8.</b>		Public administration reform

\*insufficient record is part of insufficient implementation

**Economic Criteria**

Slovakia can be regarded as a functioning **market economy (1)** and should be able to **cope with competitive pressure (2)** and market forces within the Union in the medium term, provided that the *structural reform (1)* agenda is fully implemented and broadened to include remaining reforms.

**Macroeconomic stability (3)** has presently been restored through measures to reduce the fiscal and external deficits. The **legislative framework (4)** for business activity is now largely in place. **Price distortions (5)** are being eliminated and the **privatization (6)** of public utilities has been started. The authorities are making good progress in the **restructuring (7)** and privatization of the state-owned banks.

However, the progress on macroeconomic stabilization will need to be consolidated by a continued prudent policy mix. In particular, the current *budget proposals (2)* for 2001 risk to endanger the stabilization achievements, and the medium-term *sustainability of public finances (3)* is not yet guaranteed. Ongoing structural reforms still need to be completed and the *new legislation (4)* will have to be effectively implemented. *Banking supervision (5)* needs to be further strengthened.

The authorities need to implement the remaining reforms and execute the privatization in the financial and energy sectors according to plan. Priority should be given to effective implementation of the *legal framework (6)* and to *administrative capacity (7)*. Public finances need to be kept under control in the short term and to be consolidated in a medium term framework, specifically in the areas of health, pensions and social security. This would help to create room for the financing of public investment and for measures aimed at reducing the disparities in regional *labor markets and enhancing labor mobility (8)*.

	<b>Positive</b>	<b>Negative</b>
<b>1.</b>	Market economy	Structural Reform
<b>2.</b>	Competitiveness	Budget proposals
<b>3.</b>	Macroeconomic stability	Sustainability of public finances
<b>4.</b>	Legislative framework	New legislation
<b>5.</b>	Eliminate price distortions	Banking supervision
<b>6.</b>	Privatization	Legal framework
<b>7.</b>	Restructuring	Administrative capacity
<b>8.</b>		Labor market

*Progress Report Romania 2000*

**Political Criteria**

Romania continues to fulfill the **Copenhagen political criteria (1)**.

The government has shown a political commitment to **addressing the problems of institutionalized children (2)** and progress has been made. **Responsibility for the institutions (3)** has been transferred to local authorities, a national strategy aimed at **structural reform (4)** has been adopted, and the necessary **budgetary transfers (5)** have been made. Romania can therefore be judged as having met the 1999 Accession Partnership's short-term priorities.

However, the Commission will continue to monitor the situation closely to ensure that these positive policy developments result in a *comprehensive reform (1)* as well as an improvement in the *actual living conditions (2)* in the institutions concerned.

In the case of the treatment of the Roma, the continued *high levels of discrimination (3)* are a serious concern. The Accession Partnership's short-term priorities still need to be met (elaborating a national

Roma strategy and providing adequate *financial support to minority programs (4)* and progress has been limited to programs aimed at *improving access to education (5)*.

Continued improvements can be noted with regard to the **functioning of the judiciary (6)** – although the reform *process needs to be continued and consolidated (6)* in line with the short-term priorities of the Accession Partnership. Further progress still needs to be made with regard to *demilitarization of the police (7)* and *other bodies subordinated to the Ministry of Interior (8)* (a medium-term Accession Partnership priority).

Romania’s **democratic institutions (7)** are well established, but the *process of decision making remains weak (9)*. Despite the **initiatives (8)** taken over the last year the government has continued to rely on legislating by ordinances and *consultation on draft legislation (10)* should be substantially improved.

In terms of administrative capacity, Romania has met short-term Accession Partnership priorities by **adopting a law on the civil service and has set up a civil service agency (9)**.

These developments should be built upon through the development of a comprehensive, *public administration reform program (11)*. Particular care needs to be taken to ensure that *decentralized responsibilities are matched by sufficient financial and human resources (12)* at the local level. Little progress has been made in reducing the levels of *corruption (13)* and improved co-ordination is needed between the various anti-corruption initiatives that have been launched.

	<b>Positive</b>	<b>Negative</b>
<b>1.</b>	Copenhagen Criteria	Ensure comprehensive reform
<b>2.</b>	Institutionalized children	Living conditions
<b>3.</b>	Responsibility for institutions	Discrimination
<b>4.</b>	Structural reform	Financial support of minority programs
<b>5.</b>	Budgetary transfers	Access to education
<b>6.</b>	Judiciary	Functioning of judiciary
<b>7.</b>	Democratic institutions	Demilitarization of police
<b>8.</b>	Policy initiatives	Demilitarize political bodies
<b>9.</b>	Civil service	Decision making
<b>10.</b>		Consultation of drafts
<b>11.</b>		Administration reform
<b>12.</b>		Decentralization match human resources
<b>13.</b>		corruption

**Economic Criteria**

Romania *cannot be regarded as a functioning market economy (1)* and is not able to cope with *competitive pressure and market forces (2)* within the Union in the medium term. It has not *substantially improved its future economic prospects (3)*.

Romania has made some **progress on macroeconomic stabilization (1); growth (2)** has resumed and **exports have increased (3)**. Romania has adopted **economic programs and strategies (4)**, in agreement with the international financial institutions and the EU. The wide political consensus on the Medium Term Economic Strategy shows that there is a clear awareness of the need for economic reforms.

However, there are serious difficulties in implementing these agreements as well as in deciding on key medium-term reforms. The *fragile macroeconomic environment (4)*, the *uncertain legal and*

*institutional framework (5)* and the *uneven commitment to reforms (6)*, continue to hinder economic development. Many institutions required to ensure the functioning of a market economy either *do not exist or are too weak to be effective (5)*.

*Insufficient reforms (7)* and a *growing black economy (8)* have undermined progress made on macroeconomic stabilization. The absence of a *sound and well functioning financial system (9)* hampers economic activity. A very large part of the enterprise sector has yet to start *restructuring (10)* or is still in the process of doing so. *Investment has continued to fall (11)*, delaying the required modernization of the supply side of the economy.

There is an urgent need for the full and timely implementation of the programs agreed with the international institutions and of the measures to meet the objectives of the Medium-Term Economic Strategy. Priority should be given to improving financial discipline, and creating a more *transparent and business-friendly environment (12)*. The acceleration of large enterprise *privatization (13)* and *restructuring (10)* as well as the *implementation of social security and health care (14)* reforms are urgently needed to ensure stability of public finances.

	<b>Positive</b>	<b>Negative</b>
<b>1.</b>	Macroeconomic stability	Market economy
<b>2.</b>	Growth	Competitiveness
<b>3.</b>	Increased exports	Future economic prospects
<b>4.</b>	Economic programs & strategies	Macroeconomic environment
<b>5.</b>		Legal & institutional framework
<b>6.</b>		Commitment to reforms
<b>7.</b>		Insufficient reforms
<b>8.</b>		Black economy
<b>9.</b>		Financial system
<b>10.</b>		Restructuring
<b>11.</b>		Investment
<b>12.</b>		Non-transparent business environment
<b>13.</b>		Privatization
<b>14.</b>		Social security and health care

*Progress Report Croatia 2005*

**Political Criteria**

Croatia faces no major difficulties in meeting the **political criteria (1)** for membership.

Problems which had arisen since the Opinion with respect to the requirement for full cooperation with the **International Criminal Tribunal for the former Yugoslavia (2)** (ICTY) have meanwhile been solved. Croatia has continued to make progress overall but further sustained efforts are required in a number of important areas.

There has been progress in the area of **judiciary (3)**, including the adoption of a judicial reform strategy and various procedural and organizational improvements, but the scope and *challenges (1)* faced in this field will require continued serious attention in particular as regards the large overall case backlog and the need to ensure proper enforcement of judgments. There have been improvements in the **prosecution of war crimes trials (4)**, but an ethnic bias against *Serb defendants persists (2)*.

Despite some progress in setting up the necessary **legislative and institutional framework (5)**, efforts aimed at tackling *corruption (3)*, which remains a serious problem in Croatia, need to be further stepped up.

In the area of **human rights (6)** and **minorities (7)** an appropriate legal framework is in place.

The position of minorities has in general continued to improve since the Opinion.

However, implementation of the Constitutional Law on National Minorities in particular has been slow. Serbs and Roma continue to face *discrimination (4)* and the need to improve their situation especially with respect to job opportunities and as well as creating a more receptive climate in the majority community is an urgent priority. Implementation of a new Roma strategy has begun, but major challenges lie ahead. Particular attention should be paid to ensuring all ethnically motivated incidents are properly investigated and those responsible prosecuted.

On regional issues, while there has been good progress on refugee return in terms of **repossession and reconstruction of housing (8)**, a number of *foreseen deadlines (5)* have not been met. Progress has been particularly weak in implementing housing care programs for former tenancy rights holders. On-going efforts to create the economic and social conditions necessary for the sustainability of refugee return need to be accelerated. There has been good progress in the area of **regional cooperation (9)**, both in terms of improvements in bilateral relations with neighboring countries as well as regional initiatives. Croatia has signed the South East Europe Energy Community treaty.

However, serious efforts are needed to find definitive solutions to all pending *bilateral issues (6)*, particularly as regards border issues as well as all open property-related questions.

Problems arose since the Opinion with respect to the requirement for full cooperation with the International Criminal Tribunal for the former Yugoslavia (ICTY), contributing directly to the postponement of the start of accession negotiations foreseen in March 2005. The situation has meanwhile improved, however, allowing the ICTY Chief Prosecutor to conclude in October 2005 that cooperation was full. This subsequently paved the way for the Council to conclude on 3 October 2005 that the outstanding condition for the start of accession negotiations had been met. Negotiations were formally launched the same day. In its conclusions, the Council confirmed that sustained full cooperation with the ICTY would remain a requirement for progress throughout the accession progress. Less than full cooperation with ICTY at any stage could lead to the suspension of negotiations.

	<b>Positive</b>	<b>Negative</b>
<b>1.</b>	Political criteria	Judicial challenges
<b>2.</b>	ICTY	Bias against Serbs
<b>3.</b>	Judiciary	Corruption
<b>4.</b>	Prosecution of crime trials	Discrimination
<b>5.</b>	Legislative and institutional framework	Refugee issues
<b>6.</b>	Human rights	Bilateral issues
<b>7.</b>	Protection of minorities	
<b>8.</b>	Repossession of housing	
<b>9.</b>	Regional cooperation	

### **Economic Criteria**

As regards the economic criteria, Croatia can be regarded as a **functioning market economy (1)**. It should be able to cope with **competitive pressure (2)** and market forces within the Union in the medium term, provided that it continues implementing its reform program to remove *remaining weaknesses (1)*. The **political consensus (3)** on the fundamentals of a market-based economy

appears to have remained. Stability-oriented macroeconomic policies have contributed to a **relatively low inflation (4)** and **stable exchange rate (5)**. Significant budget and current account **deficits have been reduced (6)** and some measures have been taken to enhance **expenditure control (7)** in health care and in the pension system. The **privatization (8)** process has regained some momentum in 2005 and business and land registration procedures have been simplified. The **banking sector has continued to grow (9)** and **supervision (10)** has been further strengthened. **Road infrastructure (11)** has improved due to strong investment in the motorway network. Progress has been made in **liberalizing (12)** the telecommunication sector with positive effects on infrastructure development, following the entry of private service providers. Important initial steps have been taken to **restructure (13)** the loss-making railway system. Croatia's economy is already well integrated with that of the EU and regional trade **integration (14)** has strengthened.

However, significant *external and fiscal imbalances (2)* imply potential risks to macroeconomic stability. Therefore, fiscal consolidation needs to be further strengthened and effectively backed by structural measures, in particular in the area of subsidies and social transfers. The development of a more vivid private sector and foreign direct investment has been hampered by *complex rules (3)* and *deficiencies in public administration (4)* and courts as well as by *slow market entry and exit procedures (5)*. The enforcement of *property and creditor rights (6)* continues to be undermined by an inefficient judiciary. *State interventions (7)* in the economy remain significant and little progress has been made with respect to the *restructuring of large state-owned enterprises (8)*, in particular in the shipbuilding, steel and energy sector. The strengthening of *financial discipline (9)* of state-owned enterprises remains a particular economic policy challenge. In order to enhance its competitiveness and to improve the prospects for sustained investment and growth, Croatia needs to address the identified weaknesses and problems with determination.

	<b>Positive</b>	<b>Negative</b>
<b>1.</b>	Market economy	Remaining weaknesses
<b>2.</b>	Competitiveness	External and fiscal imbalances
<b>3.</b>	Political consensus	Complex rules
<b>4.</b>	Low inflation	Public administration
<b>5.</b>	Stable exchange rate	Market entry and exit
<b>6.</b>	Deficits	Property rights
<b>7.</b>	Expenditure control	State intervention
<b>8.</b>	Privatization	Restructuring
<b>9.</b>	Growing banking sector	Financial discipline
<b>10.</b>	Banking supervision	
<b>11.</b>	Road infrastructure	
<b>12.</b>	Liberalization	
<b>13.</b>	restructuring	
<b>14.</b>	Regional trade integration	



## Appendix 2: Rhetorical Action

In the following, the first two paragraphs of each Enlargement Strategy Paper are presented. They are split up into quasi-sentences and the code for each is given. As above, these are only examples of the procedure and not the complete data set.

### *ESP 2000*

The project of European construction (102), began in the aftermath of the war, which shattered our continent (302), has led a succession of countries to join it of their own free will and consent (301). The magnetism of our model of integration has been such that, for most of its life, the European Community, now the European Union, has been in process of expansion (301).

In 1993 the Copenhagen European Council made the historic promise that “the countries in Central and Eastern Europe that so desire shall become members of the Union (103). Accession will take place as soon as a country is able to assume the obligations of membership by satisfying the economic and political conditions (500).” That political declaration, made at the highest level, was a solemn promise that will be honored (103).

### *ESP 2001*

Over almost half a century, the European Union has helped put an end to the conflicts of the past (302) and to strengthening peace (101), security (101), justice (101), and well being throughout Europe (200). Since the invitation to the candidate countries to become part of the European Union (102), the enlargement process has contributed decisively to achieving political stability (101), economic progress (200) and social justice (101). Stable institutions, changes of government on the basis of free and democratic elections (101), reinforced protection of human rights, including rights of minorities (101), and market economy principles are now common features (200). The enlargement process makes Europe a safer place for its citizens (101) and contributes to conflict prevention (101) and control in the wider world (303).

Enlargement will benefit not only existing and new member states but also neighboring countries, with which the European Union has close ties (400). No new dividing lines will be drawn across our continent (102). Each new member state will bring to the EU its own political (101), economic (200), cultural (101), historical (101) and geographical (303) heritage, thus enriching Europe as a whole (102).

### *ESP 2002*

The next enlargement of the Union will further strengthen the unity of the European continent (102) and help create and area of lasting peace (101) and prosperity (200).

In 1993, the Copenhagen European Council opened up the perspective of enlargement to include the countries of Central and Eastern Europe (301). The EU subsequently launched an ambitious pre-accession strategy that has guided and sustained the candidates’ preparations for membership until the present day (400).

### *ESP 2003*

The European Union is on the eve of the one of the greatest developments in history (400). In six months’ time it will extend its membership from 15 to 25 countries, bringing in the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia as new members on 1 May 2004 (301). Moreover, negotiations are ongoing with Bulgaria and Romania (301) with a view to their membership in 2007 (103) and a strengthened pre-accession strategy for Turkey is being implemented (301).

This enlargement, the fifth to take place since the beginning of the European Community 50 years ago (301), demonstrates once again the attraction of the European model for young democracies (101).

#### *ESP 2004*

The enlargement of the EU to ten new member states on 1 May 2004 has further strengthened the unity of the European continent (102). The historical (101) and political (101) arguments in favor of this enlargement are compelling: it enhances peace (101), prosperity (200), stability (101) and security (101) and has also produced substantial economic benefits (200).

Bulgaria and Romania are an integral part of this enlargement process which was launched in 1997 (102). Both countries are close to completing the negotiations (301). The EU's objective is to welcome both countries in January 2007 as members (103), if they are ready (500).

#### *ESP 2005*

Enlargement is one of the EU's most powerful policy tools (303). The pull of the EU has helped transform Central and Eastern Europe from communist regimes to modern, well-functioning democracies (101). More recently, it has inspired tremendous reforms in Turkey, Croatia and the Western Balkans (401). All European citizens benefit from having neighbors that are stable democracies (101) and prosperous market economies (200). It is vitally important for the EU to ensure a carefully managed enlargement process (103) that extends peace (101), stability (101), prosperity (200), democracy (101), human rights (101) and the rule of law (101) across Europe.

After generations of division and conflict (302), the EU is peacefully (101) creating a united Europe (102). Ten new members joined in 2004 (301), and the EU signed an accession treaty with Bulgaria and Romania in April 2005 (301). In October 2005, the Union opened accession negotiations with Serbia and Montenegro (301). Each of these events was justified by the countries' progress in meeting the relevant conditions (500).

#### *ESP 2006*

Enlargement has been at the heart of the EU's development over several decades (102). The very essence of European integration is to overcome the division of Europe (102) and to contribute to the peaceful (101) unification (102) of the continent. Politically, EU enlargement has helped respond to major changes such as the fall of dictatorships (302) and the collapse of communism (302). It has consolidated democracy (101), human rights (101) and stability (101) across the continent. Enlargement reflects the EU's essence as a soft power (303), which has achieved more through its gravitational pull than it could have achieved by other means (303).

Economically, enlargement has helped to increase prosperity (200) and competitiveness (200), enabling the enlarged Union to respond better to the challenges of globalization (303). This has brought direct benefits for Europe as a whole (401). Enlargement has increased the EU's weight in the world (401) and made it a stronger international player (401).

#### *ESP 2007*

Enlargement is one of the EU's most powerful policy tools (303). It serves the EU's strategic interests in stability (101), security (101), and conflict prevention (101). It has helped to increase prosperity (200) and growth opportunities (200) and to secure vital transport and energy routes (200). The present enlargement agenda covers the Western Balkans and Turkey (301), which have been given the perspective of becoming EU members (103) once they fulfill the necessary conditions (500).

The year ahead will be a crucial one in consolidating the transition process in the Western Balkans (303). The countries themselves will take over responsibilities from the Stability Pact for promoting regional cooperation (301), which plays a key role in reconciliation and establishment of good neighborly relations (303). Accession negotiations with Croatia are advancing well and are entering a decisive phase (401). This demonstrates to the region as a whole that the perspective of EU membership is a reality (103). In the year ahead the Stabilization and Association Agreements, linking partners in the region more closely to the EU (102), with a view to accession (103), are expected to near completion (301).

#### *ESP 2008*

Enlargement is one of the EU's most powerful policy tools (303). It serves the EU's strategic interests in stability (101), security (101), and conflict prevention (101). It has helped to increase prosperity (200) and growth opportunities (200), to improve links with vital transport and energy routes (200), and to increase the EU's weights in the world (303). In May 2009, the EU will mark the fifth anniversary of the 2004 enlargement (301).

The present enlargement agenda covers the Western Balkans and Turkey (301), which have been given the perspective of becoming EU members (103) once they fulfill the necessary conditions (500). The European perspective has contributed to peace (101) and stability (101), and enabled partners to cope with major challenges, such as the Kosovo's declaration of independence (402), while maintaining regional security (303). It provides in both the Western Balkans and Turkey strong encouragement for political and economic reform (103). It is in the EU's interest to keep up the momentum of this process (103), on the basis of agreed principles and conditions (500). This interest to project stability (101) is all the more apparent in the light of recent challenges to stability to the East of the EU, including the southern Caucasus (402).

#### *ESP 2009*

The fifth enlargement of the EU has helped to consolidate democracy (101) and the rule of law (101) in Europe. It has enhanced economic opportunities (200) and increased the weight of the EU in tackling global challenges such as climate change (303), competitiveness (200) and the regulation and supervision of financial markets (200). Over the last five years, the enlarged EU has demonstrated its capacity to work together to address the important challenges it faces (303). Enlargement is one of the most effective foreign policy instruments of the EU (303).

The European Union's current enlargement process takes place against a background of a deep and widespread recession (402). The crisis has affected both the EU and the enlargement countries (301). Over the same period, the EU has received three new applications for membership by Montenegro (December 2008), Albania (April 2009) and Iceland (July 2009) (301). These applications further demonstrate the EU's power of attraction (303) and its role in promoting stability (101), security (101) and prosperity (200).

#### *ESP 2010*

The EU's enlargement process has gained new momentum since the Commission adopted its last progress reports (303), notwithstanding the many other challenges the Union faces (402). The entry into force of the Lisbon Treaty ensures that the EU can pursue its enlargement agenda (103), while maintaining the momentum of European integration (102).

Negotiations with Croatia have entered their final stage (301), demonstrating to all countries that accession can become a reality (103), provided the necessary conditions are fulfilled (500). Serbia has applied for membership (301). The Commission today issues its opinions on applications from

Montenegro and Albania (301). Iceland began accession negotiations in July (301). New chapters have been opened in the negotiations with Turkey (301) and the country has embarked on a thorough revision of its constitution, moving closer to European standards (401). Visa liberalization for the Western Balkans has progressed (303). There have been significant break-throughs in long-standing bilateral differences between Slovenia and Croatia (401) and a dialogue is under preparation between Serbia and Kosovo (301). Post-conflict reconciliation among peoples has advanced (401) and the countries themselves have started to take greater responsibility for regional cooperation (303).