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BULGARIA'S RELATIONS WITH THE EUROPEAN UNION:

PRE- AND POST-ACCESSION JITTERS

BY

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Abstract

Bulgaria's accession to the European Union in January 2007 took place in the midst of political enthusiasm juxtaposed by public apathy. After a prolonged political period marked by difficult reforms and controversy, at times membership seems to have brought the country more problems than solutions. Politicians appear less concerned with developing a compelling post-accession strategy than attempting to challenge the previously agreed terms of accession. We argue that the positions taken by Sofia following accession, and the difficulties experienced in adapting to member state status, are best explained by reference to a number of characteristics found in the pre-accession political process. We also argue that Bulgaria has followed similar political patterns to other Central and Eastern European states: for instance, the closer accession appeared, the more dissenting voices emerged to challenge, if not accession per se, then the terms of accession.

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BULGARIA'S RELATIONS WITH THE EUROPEAN UNION:**PRE- AND POST-ACCESSION JITTERS**

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Bulgaria joined the European Union in January 2007 in a mood characterised by a mixture of political enthusiasm and public apathy. Following a long period of slow steps, difficult reforms and controversy (particularly related to energy policy and the Bulgarian nuclear energy plant Kozloduy), accession seems to have brought more questions than answers. Opinion polls show that average Bulgarians are apprehensive about the future, hoping for better in the long term (i.e. more opportunities and openings for the future generations) but fearing the worst in the short run (particularly high prices and a decreasing standard of living). There have already been public manifestations of discontent towards the introduction of some EU regulations (e.g. the rakia producers' demonstration against the EU excise tax in February 2007). Meanwhile, politicians appear less concerned with developing the country's post-accession strategy and more interested in challenging previously agreed terms of accession.

Current statements by high profile politicians (e.g. by President Parvanov about Kozloduy) and political initiatives (e.g. the Sofia led petition by the Western Balkan countries appealing to Brussels against the closure of the nuclear energy plant) show both the difficult path towards the Europeanization of many Bulgarian political élites and the apparent lack of understanding that membership entailed real contractual obligations. We argue that explanations for the awkward positions taken by the Bulgarian government in the post-accession period and the difficulties in adapting to member state status can be found in the features of the pre-accession political process. Moreover, we find that Bulgaria follows the same pattern as other

Central and Eastern European countries: the closer to accession, the more dissenting voices emerge challenging, if not accession as such, at least the terms of accession.¹ Our information is based on press reporting, including the on-line archives of *Trud*, *24-Hours*, *Dnevnik and Kapital*; and the on-line news engines *Mediapool* and *Novinite.com*.²

1. The Early Days

Despite post-communist politics being characterised by political instability (six different governments between 1990 and 1998) and economic crisis, Bulgaria was seen as a success story of transition in terms of its relative tranquillity, stable but competitive party system, and enlightened policies toward minorities, as well as by the lack of authoritarian proclivities among its political élites.³ However, high level corruption has plagued Bulgarian politics throughout the transition process; therefore small group interests rather than larger society concerns have tended to motivate governmental policy choices.⁴

Overall, Bulgaria's road to EU membership was slow by comparison to other Central and Eastern European countries. In the early 1990s, political instability and labour unrest were supplemented by divergent views over the country's reform agenda.⁵ Although most Bulgarian political leaders agreed that Bulgaria had to make the transition to a market economy, few could agree on how or how fast. While the Union of Democratic Forces (UDF) (the centre right, Western looking political party), sought quick liberalization of the market and preferred four or

¹ Paul Taggart and Aleks Szczerbiak, 'Contemporary Euroscepticism in the party systems of the European Union candidate states of Central and Eastern Europe,' *European Journal of Political Research* 43 (2004) pp.1-27.

² 'Audience of the most popular newspapers and magazines, October 2004,' *Alpha Research*, Marketing and Social Research Agency, Sofia. *Mediapool* publishes news from Bulgarian news agencies, RFE, DW, BBC and others. For more information see: <http://www.mediapool.bg/>

³ Zoltan D. Barany, 'Bulgaria's Royal Elections,' *Journal of Democracy* 13 (2002) pp.141-155.

⁴ In the past 16 years, no corruption trial of a member of the political elite has resulted in a successful conviction, leading *The Economist* in a 2007 article to call the political class 'untouchable'. *The Economist*, 'The New Kids on the block,' 6 January 2007, pp.43-44.

⁵ For the general features of Bulgaria's early post-communist politics see, for example, John D. Bell, 'Democratization and political participation in 'postcommunist' Bulgaria,' in Karen Dawisha and Bruce Parrott (ed.), *Politics, Power and the Struggle for Democracy in South-East Europe*, Cambridge: Cambridge University Press. 1997.

five difficult transition years, the Bulgarian Socialist Party argued for gradual and slow reforms stretching out the transition process for twenty or more years. As a result, changes in government also meant 'U-turn' measures in economic policies. Hence, while in August 1993, the Berov government successfully approved and implemented a plan to privatize over 500 state enterprises, in 1995 the Videnov government attempted to reintroduce collectivization for farmers until the project was overturned by the Constitutional Court. In the early 1990s, the foreign policy agenda was also subject to uncertainty: socialist governments had if not a pro-Russian, then at least a reluctant European agenda, while centre-right governments argued for Euro-Atlantic integration.

The Bulgarian government finally signed the European Association Agreement in 1993 providing the basis for a framework permitting the development of a profound political dialogue and for the establishment of a free trade zone. The Agreement was also known in particular for the introduction of the so-called Bulgarian clause that requested 'good neighbourly relations'. The clause was not a reflection of the Bulgarian geo-political situation, but rather a consequence of the political context in the region at the time, namely the war in former Yugoslavia. The Agreement aimed to establish progressively a free-trade area between the EU and Bulgaria, on the basis of reciprocity but in an asymmetric manner (i.e. liberalization was to be implemented more rapidly by the EU than by Bulgaria). The Europe agreement covered a large number of issues such as trade liberalization and other trade-related issues, political dialogue, legal approximation and other areas of co-operation, including industry, the environment, transport and customs duties. As a result of the Europe agreement, free trade and direct investment increased significantly by 2004. As was the case with all Europe Agreements, the Agreement noted that the third party (i.e. Bulgaria) aspires to become a member of the EU; however, the document included no commitment on the side of the EU.

Despite officially submitting the application for negotiations in 1995 and launching the preliminary negotiations in 1997, the accession process was sidetracked by the 1997 political and economic crisis. Rampant inflation, social disturbances (some 40 days of strikes, mass

demonstrations and round-the-clock student protests) and the subsequent anticipated elections delayed the introduction of reforms aimed at meeting the Copenhagen criteria. Formal negotiations were finally opened in 1999, following the European Commission's recommendation in its second country report for Bulgaria. The positive assessment was due to the policies of the newly elected Kostov government which put back on track Bulgarian aspirations for EU and NATO membership. Elected in 1998, the majority centre right (UDF) government ousted its socialist predecessor and replaced its loosely defined 'left alternative' that emphasized 'gradual reforms,' 'low social costs,' increased bureaucratic regulation, and international 'neutrality' with a 'capitalist' programme based on 'monetarist fiscal policies,' 'pro-market' reforms and a pro-European and pro-Euro-Atlantic foreign policy agenda.⁶

The Kostov government had economic as well as political success. Its policies addressed banking rehabilitation, financial stabilization (establishing a Currency Board that pegged the Bulgarian lev to the deutschmark) and the country's outstanding debt. When government austerity plans failed to solve the country's large unemployment problem (which stood at around 20% in January 2001) by the next election, the electorate voted for change by handing power to a new party headed by Simeon Saxe-Coburg-Gotha. There was, however, a common link between these two governments: their commitment to meeting the Copenhagen criteria and securing Bulgaria's EU accession. The prospect of accession encouraged the governments that followed 'to push through reform packages'.⁷ This has meant that, since 1998, two successive pro-EU governments have sustained Bulgaria's accession process.

⁶ Venelin I. Ganey, 'Bulgaria's Symphony of Hope,' *Journal of Democracy*, 8 (1997) pp.125-139.

⁷ Antoaneta Dimitrova and Rilka Dragneva, 'Bulgaria's Road to the European Union: Progress, Problems and Perspectives,' *Perspectives on European Politics and Society*, 2 (2001) pp.79-109.

2. Negotiating the Terms of Accession

From 1998 up until the 2005 elections, it was peculiar to Bulgaria that the prospect of European integration was not vulnerable to internal cleavages and that the Bulgarian political élite displayed consensus over EU accession. By contrast to other Central and Eastern European countries, no Bulgarian political party could be characterised as Euro-sceptic.⁸ There was agreement across the Bulgarian political arena that EU membership was a 'strategic priority,' of 'primary importance' and the government's 'main task,' an inherently positive value that needed to be achieved as soon as possible. Both government and opposition political parties placed EU integration as the top priority, and mutual critiques concerned only the way in which the goal was pursued.⁹ Debates were therefore limited to the means, or roads, used to achieve it. As Bulgaria went through the negotiation stages, these debates over the terms of accession intensified and parties' positions began to diverge, especially in relation to EU requirements in certain particular policies, most notably the energy sector.

Between 1998 and 2005, the Commission's country reports monitored Bulgaria's progress as well as its inadequacies in respect of meeting the Copenhagen criteria and set out road maps for short- and mid-term priorities. In 2002, the European Commission declared Bulgaria a functioning market economy but only confirmed in 2006 that the country fulfilled the political criteria as laid down in Copenhagen criteria. The accession negotiations lasted four years (2000-2004) and were characterised by pressure for reforms from Brussels (particularly in the fields of judiciary reforms and anti-corruption measures) and rather tame negotiation tactics from Sofia. The 2001 so-called 'royal elections' produced a pro-European government that continued to make

⁸ Paul Taggart and Aleks Szerbiak, 'Contemporary Euroscepticism in the party systems of the European Union candidate states of Central and Eastern Europe,' *European Journal of Political Research* 43 (2004) pp.1-27.

⁹ 'Kostov: Bulgaria and Romania have the word about new members of the EU from the region' 4 October 2004. 'The new left calls the EU the USSR,' *Mediapool*, 12 May 2003.

integration its top priority.¹⁰ Despite having concluded the negotiations six months ahead of schedule (on 15 June 2004), the Saxe-Coburg-Gotha government did not enjoy 'plain sailing.' While Brussels was annoyed by the government's inability to push through judiciary reform (eventually leading to the freezing of the negotiations for that chapter until visible progress was achieved in spring 2005), domestically the government was criticised for being more eager to close chapters rather than to defend the country's interests. This meant that the various chapters of the *acquis communautaire* were closed in a fairly quick process. While this may have sped up what otherwise could have been an even more protracted process, it has created political problems now that these early agreements are coming into force.

Between 2001 and 2005, both the accession and negotiation process were treated as a struggle, a contest better to achieve this goal. Every development in the negotiations with the EU was presented as further progress, another conquered obstacle on the road to the EU. Opening and closing chapters or positive comments in the Commission reports were pointed out as great achievements taking Bulgaria closer to its desired destination.¹¹ The pace of the integration process was particularly important. By depicting EU accession as a race, the Saxe-Coburg-Gotha government induced a sense of urgency. Such an attitude implied that the quicker the negotiations were conducted, the more successful the government, thereby ignoring a possible trade off between the speed and quality of the negotiation and accession processes. In justifying the strategy, it was even argued that EU rules and procedures would be applied with leniency once full member status was achieved;¹² therefore, actual membership was more important than the precise terms of accession on which membership was actually achieved.

Increasingly however, opposition politicians started to question the government's negotiation strategy and challenged the government's policy aimed at closing chapters as quickly as possible rather than negotiating better terms of accession. Ministers (in particular, the minister

¹⁰ Zoltan D. Barany, 'Bulgaria's Royal Elections,' *Journal of Democracy* 13 (2002) pp.141-155.

¹¹ 'Bulgaria honoured by the opening of the negotiating chapters,' *Mediapool*, 30 May 2002. 'Bulgaria – champions of negotiations with the EU,' *Mediapool*, 22 April 2002.

of integration, Miglena Kuneva) were criticised for taking on unclear and most probably unacceptable obligations.¹³ The left blamed the government for having conducted the negotiations too quickly and in a hasty manner¹⁴ as well as for poor information about the results of the negotiations: 'Only this year and only some months ago, incomplete results from the negotiations were published only after the chapters were closed and the obligations were adopted, and cannot be changed any more.'¹⁵

Disagreement over the energy chapter raised tensions in the political arena and threatened to bring the negotiation process to a halt. Following the closure of the energy chapter, the socialist opposition threatened to bring the matter to the Constitutional Court to try and re-open the issue. Criticised for pulling a pre-election stunt,¹⁶ the socialists also announced at the time that in the event of winning the 2005 elections they would re-open the 'Energy' chapter and re-negotiate the deadlines for closing the third and fourth reactors of Kozloduy.¹⁷ The socialist MPs even filed a request for a referendum on Kozloduy.¹⁸ President Parvanov himself considered the decision on Kozloduy to be 'unfair.'¹⁹

For the duration of the negotiation period, the ruling elite's explanatory dimension of the European accession narrative was essentially uni-dimensional. Reforms were justified by the prospect of accession rather than through their own internal benefits to the Bulgarian economy or political system, while only the benefits of accession were emphasized. Since the EU driven policy agenda was not always popular, Bulgarian governments learned quickly to use 'Europe' as

¹² 'The new members of the EU are threatened with punishments,' *Mediapool*, 5 November 2003.

¹³ Ani Milanova, 'The Parliamentarian powers are unhappy with the negotiation with EC team,' *Dnevnik*, 10 May, 2004.

¹⁴ Alexander Bozhkov, 'Well-learned alibi,' *Dnevnik*, 21 May, 2004.

¹⁵ *Dnevnik*, 25 August, 2004, Interview with German Germanov, Chief Secretary of the Commerce Chamber in Dobrich.

¹⁶ See for example 'BSP and the signing with EC. Usual Populism,' *Dnevnik*, 22 April 2005 and Svetlana Nenova, 'BSP pulled again pre-election Kozloduy,' 19 April 2005.

¹⁷ Declaration by socialist deputy Roumen Ovcharov, see Kiril Marinov, 'BSP demanded delay of the ratification for the EC,' *Dnevnik*, 22 April 2005.

¹⁸ Declaration of BSP leader, Sergey Stanishev, *Dnevnik*, 4 May 2004.

¹⁹ 'Parvanov: The decision for AEC is unfair,' *Dnevnik*, 9 May, 2004.

a shield to deflect blame or criticism. Such a tactic is a by-product of the integration process across both new and old member states.

The prospect of accession was valuable political currency used to justify policies such as privatization and the restructuring of the public sector and state enterprises; all of which carried the scary prospect of unemployment.²⁰ Treating membership as a prize awarded for sufficient efforts helped Bulgarian politicians sell a reform driven policy agenda to the electorate.²¹ So, for example, the controversial measure of closing the two Kozloduy reactors was presented as a choice between EU membership and Kozloduy, while the prospect of EU financial support was used as additional incentive.²²

Moreover, while during the pre-accession period politicians stressed the benefits of EU membership, such as financial incentives, freedom of movement, political/international status, the challenges post-accession were brushed aside.²³ As scholars warned, however, such one-dimensional discursive narratives appear to have contributed to the emergence of a counter-discourse, of the 'betrayal of Europe,' which is able to incite anti-Europeanism.²⁴ In the case of Bulgaria, this communication strategy would also come to create some early post-accession controversies once the impact of the *acquis* and Bulgaria's negotiated positions began to make their presence known.

²⁰ See Andrew Janos, 'From Eastern Empire to Western Hegemony: East Central Europe under Two International Regimes', *East European Politics and Society*, 15 (2001) 221-250; and A. Grzymała-Busse and A. Innes, 'Great Expectations: The EU and Domestic Political Competition in East Central Europe,' *East European Politics and Society*, 17 (2003) pp.64-73.

²¹ 'The president threw out the emergency measures of Filchev and Borisov against the mafia,' 'According to Minister Kunvea: Crime may delay us from the EU by a year', 'Bulgaria has to fight corruption by itself', *Mediapool*, 11 October 2003.

²² 'Kovachev: The closing of blocks 3 and 4 during 2006 will not ruin the energy system', *Mediapool*, 29 February 2004. 'A referendum on Kozloduy Nuclear Power Station may get us kicked out of Europe,' *Mediapool*, 4 December 2002. 'Veselin Bliznakov: Before everything there must be political will,' *Mediapool*, 8 April 2002. 'The premier put into question the closing of blocks 3 and 4 during 2006', *Mediapool*, 21 March 2002.

²³ 'Ferhogen: You are still not ready for the EU,' *Mediapool*, 30 May 2002. 'Bulgaria has to build up the structures to absorb the money from the EU,' *Mediapool*, 14 February 2003.

²⁴ George Schopflin, *Nation, Identity, Power*. London: Hurst & Co. 2000.

3. The Troubling Clouds of the 2005 Elections

The Saxe-Coburg-Gotha government's negotiation strategy pushed Bulgaria ahead of Romania in the race to close chapters. As Bulgaria pulled in front, some Bulgarian politicians began to speak of the need to decouple the two states and worried that Romania's slower pace could cost Bulgaria its scheduled entry date. The situation changed significantly following the Bulgarian national elections of 25 June 2005 which produced a highly fragmented parliament and introduced for the first time a xenophobic political actor to Bulgarian politics.²⁵ Both features had implications for the country's integration prospects.

Although their nationalist and xenophobic rhetoric particularly towards the Turkish and Roma minorities as well as populist social policies accounted for most of their electoral success, it has been pointed out that part of ATAKA's appeal also related to their position towards European integration.²⁶ Although not against EU accession *per se*, ATAKA's leaders (in particular party leader Volen Siderov) questioned previous governments' policies in accepting EU demands, particularly in relation to the closure of the Kozloduy nuclear energy plant. Though such views could be heard prior to 2005, ATAKA brought them into the political arena with a much more bare and belligerent tone. Hence, ATAKA demanded Bulgaria's withdrawal from NATO and re-negotiation of the accession treaty with the EC, especially about Kozloduy, arguing that the third and fourth reactors should be exploited again.²⁷

ATAKA's electoral results also showed that political consensus around a subject may lead to alienation and ultimately radicalization of both the political discourse and the electorate. In fact, public attitudes towards EU related policies have been ambiguous. Despite constant high

²⁵ For a general discussion of the political parties, see M. Henn, 'Opinion polls, political elites and party competition in post-communist Bulgaria,' *Journal of Communist Studies and Transition Politics*, 17 (2001) pp.52-70.

²⁶ M. Viktorova, 'Ataka's support base', *Dnevnik*, 9 June 2005, p. 4. See also the editorial 'It's not funny,' *Kapital*, 25, 25 June – 1 July, p. 7.

²⁷ See for example Mila Voktorova, 'ATAKA is liked by the non-educated and poor,' *Dnevnik*, 9 May, 2005; Panayot Angarev, 'Is there a left nationalism coming?,' *Dnevnik*, 17 May, 2005; 'Nervous

levels of support for accession (throughout the 1990s, a majority of Bulgarians were supportive of their country's accession while a recent Eurobarometer found 58% in favour of membership with 9% opposed and 27% undecided)²⁸, the persistent clouds of corruption surrounding the political élite meant that the Euro-Atlantic values of accession have been increasingly questioned because Bulgarians perceive them not as their own commitments but as those represented and upheld by corrupt politicians.²⁹

Even more important for the country's ability to fulfill its commitments as a candidate country was the difficulty in forging a governing coalition. Consequently a government did not emerge until some seven weeks later. This delay and the new coalition government's inevitably slow start worried both domestic and foreign observers since little had been accomplished during the weeks before and after the elections. It further fueled doubts over Bulgaria's readiness to take on the responsibilities of membership as well as the Union's ability to absorb any new members. These circumstances were a consistent worry of the Bulgarian government through 2005-2006, as the member states began to ratify Bulgaria's accession. By the early summer of 2006, while observers from both Brussels and beyond saw the possibility of a postponement until 2008, they also began to express some confidence in a 2007 entry date.³⁰ This was no foregone conclusion, however, and as late as August 2006, at least one reputable EU newspaper reported that the German government was ready to delay both states' entry due to continuing concerns.³¹

Most of the concerns voiced by the Commission and by those who advocated a delay cited enduring problems of administrative capacity and problems with corruption, organized crime and a lack of reform in the judiciary. Many of these concerns were widely discussed in both the Bulgarian press and political circles. As with all other applicant states, Bulgarian governmental

Reaction is Strasbourg due to an extreme right fraction,' *Dnevnik*, 17 January, 2007.

²⁸ Eurobarometer 66, National Report, Bulgaria, (Autumn 2006) pp.14-15.

²⁹ Emilian Kavalski, 'Bulgaria: The State of Chaos,' *Southeast European Politics*, IV (2003) pp.68-90.

³⁰ Bernd Klett. 'Romania and Bulgaria clearing hurdles for EU accession,' *EU Monitor No. 32 Deutsche Bank Research*. 11 (2006) http://www.dbresearch.com/PROD/CIB_INTERNET_EN-PROD/PROD000000000198571.pdf (accessed on 28 March 2007).

institutions had taken part in numerous programs designed to build administrative capacity to implement the *acquis* and combat identified problems. The results have been less than impressive, and despite efforts to increase administrative capacity in order to accept EU development funds, problems continue. A recent survey of municipalities across the country, for example, found that only a little over half had the necessary information and capacity realistically to receive and carry out grants through EU structural funds.³² Furthermore, little progress appears to have been made in the other areas of concern noted by the Commission. The Bulgarian press is full of accounts of continued corruption, with major cases involving the Sofia Central Heating System and the Bulgarian Agricultural Fund. Yet despite corruption charges being brought against several former ministers, prosecutors and the former mayor of Sofia, none of these prosecutions has yet resulted in a successful conviction. In fact, no member of the Bulgarian political élite has been successfully prosecuted. In the area of organized crime, despite a wave of shootings in the center of Sofia that have been linked to criminal groups, no major prosecution of an organized crime figure has yet been successful.

Reform in the Bulgarian judiciary has long been of particular concern for the Commission. The concerns have included the need for changes to the Bulgarian constitution the better to guarantee judicial independence, other changes in the civil and criminal codes and a restructuring of the investigative services of the police. Under current Chief Prosecutor Boris Velchev, the prosecution and police have begun to undertake reforms with particular attention being paid to corruption and organized crime. While still limited, the progress that they have made has been noted by Commissioner Franco Fratini.³³ As part of Bulgaria's accession treaty, safeguard measures in several areas (and notably in the judiciary) were included to compel further institutional reform. Rather than invoke the safeguards in this area, however, both Fratini

³¹David Gow, 'Germany may block new EU members,' 22 August 2006. *Guardian Unlimited*. <http://www.guardian.co.uk/print/0,,329559349-106710,00.html> (accessed on 29 March 2007).

³²'Bulgaria's Small Municipalities Not Ready for EU Money,' *Novinite.com*. http://www.novinite.com/view_news.php?id=78800 (accessed on 03 April 2007).

³³Svetlira Gjurova, 'Franco Fratini: The important thing is to help Bulgaria, not only to criticize,' *Kapital*, 24 February 2007.

and Velchev have agreed that cooperation accompanied by consistent monitoring of Bulgaria's progress is the preferable course as long as progress is being made.³⁴ While Fratini has recently singled out the prosecution and police for making progress, little progress appears to be taking place among Bulgarian judges.

Despite the elections' aftermath troubles and the post-2005 government's rather timid reformist agenda, the EU did not enact the one-year delaying safeguard clause, and Bulgaria joined the EU on 1 January 2007. However, taking into consideration those areas where Bulgaria still lags behind in the pace of reforms, Bulgaria's membership does not automatically remove the EU monitoring process. Hence, the threat of introducing safeguard measures continues if further reforms (development of sufficient administrative and judicial capacity to implement and enforce the *acquis communautaire*) are not introduced and could lead to the suspension of funds.

4. Post-Accession: The Obligations of Membership

Responding to a question in 2006 about Bulgaria's upcoming entry, PM Sergey Stanishev said, 'The basic question is whether we are going to enter the EU sufficiently prepared as a state and as a society and be able to adjust to that community'.³⁵ Early indications are that while average Bulgarians and elements of Bulgarian society are adjusting to membership rather well, many of Bulgaria's political élite are having greater difficulty. It is understandable that the first implementation of EU rules and the first actions by politicians in an EU context would be somewhat fraught with difficulties and mis-steps. However, the ways that Bulgaria's political élites have begun to address several early controversial issues demonstrates that they are only beginning to adjust to the new reality of Bulgaria within the European Union.

³⁴ 'Velchev hired the ex-Attorney General of Holland,' *Dnevnik*, 27 September 2006.

³⁵ Rumyana Tsvetkova and Iva Letnikova, 'PM: EU membership – a strategic issue for Bulgaria,' *Bulgarian National Radio*, 16 March 2006. http://www.bnr.bg/RadioBulgaria/Emission_English/Theme_Politics/Material/PMmedia.htm (accessed on 20 April 2007).

In the first few months of accession, several issues have dominated public discussions of the emerging Bulgarian-EU relationship. Perhaps the most widely discussed of these has been the controversy surrounding the closures of several reactors at the Kozloduy nuclear power station. The safety concerns cited as the EU's principle reason for the closures have been strongly disputed by the government ever since the conclusion of the energy chapter. Since Bulgaria's accession, government officials have stepped up their efforts to have the decision reversed. Bulgaria's participation in the Nature 2000 program became a second controversy when the government missed the deadline for designating lands to be included in the program and then later shrank the size of the areas in question.³⁶ Several changes that affect the lifestyles and habits of average Bulgarians have also grown out of the early Bulgarian-EU relationship. Just as Hungarians were concerned about the effect of EU regulations on goulash, Bulgarians groused at the discovery that wine and rakia (Bulgaria's national brandy) could not be sold on tap – as was the common practice. The levying of an excise tax on home distilled rakia has proven even more unpopular.

Early controversies as the requirements of membership begin to affect society are to be expected in any adjustment process. In the case of the Southeast European wave, these controversies are perhaps aggravated by the economic gap that stands between Bulgaria and Romania and the rest of the EU. The economic gap, however, is not the only difference. In writing about the particular challenges facing the Europeanization of Southeast Europe, Anastasakis sets forth some of the additional differences that characterise the region:

³⁶ Alexander Bonev, 'Nature 2000 halfway. In the list with the delayed zones, quietly five more new regions were included,' *Kapital*, 17 March 2007.

'Political élites are ineffective, corrupt, or illegitimate, human capital is limited with a tendency to migrate abroad, technical expertise is scarce, public administrations are anemic, and civil societies are too dependent or indifferent to react to changes generated from abroad.'³⁷

The deficiencies in administrative capacity that have been noted by academics and the Commission are not limited to the ranks of the Bulgarian civil service; they exist within Bulgarian political élites as well. Much of the explanation for the current awkward responses of the Bulgarian government in the post-accession phase can be found in how Bulgarian political figures handled and communicated the pre-accession political process.

A common perception among many Bulgarians is that officials did not negotiate well during the accession talks. This perception of getting the short end of the stick has been nurtured by members of the political élite, first from the extreme right and more lately from other parts of the political spectrum, and has begun to affect the early stages of Bulgaria's membership. This line of thought is most clearly seen around the issue of Kozloduy where dissatisfaction with the closure of two reactors has led several critics to argue that the negotiators should have taken 'precautionary measures' during the negotiations.³⁸ Even President Purvanov called the conclusion of the energy chapter hasty and that it was a 'retreat from our national interest'.³⁹ Critics have argued against the excise tax on home brewed alcohol in a similar way, with one MP explaining that the problem was created because Bulgarian negotiators acted 'like yes-men'.⁴⁰

This understanding of the negotiating history has more recently been turned into a justification to review and rewrite past agreements with the EU. This line of argument was raised almost immediately after Bulgaria's official entry when President Parvanov, speaking before a session of the Bulgarian parliament to commemorate Bulgarian EU accession, argued that the

³⁷ Othon Anastasakis. 'The Europeanization of the Balkans,' *The Brown Journal of World Affairs* XII (2005) 84.

³⁸ 'The saving of Kozloduy has brought Bulgaria into a Euro-mess: experts argued against Purvanov's reliance upon the Accession Treaty,' *Dnevnik*. 02 February 2007.

³⁹ Venelina Angelova and Juliana Koleva, 'The president started talking about "awakening" the small blocks of AEC,' *Dnevnik*, 12 January 2007.

⁴⁰ Matthew Brunwasser, 'Bulgarians up in arms over a tax on homemade brandy,' *International Herald Tribune*, 12 February 2007, <http://www.ihf.com/articles/2007/02/12/news/bulgaria.php> (accessed on 15

recently decommissioned reactors at Kozloduy ‘should not be in the past, but a part of our common European future’.⁴¹ While the Commission has indicated that the issue is closed and will not be renegotiated, some members within the Bulgarian government continue to push it. In a recent address before the EP, Minister of Economy and Energy Roumen Ovcharov argued that the closure of the two reactors violated treaty agreements between the EU and the energy community in Southeast Europe and were merely based on ‘a text included in the talks Bulgaria held for EU accession 10 years ago.’⁴²

While the issue of Kozloduy is still being contested, the government did clearly carry out its commonly understood obligation to close the reactors, even if it waited until the very last day to do so. How the current Bulgarian government carries out two other controversial commitments is perhaps a more telling indicator of just how trying the early relationship is likely to be.

The controversy surrounding the Nature 2000 program began when the government missed the deadline for designating which areas will be included for protection. Fearing that the program will affect how they may use their property, some developers and citizens began to protest the inclusion of their lands in the program. In response to this pressure, the government has gone from early signals of support for the program to expressions of concern about its effects. Prime Minister Stanishev, for example, explained that the delay was due to the government taking into consideration the need to defend corporate and investor interests.⁴³ Since then, the government has apparently reduced the Nature 2000 lands by nearly half.⁴⁴ Much of the press has pointed out that at least part of the controversy surrounding Nature 2000 is simply due to public misunderstanding of the program’s aims and procedures. Instead, the affected public has jumped to sensationalist conclusions about the program, possibly pushed by groups with ulterior

April 2007).

⁴¹ Venelina Angelova and Juliana Koleva, ‘The president started talking.’

⁴² ‘Minister: Closure of Bulgaria’s Kozloduy NPP Units Violates Main EU Principles,’ *Novinite.com*, http://www.novinite.com/view_news.php?id=79160 (accessed on 11 April 2007).

⁴³ Albena Pino, ‘In Nature, no nature. After the mountains, the nature reservations were also not included in the protected areas,’ *Dnevnik*, 16 February 2007.

⁴⁴ Alexander Bonev, ‘Nature 2000 halfway. In the list with the delayed zones, quietly five more new regions were included,’ *Kapital*, 17 March 2007.

motives.⁴⁵ The government's decision, however, is not without costs. Beyond the environmental concerns, environmental activists point out that the government's actions will mean that Bulgaria is likely to lose promised funds and to face fines for failing to live up to its initial commitments under the program.⁴⁶

A similar governmental reaction in the face of public opposition can also be seen in the general response to the controversy over the excise tax on rakia. In the face of public opposition and perhaps a good understanding of the difficulties in meeting the government's declared commitment to the European Union, the director of the national customs agency declared that the excise tax on rakia was 'uncollectable'. In response, the Commission has noted that Bulgaria must live up to its obligations or face infringement proceedings and possible fines.⁴⁷

While the Nature 2000 controversy has yet to be resolved and the amount of bootleg rakia being brewed this year is still unknown, both issues demonstrate a common governmental response toward EU obligations: jettison EU obligations when controversy arises. In both of these issues, the government's position appears to be that political priorities of the day take precedence over prior understandings and possible future losses. Even when these losses may be considerable, as in the case of Nature 2000, since the government's actions risk the loss of developmental monies and possibly even fines for failure to carry out its obligations.

Public attitudes may partly explain the current relaxed attitudes of the Bulgarian government towards fulfilling obligations of membership and attempting to re-define certain terms of the accession agreement. Faced with an electorate showing signs of reluctance to accept EU imposed measures at least in relation to some policies (e.g. Kozloduy and the alcohol tax), the current government feels supported in its current attempts to challenge the agreed terms of accession. Moreover since the conclusion of the negotiations, new elections produced a coalition

⁴⁵ Christina Hristova, 'Nature 2000 disinformation continues,' *Dnevnik*, 13 December 2006.

⁴⁶ Alexander Bonev, 'Cut, cut. The government cut once more the boundaries of Nature 2000,' *Kapital*, 17 February 2007.

⁴⁷ Matthew Brunwasser, 'Bulgarians up in arms over a tax on homemade brandy,' *International Herald Tribune*, 12 February 2007.

government where the senior partner, the Bulgarian Socialist Party, may feel less constrained by the obligations taken on by a different party, obligations that the socialists actually contested at the time.

5. Some positive signs

If Bulgarian political élites appear to be having some difficulties adjusting to life within the EU, there is some early good news from other sectors of society. Both the Bulgarian press and parts of the NGO sector appear to have a better understanding of the new realities of the Bulgarian political world now that the country is a member of the European Union.

While there are elements of the far right and yellow press that have written critical pieces or articles designed to instill fear or dislike of the new EU reality, mainstream press reports have been largely characterised by an attempt to publicise accurate information and investigate governmental actions that appear to contravene the letter or violate the spirit of existing treaty obligations. Editorials appear more likely to point the finger at the Bulgarian government than at EU institutions. Writing about the government's attempt to blame the EU for the Kozloduy controversy, for example, one mainstream daily noted that 'Nobody is at fault but Bulgaria'.⁴⁸ The press has also presented information that explains the consequences of the government's actions regarding Nature 2000. The reading public has been told that actions will be taken against Bulgaria in EU institutions, that developmental funds will not be forthcoming and that fines are likely if the government does not abide by its initial pledges.⁴⁹

The other positive sign has been the actions by several NGOs in response to the government's actions vis-à-vis the Nature 2000 program. Ecological NGOs such as The Bulgarian Society for the Protection of Birds and other environmental organisations have been

⁴⁸ 'The Saving of AEC Kozloduy, Reporting of Activity,' *Dnevnik*, 20 January 2007.

⁴⁹ For example: Albena Pino, 'What awaits us with "Nature,"' *Dnevnik*, 18 January 2007; Alexander Bonev, 'Cut, cut. The government cut once more the boundaries of Nature 2000,' *Kapital*, 17 February 2007; and Denica Kamenova, 'Since January 1st the EU money for new projects has been blocked,' *Dnevnik*, 02 March 2007.

working together and have actively tackled the situation. They have monitored government actions, have appeared knowledgeable of EU requirements and have communicated this information to the public.⁵⁰ They have also engaged in unusual protest techniques such as having several protestors stand on their heads in front of the Council of Ministers and giving usually decorated Easter eggs designed to insinuate that the influence of money is involved in the government's decisions on Nature 2000.

At present, it is too early to tell if these first controversies and mis-steps are merely the actions of the current government or if they are more deeply embedded in the political psyches of the current Bulgarian political élite. In either case, they are likely to have an impact on the perception that Bulgaria will make among the Commission, other EU members and the Brussels civil servants who are responsible for seeing the Union's regulations upheld. While EU membership still garners widespread support among the public, the basis of this support lies in hope and understanding. The hope comes from Bulgarians' general belief that membership is more or less a positive step and likely to have positive consequences, all things considered. The understanding comes from Bulgarians' recognition that given the beliefs and behaviors of much of the current Bulgarian political élite further reform is unlikely to come about without greater external pressure from the European Union.⁵¹

⁵⁰ Alexander Bonev, 'Nature 2000 halfway'.

⁵¹ 'Bulgarians are again among the most upbeat on the positive role of the EU for solving their country's most important problems. Seven out of ten interviewed, (13 points higher than the EU average) believe that EU membership will play a positive role for the country's economy.' Eurobarometer 66, National Report Executive Summary, Bulgaria, (Autumn 2006) 4.

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