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EU Conditionality and Effectiveness

With special reference to minority rights and the fight against corruption in Croatia and Macedonia

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Abstract

Since 1993, EU candidate countries must prove their adherence to the principles of democracy and the rule of law to be eligible for pre-accession assistance. For their eventual accession to the EU, they have to comply with a catalogue of demands which are regularly reviewed by the Commission. But which are the conditions that make the EU's pressure and assistance towards the rule of law the most efficient?

The two current candidates Croatia and Macedonia both encountered considerable domestic political problems during the 1990s and early 2000s. However, while both were under the influence of EU conditionality, they followed different paths of democratization. Thereby, they offer a fruitful ground to test the applicability of lessons learnt from the 2004 and 2007 enlargements to the Western Balkans. Their development is analyzed on the basis of the EU's regular reports and assessments by leading NGOs in the fields of corruption and minority rights.

I argue that the EU's use of conditionality has been one of the driving forces behind the democratic development in Croatia and Macedonia but that it has not been the main source for improvements. Due to unequal domestic circumstances, most importantly in terms of political competitiveness, Croatia and Macedonia currently find themselves at very different stages of the pre-accession process.

Word Count: 7620

Introduction

Waves of enlargement belong to the milestones in the history of the European Union (EU). At the same time, they have become recurring events as after the application of more than 25 countries for EU membership the last accession is still not in sight.

The question whether accession candidates practice the same values of liberal democracy as EU member states has become a pressing point of discussion among politicians and the European public since the 1980s. The candidacy of Greece, Spain and Portugal which had all been non-democratic states, the declarations of former communist countries in Central and Eastern Europe to seek EU membership and the inclusion of democracy and the rule of law as guiding principles into the Maastricht Treaty in 1992 (Börzel/Risse 2005) contributed to this development.

In 1993, the European leaders established the Copenhagen criteria stating that

“Membership requires that the candidate country has achieved stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities [...]” (European Council 1993: 1)

For entering the pre-accession process, candidate countries must prove their adherence to the principles of democracy and the rule of law. For their eventual accession to the EU, they have to comply with a catalogue of demands which are regularly reviewed by the European Commission. They receive assistance and are subjected to pressure from various sides to fulfill the EU’s expectations.

This paper seeks to clarify the conditions which make the EU’s assistance and pressure on candidate countries the most efficient. For this purpose, I will first lay down the basic strategy and instruments which the EU employs to exert influence. The next section explains which domestic conditions for a successful leverage of the EU on candidates have been identified by leading authors in the field. To assess the effectiveness of conditionality on Macedonia¹ and Croatia, it is indispensable to discuss the particularities of the Western Balkans.

Against this background, sections three and four will analyze the development of Macedonia and Croatia. Croatia and Macedonia have been chosen as they have several commonalities that allow for a comparison of the two states: they are not only both located in the region of the Western Balkans, but they share a common past as sub-republics of the Soviet Federal Republic of Yugoslavia (SFRY). Among the latter they also are the only ones which attained the status of EU candidate countries. Both encountered considerable domestic political problems during the 1990s and early 2000s. However, it will be shown that they followed different paths of democratization while being under the influence of EU conditionality. Thereby, they offer a fruitful ground to test the applicability of lessons learnt from the 2004 and 2007 enlargements to the Western Balkans.

I argue that the EU’s use of conditionality has been one of the driving forces behind the democratic development in Croatia and Macedonia in the areas of minority rights and anti-

¹Although the country is internally recognized by most states as the Former Yugoslav Republic of Macedonia, it will be labeled as Macedonia to allow for a better reading flow.

corruption policies but it has not been the central source for improvements. The EU, in particular the Commission, did not use its instruments to their fullest potential in terms of effectiveness. Due to unequal domestic circumstances, such as the competitiveness of their polities, Croatia and Macedonia currently find themselves at different stages of the pre-accession process.

Theoretical framework

The concept of conditionality

Article 49 of the Treaty on the European Union (TEU) states the EU's basic expectations towards candidate countries:

“Any European State which respects the values referred to in Article 2 and is committed to promoting them may apply to become a member of the Union. [...]” (Publications Office of the European Union 09-05-2008: 43)

Article 2 lists “respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities” (ibid: 17) as these values. These two TEU articles serve as a starting point for the evaluation of candidate countries but the legal body on enlargement consists of more aspects: respect for the values stated in Art. 6 (1) TEU and the compliance with the Copenhagen criteria belong to the set of *application criteria* which need to be fulfilled by a country to become a candidate. In addition to these rules for eligibility, there is the large set of *enlargement principles* which ensure the acceptance of the entire EU law by the candidate before the eventual accession (Kochenov 2008: 21 et seq.)

In order to identify the ability of applicant states to meet these sets of criteria, the EU employs the principle of conditionality. The latter emerged as a reaction to the number and nature of post-communist candidate states in the 1990s and to the growing complexity of EU law (ibid: 50). In a nutshell, conditionality makes an

“accession dependent on the performance of the candidate countries in a number of fields and [is] aimed at assuring that the *acquis communautaire* be implemented fully and consistently, and that the candidate countries genuinely subscribe to the principles and objectives of the EU and will be able to effectively implement them” (Kochenov 2008: 39, italics in original)

Although it is legally not a part of the primary law, conditionality “stems from the spirit of the Treaties” (ibid). Since 1998, the principle is de facto enforceable due to a Council Regulation² which made the allocation of financial assistance dependent on progress for the application and enlargement criteria.

From a more conceptual perspective, conditionality may be best described as a strategy of “reinforcement by reward” (Schimmelfennig et al. 2003: 496). In return for compliance with the EU’s expectations, the target country receives assistance and the upgrade of institutional ties with the EU. These ties range from trade agreements over association agreements to full membership. In the case of non-compliance, the EU foresees limited measures of punishment: beyond the denial of rewards that can be seen as the “sticks”-side of the frequently employed “sticks and carrots”-metaphor, the most severe effort is the suspension of the existing agreements (ibid: 496).

The prerequisites for successful conditionality

However, conditionality does not lead to identical reform paths in all cases. Whereas some countries cope quickly with the demands of the EU, others seem to be reluctant or simply not able to comply with the requirements. So what is needed for the successful application of conditionality?

Vachudova (2005) seeks to explain the different developments of six countries³ from communist, authoritarian rule to liberal democracies with free market economies. She argues that two factors lead to the compliance of (potential) EU candidates with the expectations of the EU: the EU’s “active leverage” and political competitiveness within the target states. Active leverage is congruent with conditionality as it describes the influence that the EU exerts over candidate countries during the pre-accession period (Vachudova 2005: 4, 106). Political competitiveness is crucial for the success of EU leverage because it delimits the room of governments to evade a substantial compliance with EU

² Council Regulation No. 622/98 Official Journal of the EU, L 85/1, 1998.

³ These countries are Poland, Czechoslovakia/Czech Republic and Slovakia, Hungary, Romania and Bulgaria.

demands to its own advantages.⁴ In other words, the stronger the scrutiny over the government and other state institutions by opposition forces and society is, combined with the possibility of a political turnover at the next elections, the more costly half-hearted reforms and rent-seeking will be for the government. In this context, the policies of a government will tend to be in conformity with the EU's expectations of full reforms and fir policies respecting democratic principles and the rule of law. This logic applies especially to countries which undergo political and economic transformation: following the breakdown of the old regime, the next ruling elite has a vast influence on the fundamental rules of the new system and multiple opportunities to gain advantages at the expenses of those who are excluded from government. If the government originates from a strong pro-liberal opposition that led to the regime breakdown and which won the first elections in the new era, an establishment of liberal democratic rules including political competition is more likely (Vachudova 2005: 13 - 17).

As soon as political competitiveness is in place, the reformation of the old communist party becomes important to uphold the competitiveness over the following elections (Vachudova 2005: 19).

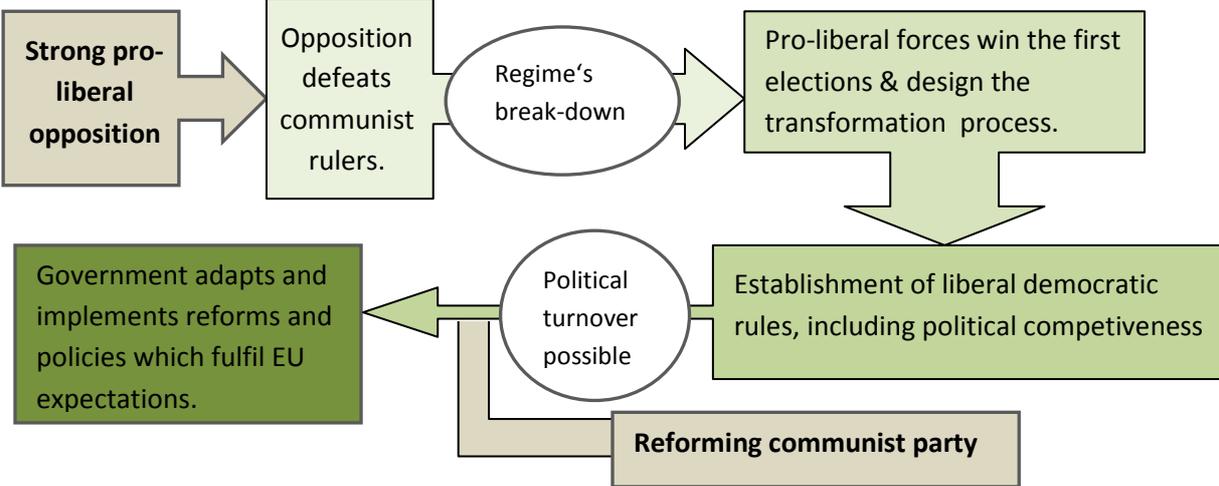


Figure 1 Liberal path of democratization according to Vachudova (2005: 18, 19)

In brief, a strong pro-liberal opposition at the outset of regime change and a changing mind-set in the post-communist parties are the pillars of political competitiveness. Figure 1 illustrates the ideal path from communist rule to liberal democracy.

⁴ Vachudova refers to Joel Hellman's partial reform equilibrium model (Hellmann 1998 at Vachudova 2005: 14).

Vachudova shows that the EU's conditionality only fell on fruitful grounds in those countries that followed the scheme of liberal transformation. In other cases such as Bulgaria, Romania and Slovakia, active leverage lacked impact as long as illiberal patterns of democratization were in place: despite the regime change, pro-liberal forces were not strong enough to come to power. The old ruling elites continued to control the polity and implemented only partial reforms that did not allow for political competition (Vachudova 2005: 19). *However*, the EU's influence contributed to a subtle shift of balances even in these countries through changes in the informational environment and institutional set up to the advantage of liberal forces. Eventually, these countries picked up the path of liberal democratization, *but* with a considerable delay (Vachudova 2005: 106, 107).

Kochenov's work on democratic conditionality (2008) handles the aspect of active leverage in a way that is useful for the following case studies. He states that on the grounds of the power asymmetry between the EU and the candidate states, the Commission's choice to put pressure on candidates through a selected combination of legal-political instruments is "likely to bring about various levels of compliance" (Kochenov 2008: 79). Kochenov points out a hierarchy of "diminishing political effectiveness" among these instruments. Figure 2 lists the instruments in order of decreasing effectiveness.

- (1) Articulation of the "absolute imperative" to changes at the highest political level
- (2) Articulation of the problematic issue in all documents related to the progress evaluation of the candidate country
- (3) Acknowledgment of the problematic issue in progress reports and under the short-term priorities of the Accession Partnership
- (4) Acknowledgment of the problematic issue in the progress reports and the Accession Partnership (not prioritized)
- (5) Constant acknowledgement of the issue in the progress reports
- (6) Occasional mentioning of the issue in the progress reports

Figure 2 Scale of pressure of the Commission on candidate countries via legal-political instruments (Kochenov 2008: 79-80)

Thus, the application of pressure on a higher scale will most likely turn out with effective results, i.e. the fast and comprehensive compliance with EU demands.

In terms of domestic prerequisites of effective conditionality, Schimmelfennig, Engert and Knobel argue with the cases of Latvia, Slovakia and Turkey that the domestic costs of compliance for national

governments will decrease the willingness to respond to EU demands. Hence, if the “EU conditions negatively affect the security and integrity of the state, the government’s domestic power base, and its core political practices for power preservation” (Schimmelfennig et al. 2003: 498), compliance will become less likely, i.e. conditionality may lose its effectiveness. Moreover, they point at the importance of the material incentives (ibid: 514). Schimmelfennig (2005) developed this argument in a way similar to Vachudova’s suggestions: material incentives offered by organizations such as the EU and party constellations determine the adaptation to liberal norms. He differentiates between liberal party systems where the major parties are all reform-minded, mixed party systems where a part of the major parties are reform-minded but others follow nationalist-authoritarian policies and anti-liberal constellations where all major parties reject liberal policies as expected by the EU. In the first case, a smooth transition to liberal democracy is performed due to the low political costs for the government; in the last case, transition will not materialize and EU conditionality will stay ineffective. In the mixed constellation, a stop-and-go transformation is likely due to the struggle between the major parties’ convictions. However, the costs that a reversal of reforms would bring under EU conditionality create a “lock-in-effect” that will eventually lead to the establishment of liberal rules and policies (Schimmelfennig 2005: 828, 829).

Particularities of conditionality in the Western Balkans

Literature on the candidates and prospective candidates of the EU in the Western Balkans agrees that there are some peculiarities which have to be taken into account for assessing conditionality in the region. By giving a membership perspective to the successors of the Soviet Federal Republic of Yugoslavia (SFRY), the EU tried to strengthen its global perception as an international actor and to compensate for its lack of influence in the region during the 1990s (Vachudova 2005; Anastasakis/Bechev 2003). Therefore, Vachudova warns that the Western Balkans has the potential to discredit the entire logic of EU enlargement if conditionality should fail. She points out that the countries of the region are particularly characterized by disparities in both economic and political terms and a partly unwillingness to respond to EU demands on the sides of political elites. Therefore

two elements are of special importance: the meritocratic character of conditionality—each country is evaluated purely on the grounds of its own achievements—and the role of intermediary rewards in return for partial progress to keep these countries on their reform paths (Vachudova 2005: 247 – 252; Anastasakis/Bechev 2003: 17).

In fact, the EU imposed some particular demands on the “potential candidates” (European Council 2000: point 67) as a consequence of their conflict-ridden past: for the signature of critical bilateral Stabilization and Association Agreements (SAAs), they are required to cooperate with the International Criminal Tribunal for the Former Yugoslavia (ICTY), to develop solutions for the high numbers of internally displaced persons and refugees and to display their commitment to regional cooperation. At the Zagreb summit the basic conditions were outlined:

“The prospect of accession is offered on the basis of the provision of the Treaty on European Union, respect for the criteria defined at the Copenhagen European Council in June 1993 and the progress made in implementing the stabilisation and association agreements, in particular on regional cooperation.” (European Commission 30/10/2010)

Trauner underlines another significant difference between the conditionality towards Croatia and Macedonia in comparison to former candidate countries: the emphasis on implementation. The use of benchmarks had been strengthened to measure this dimension of reforms which was considered after the lessons of the Eastern enlargement as the “most important one” (interviewee quoted by Trauner 2009: 783).

Analytical Framework

Like the six countries in Vachudova’s work, Macedonia and Croatia share a similar historical background as former SFRY members. Also similar to the former group of countries, Macedonia and Croatia experienced a sudden regime break-down, followed by very different paths of liberalization during the 1990s and 2000s, while being both under some degree of EU influence and by being granted candidate status. Therefore, it seems promising to apply Vachudova’s and Kochenov’s concepts to Croatia and Macedonia to understand the factors that influenced the effectiveness of EU conditionality. Furthermore, I will follow in parts the argumentation of Kochenov (2008) and

Schimmelfennig (2005, et al. 2003) by looking into the pressure exerted by the EU via the priorities listed in the partnership documents with Croatia and Macedonia and into the material incentives offered by the EU to the two countries. A comprehensive assessment would require the inclusion of all instruments listed by Kochenov. This would need a thorough investigation on public statements of decision-makers and opinion leaders as well as the analysis of a wealth of EU documents.

Two policy areas which were problematic on the accession agenda of both countries have been chosen to understand the developments of Macedonia and Croatia: respect for minority rights and the fight against corruption. Recent accounts of established international organizations, namely the Worldbank, Transparency International (TI), and the Minority Rights Group International (MRGI) will serve as a basis for the following analysis. These reports are crucial for an assessment of conditionality as they offer credible insights into the development on the ground, independently from available EU documents. This separation is necessary because the latter constitute the subject under evaluation.

With regards to political competitiveness, which should help to explain the developments in the areas of minority rights and the fight against corruption, this analysis is restricted to the occurrence of political turn-over. In order to test the role of political competitiveness in a broad manner similar to Vachudova's and Schimmelfennig's proceeding, an examination of public reactions to the transition, an detailed assessment of the regime changes, a close look into the post-communist polities, policies and programmes of political parties as well as into the relations between EU institutions and societal groups is indispensable. Therefore, this paper delivers only a first, partial contribution to the testing of suggested factors for effective conditionality in the cases of Croatia and Macedonia.

Croatia and the effects of EU conditionality

Croatia applied for membership in the EU in 2003. Before, it had been associated with the EU for two years by a SAA. In June 2004, Croatia received its status as a candidate but due to deficient

cooperation with the ICTY, the accession talks began only in October 2005. One year later, the screening was concluded and negotiations began. Croatia is expected to join the EU in the near future.

Minority rights

The biggest minority group in Croatia is ethnic Serbs (4.5% in 2001). Bosnians constituted 0.47% of the overall population in 2001. Albanians accounted for 0.3% and citizens with Roma origin 0.47% (MRGI 2003: 4).

Ethnic tensions mainly concern the relationship between Croats and Serbs but also the Roma suffer from discrimination. In the SFRY, ethnic tensions were suppressed by Tito's "policy of full ethnic equality" (ibid: 8); they broke out with the declaration of independence by Croatia in 1991 against the will of the SFRY under Serbian leadership. In 1995, the Erdut agreement between the Croat government and the Serbian authorities regulated the future integration of Serbian communities into the Republic of Croatia. However, problems persisted and the agreement was not fully respected by the Croat authorities (ibid: 10, 11).

For decades, Roma in Croatia have found themselves in a position close to "the bottom of society" (ibid: 13). Poverty, social exclusion and the absence of a common standard language prevented their benefitting from the comparably generous Yugoslavian laws on minority rights. Ever since, the government has made only slow progress in improving the situation (MRGI 2003: 8, 13).

In 1997, the EU's General Affairs Council decided to offer financial aid under the PHARE program to the countries of the Western Balkans, including Croatia. It formulated a list of expectations for this assistance, among them, respect for minority rights. For the establishment of treaty-based relations beyond sheer financial help, the conditionality included more detailed requirements (Council of the European Union 1997). Respect for the rights of minorities was explicitly included in the SAP which was signed following the end of the Tudjman era in 2001 (European Commission 30/10/2010). However, as Croatia did not fulfill the requirements, it was suspended from the PHARE program for most of the 1990s (Sanader 1999: 8).

From 2001 to 2004, the Commission published reports on Croatia's progress in the SAP. With the status of candidate country, these reports were replaced by annual progress reports. The Minorities Rights Group International (MRGI) conducted an analysis of these reports in 2008. It compared their content with the observations of other organizations such as the Organisation for Economic Co-operation and Development (OECD) and the Council of Europe (CoE) and found that the Commission's reports lacked completeness and qualitative assessments. The MRGI stated that "Consultation with members of minority communities in Croatia revealed a range of issues that go largely unnoticed in the Reports." (Bokulić/ Kostadinova 2008: 19) The organization pointed out that problems in the three main dimensions in the area of minority rights in Croatia—participation, employment and education—were never consistently and fully addressed (see Figure 3).

- ignorance of discrimination against Roma in the area of citizenship rights and in the education system
- no attention to failing recognition of councils on inter-ethnic relations as advisory bodies
- no criticism of lacking political will for employment programs for minorities
- ignorance of the other ethnic minorities than Serbs and Roma

Figure 3 Weaknesses of EU reports on minority rights in Croatia according to the MRGI (Bokulić/ Kostadinova 2008: 18 - 31)

While an investigation into the reasons behind these deficiencies lies beyond the scope of this paper⁵, the MRGI's observations indicate that the Commission left a part of the report's potential for effective leverage unexploited through these inconsistencies as they suggested a lack of attention to the subject.

With reference to the hierarchy of legal-political instruments, an analysis of the higher ranking Accession Partnerships (Annex I) shows slightly different patterns. From 2004 onwards, the EU has consistently used the partnerships to exert pressure on the Croatian government in the area of minority rights. Out of the 10 demands that were identified across the SAA, the European Agreement and the two Accession Partnerships, once raised demands have been upheld in later documents. However, the increase of issues instead of a decrease leads to the impression that none of the

⁵ Ignorance but also institutional constraints could play a role. Sasse (2005) investigated similar problems with the reports preparing the 2004 enlargement.

demands have been entirely fulfilled so far. For the approaching accession of Croatia and in the light of findings by the MRGI, a criticism made by Kochenov (2008) seems convincing: the results of EU monitoring and the progress of the accession process may have been decoupled. Again, this supports the impression from the regular reports: the EU does not use this instrument's potential for effectiveness to its fullest.

A second factor for the effectiveness of conditionality is the material benefits which are granted during the pre-accession process. They can be considered as intermediary rewards on the road to accession (Vachudova 2009). The allocations to Croatia under the IPA are shown in Table 1. The first component "Transition Assistance" covers activities for the improvement of minority rights. Before 2007, Croatia received assistance from the programs CARDS (European Commission 2008: 113), PHARE (Delegation of the European Union to Croatia) and OBNOVA (Republic of Croatia 2005).⁶

Component	2007	2008	2009	2010	2011	2012
Transition Assistance and Institution Building	50	45	46	39	40	41
Cross-border Co-operation	10	15	16	16	16	16
Regional Development	45	48	50	57	58	59
Human Resources Development	11	13	14	16	16	16
Rural Development	26	26	26	26	27	27
TOTAL	142	142	152	154	157	159

Table 1 IPA allocations to Croatia (in million Euro; European Commission 09/11/2010)

Program	Million Euro
PHARE	167
OBNOVA	60
CARDS	172
IPA (component 1)	261
TOTAL	660

Table 2 Sum of relevant financial assistance to Croatia

The MRGI looks into the effects of financial assistance by the CARDS program and the IPA on minority rights in the Western Balkans. The group argues that "neither the CARDS nor the IPA

⁶ Croatia also receives assistance from other programs such as ISPA and SAPARD. These programs are excluded because they are neither concerned with minority rights nor with anti-corruption policies.

programs have succeeded in consistently addressing minority issues and supporting CSO [civil society organization] groups representing minority issues.” (Ferrari/ Liaquat Ali Khan 2010: 3) The same is valid for the PHARE program: it did not include a separate budget line for minority issues. The allocations to “civil society and democracy” which covered this area only constituted a small part of the overall PHARE budget (Sasse 2005: 5). In addition to the limited size of the rewards, there is another conceptual problem: the MRGI’s analysis shows a clear lack of integration of minority groups into the planning and implementation of the programs, so that these often proved ineffective or not sustainable after the end of EU funding. Furthermore, the MRGI argues that many CSOs might not be able to apply for grants as their size exceeded the capacities of the groups or because linguistic barriers impeded an application (Ferrari/ Liaquat Ali Khan 2010: 3).⁷

In brief, material incentives have been given to Croatia in considerable sums (see Table 2) but they were not targeted directly at the improvement of minority rights. Thus, it is difficult to understand these allocations of financial aid as an effective tool of conditionality.

Fight against corruption

Transparency International’s Corruption Perception Index (CPI) may serve as one of the most objective instruments to trace the development of Croatia’s fight against corruption. Table 3 displays the development of both Croatia and Macedonia.⁸ Table 4 shows the “corruption control” dimension of the Worldbank’s Worldwide Governance Index (WGI).⁹

⁷ Not only has the thorough analysis of MRGI rendered this finding credible. Other case studies pointed at similar problems, e.g. Gitta Glüpker (2010): Turkish civil society organizations in the EU pre-accession process. Unpublished Master Thesis, University of Osnabrück.

⁸ The CPI has been published annually since 1995. Since 1999, Croatia and Macedonia were included in the evaluation. The CPI is based on surveys with experts from a variety of independent organizations in the country. It applies categories of 0 (for the most corrupt) to 10 (for systems clean from corruption). The figures in brackets indicate the global rank of the country whereby the number of assessed countries varies considerably between 1999 and 2010. For more information, see Transparency International (2008).

⁹ The WGI uses survey data but instead of focusing on the perception of corruption it measures the control of corruption. The scale ranges from -2.5 to 2.5; a higher score indicates better control for corruption.

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Croatia	2.7 (74)	3.5 (51)	3.9 (47)	3.8 (51)	3.7 (59)	3.5 (67)	3.4 (70)	3.4 (69)	4.1 (64)	4.4 (62)	4.1 (66)	4.1 (62)
Macedonia	3.3 (63)	.	.	.	2.3 (106)	2.7 (97)	2.7 (103)	2.7 (105)	3.3 (84)	3.6 (72)	3.8 (71)	4.1 (62)

Table 3 Transparency International's Corruption Perception Index for Croatia and Macedonia (Transparency International 2010a)

	Croatia	Macedonia
1996	-1.01233	-1.07139
1998	-0.38434	-0.46671
2000	0.061559	-0.55019
2002	0.279187	-0.78199
2003	0.129954	-0.61399
2004	0.243689	-0.45669
2005	0.239712	-0.39237
2006	0.118654	-0.3234
2007	0.136206	-0.25465
2008	0.073475	-0.12585
2009	0.034885	-0.02826

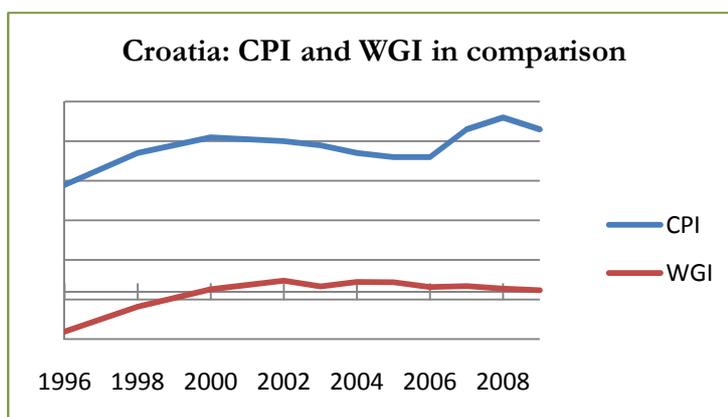


Figure 4 Comparison of CPI and WGI for Croatia

Table 4 Worldbank's Worldwide Governance Index for Croatia and Macedonia (Worldbank 2010)

The CPI (see Table 3) and the WGI (see Table 4) indicate that Croatia made progress in the fight against corruption from the start of observations to 2001/2002. Whereas perceptions of corruption increased from 2001 to 2006, improvements were observed from 2006 to 2007. These developments are illustrated by Figure 4. Both the major investigation “operation Maestro” against the State Privatization Funds and due to a growing activity of the Office for the Prevention of Corruption and Organized Crime (USKOK) as a whole (European Commission 06/11/2007: 50) may have contributed to this change. Ever since, Croatia keeps a quite stable CPI score above 4 which are the best values for the country but still below most EU countries and a small step on a scale ranging from 0 to 10. According to the WGI, the control of corruption improved within the period of 1998 to 2000 which was partly the era of a ‘second transition’ after Tudjman’s death. Before 1998, corruption had flourished in Croatia due to a power vacuum after the end of the SFRY which was used by the elites for the support of their clientelist networks. This is very much in line with Vachudova’s description of rent-seeking (2005). The years of authoritarian rule under Tudjman supported these networks so that

the fight against corruption was quite absent despite the invitations of the Commission to change the situation (Vachudova 2009: 46).

A look at the pressure which was put by the Commission on Croatia in the SAA and the Accession Partnerships from 2001 onwards shows that a multitude of 13 different demands were articulated in these documents for the fight against corruption. Similar to the area of minority rights, most of the issues which were raised once were taken over by later partnerships. Again, the impression emerges that the country did not manage to fully comply with the EU demands in most aspects. In the case of effective conditionality, the synopsis in Annex I would be expected to display a range of demands in the beginning of the pre-accession process and a reduction of criticism over time. At the same time, the corruption perception records should improve significantly. Observations do not confirm this for the case of Croatia. As a result, the Accession Partnerships and with them the progress reports that led to the partnership documents may not have been used in an effective manner.

With regards to the material incentives, activities for combating corruption are covered by the IPA's first category "Transition Assistance and Institution Building" (see Table 1). Together with the other programs which preceded IPA, almost 660 million Euro will have been at Croatia's disposal for democratic reforms by 2012. As much as it is the case for the legal-political instruments to put pressure on the Croatian government, the effectiveness of this tool would have been proven on the basis of better CPI and WGI results. However, this has not been the case. In combination with the continuing considerable demands in the area of corruption as expressed in the latest Accession Partnership of 2008, there are serious doubts that material incentives served as an effective tool of EU conditionality.

Macedonia and the effects of EU conditionality

In 2001, Macedonia signed its SAA with the EU. Three years later it filed its application for EU membership and received the candidate status in December 2005. The country is considered to be

still distant from an accession. The biggest obstacle for the opening of accession negotiations is an unofficial veto by Greece due to a dispute over Macedonia's official name.

Minority rights

According to the census of 1994, the biggest minorities in Macedonia are Albanians (22.7 %) followed by Turks (4%), Roma (2.2%) and Serbs (2.1%) (Ortakovski 2001: 25).

The main social cleavage consists in the ethnic separation between Macedonians and Albanians. Whereas Tito's policy of ethnic equality applied to Macedonia, too, the Albanian community suffered from discrimination and repression in the 1980s (Hislope 2002: 11). After the independence of Macedonia in 1991, Albanians asked for their recognition as the second constituent nation of Macedonia. Furthermore, the introduction of Albanian as the official language, the right of education in the mother tongue on all levels, a proportionate public representation and greater local autonomy belonged to their demands (ibid: 34). In 2001, the divide escalated into an armed conflict between the Albanian National Liberation Army (NLA) and Macedonian security forces (Willemsen 2002: 734). The resulting Ohrid Agreement laid the foundation for a new coexistence of the two groups. In return for the disarmament of the NLA, the Macedonian state recognized Albanian as a second national language, agreed to improve the representation of Albanians in public positions and started decentralization reforms.

As for the case of Croatia, the assessment of the EU's influence on minority rights issues in Macedonia has to take the EU's expectations into account. In its first conditionality report in 1997, the Commission points at the lack of education opportunities in Albanian language. Moreover, the report mentions the underrepresentation of Albanian Macedonians in the security forces and the non-recognition of the Serbian Orthodox Church by the authorities (Commission 03/10/1997: 4).

Similar to the Commission's reports on Croatia, the MRGI criticized the reports on Macedonia for omitting relevant aspects of minority rights in the country. In the case of Macedonia, the list of

skipped issues is partly identical to the critique on Croatia's evaluations but contains additional elements. These are listed in Figure 5.

- Oblivion of the increased intolerance towards Roma
- Failure to address the abuse of minorities by police forces, partly trained by EU mission ALTEA.
- Disregard for the situation of other minorities than the Albanian community
- Non-consideration of the situation of women from ethnic minorities in employment
- Failure to observe the lacking integration of Roma in EU funded public programs
- Negligence of problematic instruction in and on minority languages problematic from 2007 onwards
- Failure to address the stereotyping of Roma in textbooks
- Non-consideration of the habit to send healthy Roma children to schools for children with mental disorders
- Omission of high drop-out rates of Turkish and Albanian students from the education system

Figure 5 Weaknesses of EU reports on minority rights in Croatia according to the MRGI (Bokulić/ Kostadinova 2008: 24)

These gaps in the reports are reflected by the European Partnership of 2004 and the Accession Partnerships of 2006 and 2008 (see Annex II). The overview reveals that from the nine requests, two were consequently taken up by the subsequent documents: the access to education and the strategic plan for equitable representation. Others were raised but later dropped, so that a more successful performance of Macedonia in comparison to Croatia would be the logical conclusion. Of course, ignorance or political constraints as alleged by the MRGI (Bokulić/ Kostadinova 2008) cannot be ruled out completely. In sum, the use of legal-political instruments seems to be more consistent than in the case of Croatia but still the question remains on which criteria the EU bases its decisions when an issue can be dropped from the list and when it should be kept. Several authors explain this uncertainty with the lack of clear benchmarks which result from the fact that the EU has no competency towards the member states in the area of minority rights (Sasse 2005). The same applies to anti-corruption policies (Vachudova 2009).

In terms of material support for Macedonia, the offer by the EU's General Affairs Council in 1997 to support the Western Balkans with funds from the PHARE program also addressed Macedonia (Council of the European Union 1997).

Component	2007	2008	2009	2010	2011	2012
Transition Assistance and Institution Building	42	41	38	36	29	28
Cross-border Co-operation	4	4	6	6	5	5
Regional Development	7	12	21	29	39	42
Human Resources Development	3	6	7	8	9	10
Rural Development	2	7	10	13	16	19
TOTAL	58	70	82	92	98	104

Table 5 IPA allocations to Macedonia (European Commission 31/10/2010)

Before the IPA set in, Macedonia received support from CARDS between 2000 and 2007 (European Commission 2008: 113). From 1992 and 2000 it was eligible for funds from PHARE, OBNOVA and ECHO (Delegation of the European Union to the Former Yugoslav Republic of Macedonia 2009). Table 5 shows the IPA allocations to Macedonia; Table 4 summarizes the financial help which will have been given to the country by 2012 from instruments that included the fight against corruption.

Program	Amount of aid
PHARE + OBNOVA	240
ECHO	96
CARDS	264
IPA	214
TOTAL	814

Table 6 Sum of relevant financial assistance to Macedonia

The findings of the MRGI (Ferrari/ Liaquat Ali Khan 2010) on financial assistance by CARDS and IPA on minority rights in the Western Balkans and the critique by Sasse (2005) are equally valid for Macedonia. None of them specifically targeted minority rights. There is no indication that minority groups in Macedonia were more strongly incorporated into the planning and implementation of the programs than in the rest of the Western Balkans. Therefore, it seems unlikely that the financial assistance for improvements of minority rights could show the effectiveness that it potentially had.

Fight against corruption

Tables 3 and 4 above displayed Macedonian's performance in the fight against corruption according to the CPI and the WPI. As Figure 6 shows, the country shows a constant improvement

since 2003.¹⁰ Whereas it scored clearly below Croatia in 2003 it has caught up in 2010 in terms of perceptions of corruption (CPI). However, according to Worldbank data (WHI), Macedonia still lags behind Croatia.

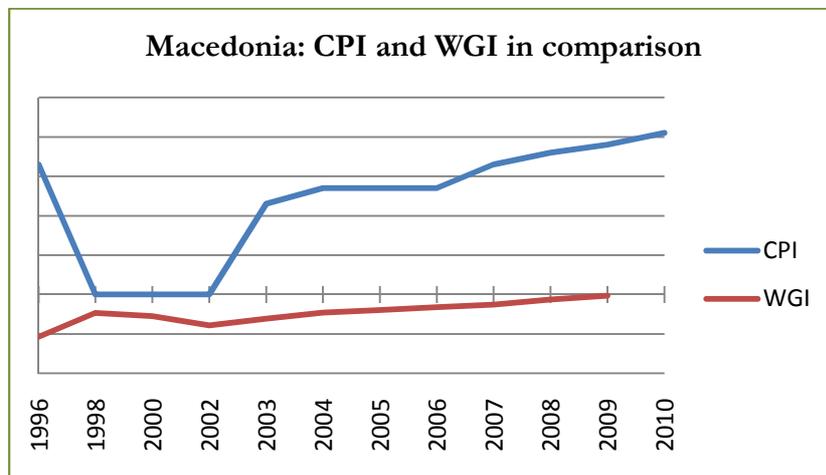


Figure 6 Comparison of CPI and WGI for Macedonia

What are the reasons for the—still comparatively—high perceptions of corruption in Macedonia? The Foundation Open Society Institute in Macedonia, FOSIM, confirms Vachudova’s suggestion: the problems faced by business elites, citizens and state institutions during the political and economic liberalization offer both opportunities and incentives for corruption at a low stage (FOSIM 2004: 135). Weak administrative capacities played an important role in terms of opportunities (Vachudova 2009: 46). On the level of so-called “grand corruption” (Budak 2006: 38), the repression of Albanian segments of society in the SFRY and the following escalation of tensions gave the necessary incentives for using access to resources for particularistic interests (Hislope 2001).

Macedonian society is increasingly aware of the negative implications of the wide-spread corruption. An analyst for the FOSIM in Macedonia stated in 2004 that

“[...] much is expected of the EU and their methodologies. The proactive role of EU in the Western Balkans should be focused on strengthening the institutions, having in mind that assistance provided so far was inappropriate compared to challenges.” (Marjan Nikolov, FOSIM 2004: 134)

¹⁰ From 2000 to 2002 TI did not include Macedonia in its index.

This shows that the starting point for the EU's conditionality bore a lot of potential. However, corruption did not initially play a role in the EU's conditionality. The first document which referred to corruption was the Conditionality Report of 2000 (European Commission 09/02/2000). The SAA in 2000 foresaw a cooperation of the signatory parties in the fight against corruption. The 2002 report on the SAP labeled it as a "serious cause of concern" (European Commission 03/04/2002: 12). Over time, the Commission expressed 18 concrete expectations (see Annex II). Four points have been constantly repeated, others were taken on board in 2006 or 2008 and other issues have been dropped. The most coherent pressure has been put on the implementation of a strategy against corruption, the cooperation among state bodies, rules for public officials on interest conflicts and the law for financing political parties. The number of dropped issues hint at the progress that Macedonia made in the area of corruption – or it may be another sign of inconsistency due to ignorance or political constraints as claimed by the MRGI in the case of minority rights. In light of the positive CPI and WGI trends the former interpretation seems more likely.

In terms of material assistance for the fight against corruption, activities for combating corruption are covered by the IPA's first category "Transition Assistance and Institution Building" (see Table 5 above). Together with other programs which preceded the IPA, more than 800 million Euro will have been offered to Macedonia by the end of 2012. But again, effectiveness of this tool has to be proven on the basis of CPI and WGI results. In regard to the slight improvements according to the CPI and WGI, conditionality based on material incentives seems effective.

Domestic factors and EU conditionality: political competitiveness

The preceding sections have revealed that in Croatia and Macedonia much has been undertaken to support democratization and the full establishment of the rule of law in the areas of minority rights and the fight against corruption. Croatia has been reluctant during the 1990s to fulfill any demands of the EU but made up ground later. Initially, Macedonia has been faster but was thrown back by the internal armed conflict with the NLA in 2001. Furthermore, the conflict over its official

name with Greece currently poses a main barrier to further process in the pre-accession process. Obviously, the EU's conditionality had its limits, not only in the 2004/2007 enlargement candidates but also in the Western Balkans.

Concerning domestic factors for the effectiveness of EU leverage, Vachudova (2005) argues for six formerly communist countries that political competitiveness determine the path of reforms after the break-down of the old communist regime. Strong pro-liberal forces and a quickly reforming post-communist party foster political competitiveness. Which role did these two factors play in Croatia and Macedonia?

Croatia's main political parties are the Croatian Democratic Union (HDZ), which represents a "anti-communist umbrella group mobilizing on the basis of nationalist and populist appeals" (Jou 2010: 100), and the leftist opposition party, the Social Democrat Party (SPD) which emerged from the former communist party. The country experienced the end of communist rule through a "peaceful, electoral process" (Jou 2010: 96). But, as Pusic states,

"It is significant that the Croatian transition began without any opportunity for roundtable negotiations, without a chance for the democratic opposition to consolidate and organize itself, and without the presence of any political organization that could claim a history of struggling for democracy. Some of the nationalists who headed the HDZ had been persecuted by the communist regime, but that experience did not make them into democrats. Advocating democratic changes and implementing such democratic institutions as free multiparty elections helped them come to power, but democracy was not their goal or the focus of their program." (Pusic 1998: 116)

This description shows that although a new, non-communist party took over the power after the independence of Croatia from the SFRY, the new ruling elite did not support liberal ideals comparable to the countries in Vachudova's analysis. With its strongly nationalist stance, the HDZ dominated Croatian politics for most of the 1990s. Accordingly, it comes to no surprise that a true political liberalization stayed absent for a long time. As has been discussed above, Croatia failed to comply with EU conditions for PHARE funding. Also the fight against corruption only gained momentum after the end of the HDZ rule under Tudjman. With a view to political turnovers that constitute a core element of Vachudova's concept of competitiveness, Table 7 supports this

observation. The first change of political rule came in 2000. From then onwards, coalitions have frequently changed. Furthermore, the HDZ softened its nationalist discourse and took over more liberal positions.

Prime Minister	Time period	Parties
Stjepan Mesic	May 1990 - August 1990	HDZ
Josip Manolic	August 1990 - July 1991	HDZ
Franjo Greguric	July 1991 - August 1992	National Unity Government
Hrvoje Šarinic	August 1992 - April 1993	HDZ
Nikica Valentic	April 1993 - November 1995	HDZ
Zlatko Mateša	November 1995 - January 2000	HDZ
Ivica Racan	January 2000 - July 2002	SDP - HSLS - HNS - HSS - IDS – LS
Ivica Racan	July 2002 - December 2003	SDP - HNS - HSS - LS - Libra
Ivo Sanader	December 2003 - January 2008	HDZ
Ivo Sanader	January 2008 - July 2009	HDZ - HSLS - HSS – SDSS
Jadranka Kosor	since July 2009	HDZ - HSLS - HSS – SDSS

Table 7 Governments of Croatia (Government of the Republic of Croatia 2010)

In Macedonia, a hard break in the political system failed to materialize after its independence from the SFRY. The formerly ruling communist party SDSM (Social Democratic Union of Macedonia) experienced some personal changes. The fact that it would stay in power until 1998 was based on its leaders' capability to lead the country on a peaceful path to independency, unlike most of the other former members of the SFRY. Furthermore, a bourgeois class which resented communist rule had been absent in Macedonia. In addition to an ethnic divide in the party system¹¹, the strongly nationalist VMRO-DPMNE (Internal Macedonian Revolutionary Organization – Democratic Party for Macedonian National Unity) entered the political stage as major opposition party in 1990 and completed thereby the nationalist – post-communist divide in the Macedonian party system (Willemsen 2002: 731-32, 751-52).

Table 8 shows the Prime Ministers and coalition partners in government since Macedonia's independency. It indicates that political competitiveness in terms of political turn-over, despite the

¹¹ Several parties represent the Albanian population. Traditionally, one of them is always involved in the government coalitions (cf. Willemsen 2002).

domination of the SDSM, has been slightly stronger than in the case of Croatia, as the governments consisted of coalitions whose constellation could change in the early years of the independent Macedonia. Unlike Croatia, the nationalist oriented party VMRO-DPMNE remained in opposition during the first years. Regarding the democratization process of the 1990s that satisfied EU expectations to a higher degree than in Croatia—Macedonia was not suspended from EU funds and it displayed more steady improvements regarding corruption—the observations validate Vachudova’s argument.

Prime Minister	Time period	Parties
Nikola Kljusev	January 1991 - August 1992	National Unity Government
Branko Crvenkovski	August 1992 – 1994	SDSM - LPM - PDP – SPM
Branko Crvenkovski	1994 – 1996	SDSM - LPM - PDP – SPM
Branko Crvenkovski	1996 - November 1998	SDSM - PDP – SPM
Ljubčo Georgievski	November 1998 - December 2000	VMRO-DPMNE - DA – DPA
Ljubčo Georgievski	December 2000 - May 2001	VMRO-DPMNE - DA - DPA - DA - PDP
Ljubčo Georgievski	May 2001 - November 2001	National Unity Government
Ljubčo Georgievski	November 2001 - November 2002	VMRO-DPMNE - DPA - PDP - VRO-VMRO – LP
Branko Crvenkovski	November 2002 - May 2004	SDSM – DUI – LP
Radmila Šekerinska (acting)	May 2004 - June 2004	SDSM – DUI – LP
Hari Kostov (Non-partisan)	June 2004 - November 2004	SDSM – DUI – LP
Radmila Šekerinska (acting)	November 2004 - December 2004	SDSM – DUI – LP
Vlado Bučkovski	December 2004 - August 2006	SDSM – DUI – LP
Nikola Gruevski	August 2006 – July 2008	VMRO-DPMNE – DUI – SPM
Nikola Gruevski	Since July 2008	VMRO-DPMNE – DPA

Table 8 Governments and Prime Ministers of Macedonia (Willemsen 2002: 741, 745; DiePresse.com 05/07/2008; Wikipedia.org 08/11/2010, 24/02/2011a, 24/02/2011b, 27/02/2011)

Conclusions

The preceding sections have delivered an account of factors which may influence the effectiveness of EU conditionality for democracy and the rule of law. Some of these factors have been tested for minority rights and corruption in the cases of Croatia and Macedonia. Both areas are long-standing causes of concern in the pre-accession process of these two countries.

The results of the case studies are disappointing for those who expected the EU's conditionality to be *the* tool to bring about democratic changes in the Western Balkans: despite similar approaches to Croatia and Macedonia, the outcomes of conditionality are clearly different. On the one hand, Croatia first blocked but then progressed swiftly whereas Macedonia on the other hand still has to overcome serious hurdles after initial smooth reform steps. Therefore, the arguments by Vachudova (2005) for the former candidates of the 2004/2007 enlargement are confirmed for the case of Croatia and Macedonia: what determines the effectiveness of EU strategies and instruments are domestic conditions. In the two countries under consideration, these were as expected the political competitiveness of the two systems and the liberal orientation of political forces, but also country-specific conflicts.

Secondly, the study underlined the difficulties in measuring the effectiveness of conditionality. Progress in policies such as minority rights and the fight against corruption are hard to capture—corruption indexes can only rely on perceptions which may be easily influenced by public discourses and media coverage—and the proof of causalities between EU incentives to progress on the ground is even harder to advance. However, this paper suggests that legal-political instruments in the form of SAAs and Accession Partnerships as well as material incentives did not strongly affect policy changes in Croatia and Macedonia. For a comprehensive evaluation it will be necessary to exhaust the complete hierarchy of instruments as suggested by Kochenov, to further investigate the targeted use of EU funds and to trace the development of the various political forces in both countries in more detail.

Lastly, a frequently acknowledged weakness of conditionality in the areas of minority and anti-corruption policies became obvious in this paper, namely the lack of clear demands in the form of own policies and benchmarks. Over time, the SAA and Accession Partnerships accumulated high numbers of demands but they did not lead to satisfying achievements as most of them were never completely dropped from the list - not even in the case of Croatia which is considered to be very

close to EU accession. This underpins Kochenov's claim that monitoring and progress have been decoupled from each other. In the context of the Western Balkans, these results are even more critical. If the EU partially neglects the potential of its instruments, this might rapidly affect the general credibility of the EU's enlargement concept. Whether these developments can still be reversed remains to be seen.

Annex I Issues of minority rights and corruption in the SAA and partnership documents with Croatia

Number of demands	SAA (2001)	European Partnership (2004)		Accession Partnership (2006)		Accession Partnership (2008)	
		Short-term priorities	Medium-term priorities	Short-term priorities	Medium-term priorities	Short-term priorities	Medium-term priorities: NA
Minority rights							
1	NA	Ensure implementation of Constitutional Law on National Minorities		Accelerate implementation of Constitutional Law on National Minorities (31) ¹²	Ensure implementation of Constitutional Law on National Minorities (38)	Accelerate implementation of Constitutional Law on National Minorities (53)	
2		Ensure proportional representation in state bodies		Ensure proportional representation in state bodies and self-governing units (31)	Ensure proportional representation in state bodies (38)	Ensure proportional representation in employment (53)	
3		Provide means for Minority Councils					
4		Adopt strategy for the protection and integration of Roma (following: Roma strategy)	Implement Roma strategy	Implement Roma strategy (33)	Continue implementation of Roma strategy (39)	Continue implementation of Roma strategy (55)	
5		Speed up refugee return	Implement laws on refugee return	Complete refugee return (31)	Improve climate for returnee's reintegration (39)	Complete processes of refugees' return; ensure access of returnees to legal aid and budgetary resources (53)	

¹² Numbers in brackets indicate page numbers; they were not available for the European Partnerships.

6				Comply with international conventions (33)			
7				Ensure proper investigation and prosecution of ethnically motivated crimes (33)		Take measures for protection from discrimination and threats (55)	
8				Develop anti-discrimination strategy (33)	Continue implementation of anti-discrimination strategy (38)	Adopt and implement anti-discrimination strategy (55)	
9						Tackle discrimination “more widely” in public sector (53)	
10						Promote respect for minorities (54, 55)	
Corruption							
1	Cooperation of partners in fight against corruption (Article 80 (1))	Implementation of legal framework	Implement legal framework	Ensure implementation of legal framework (32)		Ensure uniform implementation of legal framework (54)	
2		Strengthen capacity of Office for Suppression of Corruption and Organized Crime (USKOK)		Make USKOK fully operational (31)		Ensure full cooperation of state agencies with USKOK (54)	

3		Develop national strategy		Adopt and implement national strategy (31)		Update and accelerate anti-corruption program (53)	
4		Provide cooperation among state bodies		Provide cooperation among bodies (31)		Increase cooperation among state bodies for prevention, detection and prosecution of corruption (53)	
5		Introduce code of conduct for state officials and elected representatives		Develop codes of conduct and action plans to prevent corruption in state agencies (32)		Continue development of codes of conduct and action plans (54)	
6		Awareness raising activities		Awareness raising activities (32)		Awareness raising activities (54)	
7			Establish special units for combating corruption		Establish special units for combating corruption (38)	Establish specialized units (54)	
8			Adapt to international standards		Ensure international standards (38)	Ensure international standards (54)	
9			Facilitate placement of liaison officers from EU member states in relevant bodies				

10			Six-monthly reports on results to EU				
11				Increase efforts to prevent, detect and prosecute corruption (32)		Increase activities to prevent, detect and prosecute corruption (53)	
12				Provide specialized training to law enforcement agencies (37)			
13						“fully address public procurement related corruption” (54)	

Annex II Issues of minority rights and corruption in the SAA and partnership documents with Macedonia

Number of demands	SAA	European Partnership (2004)		Accession Partnership (2006)		Accession Partnership (2008)	
		Short-term priorities	Medium-term priorities	Short-term priorities	Medium-term priorities	Short-term priorities	Medium-term priorities
Minority Rights							
1	NA	Adopt strategic plan for equitable representation of minorities according to Ohrid Framework Agreement (FA)	Implement strategic plan for equitable representation of minorities according to Ohrid FA	Adopt and implement strategic plan for equitable representation of minorities (60)	Implement strategic plan for equitable representation of minorities (67)	Upgrade and implement strategic plan for equitable representation of minorities (36)	Further implement strategy on equitable representation (42)
2		Ensure implementation					

		of Ohrid FA provisions on languages and community symbols					
3		Ensure smooth cooperation with Tetovo University	Ensure higher education in Albanian language according to EU standards				
4			Improve employment opportunities for all ethnic groups				
5			Facilitate access to education	Promote access to education for all ethnic communities (61)		Promote access of minorities to education (36)	
6			Promote non-discrimination and equal representation			Set up mechanisms against discrimination (36)	
7				Ensure promotion of inter-ethnic confidence building in accordance with Ohrid FA (60)		Promote inter-ethnic confidence building (35)	
8				Comply with international conventions (60, 61)		Comply with international conventions (36)	
9						Promote access of	

						minorities to justice and social welfare) (36)	
Corruption							
1	Cooperation of agreement partners in fight against corruption (Art. 78 (1))	Implement strategy against corruption	Ensure proper implementation of national program		Implement strategy against corruption (67)		Complete implementation of strategy against corruption (40)
2		Increase investigation and prosecution capacities		Enhance capacities of police investigators (60)			
3		Improve coordination among public bodies		Improve cooperation among state agencies (60)		Strengthen cooperation (36)	
4		Strengthen and implement rules for officials		Adopt rules on conflicts of interest (60)			Enforce rules on conflicts of interest (40)
5		Strengthen transparency of public procurement		Improve transparency of public procurement (60)			
6		Adopt law on financing political parties		Ensure implementation of laws on financing political parties (60)		Impose sanctions on infringement of law on financing political parties, strengthen its enforcement (36)	
7		Ensure operability of new Professional					

		Standards Unit					
8		Prosecute corruption in customs unit and within police ranks					
9			Ensure adequate laws		Ensure implementation of laws (67)	Ensure sustainable implementation of laws (34)	
10			Reports to the EU on results every six months				
11			Facilitate placement of liaison officers from EU member states in relevant bodies				
12				Implement recommendations of GRECO (60)		Follow recommendations of GRECO (36)	
13				Implement recommendations of State Commission on corruption (60)		Follow recommendations of State Commission and State Audit Office (36)	
14				“Review discretionary rights of certain public officials” (60)		Follow up the review (36)	
15				Identify extent of			

				corruption in public life (60)			
16					Enhance awareness raising activities (67)		
17					Develop “a methodology and operate a system for collecting and sharing intelligence and for mutual access to databases” (67)		
18						Ensure implementation of law on public access to information (36)	

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