

# Public opinion could delay EU entry of Romania and Bulgaria

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France and the Netherlands will take their enlargement-wary public opinion into account when deciding on the option of a one-year delay on Romanian and Bulgarian accession, diplomats say.

European enlargement commissioner Olli Rehn warned last autumn that the European Commission would delay scheduled 2007 accession by one year if anti-corruption and judicial reforms fall short.



Sofia - has trouble with judicial reforms (Photo: European Commission)

The commission's formal recommendation is due in May.

But diplomats told EUobserver that public opinion will be "a factor" for both France and the Netherlands in handling the delay option, despite the official line that timing depends purely on meeting EU standards.

"No country can disregard public opinion," one French contact said.

French and Dutch citizens' uneasiness over enlargement is widely seen as one reason why they rejected the EU constitution in referendums early last year.

## Realistic option?

The accession treaties signed by Brussels with Bucharest and Sofia contain a clause with the option to delay the 2007 entry date until 2008, if accession preparations are insufficient.

But not all European diplomats estimated the option of entry postponement as realistic.

"Something extremely serious would have to happen for accession to be delayed," said one of them, as this would send a "very negative signal" to the region.

Another contact indicated "There is a high probability that the commission will issue a positive opinion" in its May report, pointing to an upbeat non-public interim document by the EU executive currently circulating in member states' representations.

On top of this, France has traditionally been an ally of Romania, and could opt instead to massage its public opinion over other planned enlargements in the Western Balkans and Turkey.

The French parliament recently adopted an amendment to its constitution, securing a popular referendum on every single enlargement after Romania, Bulgaria and Croatia.

## Safeguard clauses

However, Paris and The Hague might still use Romania and Bulgaria's delay option in the accession treaty as a means to press for tough safeguard clauses if the countries enter as scheduled in 2007.

Also in the event of EU entry next year, the accession treaties provide for an exclusion of Romania and Bulgaria from participation in specific EU policy areas - primarily justice and home affairs and parts of the internal market.

"The real question is not when the countries will become members, but what sort of membership they get," said Marin Lessenski, an analyst at the Institute for Regional and International Studies (IRIS) in Sofia.

Bulgaria might well get excluded from judicial co-operation in the EU, **Mr Lessenski** indicated.

Gergana Noutcheva, an expert at the Centre for European Policy Studies (CEPS), said that Bulgaria "could have done more" in reforming its judiciary since the commission issued a warning last autumn.

"There has been talk about reforms, but there has been little real progress. They could have passed constitutional amendments changing the immunity of magistrates, but the judiciary has proved very resistant," she added.

## **Delay: a good idea?**

Policy experts disagree on whether the one-year delay option is a good means to help the two states meet EU standards.

Ms Noutcheva said "keeping uncertainty on the entry date is a good thing because reform in these countries has always taken place under external pressure."

But **IRIS' Mr Lessenski** stated "a delay would cause a political crisis [in Romania and Bulgaria] which would rather lead to a stall of the reforms."

Katinka Barysch, policy expert at the Centre for European Reform, said the effect of entry delay would be hard to predict.

"The EU generally has more leverage to exert influence when a country is outside, but in this case, the countries would know that they would enter a year later anyway, so there's no real stick."