

**The EU's support for democratic governance in the Eastern Neighbourhood: the role of
New Member State transition experience**

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Abstract

The European Union seems to place an increasing rhetorical emphasis on harnessing the transition experience of the new member states. The paper examines whether the EU actually makes use of this experience in its promotion of democratic governance in the Eastern neighbourhood. The main conclusion is that while reform priorities of the EU in the region are aligned with transition experience, the actual participation of actors from the new members in implementing EU financed projects aimed at promoting democratic governance is limited. This contradiction should be solved or it will further erode the credibility of the EU's external policies.

1. Introduction

In the past decades, the European Union (EU) has emerged as a 'normative' power in a sense that it is increasingly attempting to spread the norms that have contributed to its success to regions beyond its boundaries. These norms include liberal democracy, the respect for human rights and civil liberties, and democratic governance. Adopting these norms is to some extent a precondition for deeper relations with the EU, and the community also provides funding to help partner countries reform their political and economic institutions and policies, in view of moving closer to these standards.

While these norms have become an integral part of the EU's external relations with all regions of the world, they seem to play a particularly important role in the community's relationships with its Southern and Eastern neighbours. Having stable, democratic, well-governed and prosperous countries in the neighbourhood is a vital security interest for the EU, thus it is no surprise that the community has made issues like 'strengthening the stability and effectiveness of institutions guaranteeing democracy and the rule of law', 'ensuring respect for the freedom of the media and freedom of expression' or improving the investment climate, 'through predictable legislation and by the fight against corruption' (European Union 2006a) its priority areas of action in relation to neighbouring countries like the Ukraine.

The EU has ten relatively new Central and Eastern European (CEE) member states which have rather recent experiences in putting similar reforms into practice. The dual challenge of transition from a one party state to democracy and from a planned economy to a market economy was a difficult task in these ten countries, but many best practices have emerged which may be transferable to other countries still coping with similar challenges. This vast body of transition experience most likely has the highest relevance for the Eastern neighbours of the EU (Ukraine, Belarus, Moldova, Georgia, Armenia and Azerbaijan), as they share some historical and social characteristics with the new member states and still have need of extensive political and economic reforms. These six countries have much more in common with the ten new member states than either the Mediterranean neighbours or other post-soviet (Central Asian) countries do, so it can be safely assumed that at least some part of the experience the new member states have accumulated in transforming their polities and economies can be transferred.

This paper seeks to address the question of just how much the EU's neighbourhood and democracy promotion policies actually make use of new member state transition experience, in the context of the Eastern neighbourhood. In rhetoric, there is clearly much reference to transition experience, both on the community level and the level of the new member states. Does however the EU actually build on this experience, by aligning its reform priorities in the Eastern neighbours with the transition experience of the new members and by including a wide range of actors from these states in implementing related actions and projects? The method of the paper mainly relies on the analysis of publically available documents and data which can point to the extent actors from the new member states are involved in implementing assistance projects in the Eastern neighbourhood, and how these projects are aligned with the transition experience of the new members. Implicitly, this approach also tests if transition experience is actually transferable or not, as the presence of new member state actors possessing transition experience can hint at transferability.

The main conclusion of the paper is that while the reform priorities of the EU in the Eastern neighbours seem aligned with CEE transition experience, there is little to show in practice. Government bodies, NGO's, consultancies and other companies from the new member states play a much smaller role in implementing EU financed actions and projects in the Eastern neighbourhood than one would expect. This points to two possible conclusions: (1)

harnessing CEE transition experience is just rhetoric from the EU without any real implementation commitment, and/or (2) transition experience itself is much less transferable than anticipated due to the capacity problems of CEE actors, and NGOs in particular. These capacity problems relate to lack of sustainable financing, small sizes and low staff numbers, and make it difficult for CEE actors to compete with NGOs and private companies from the older EU member states for EU project financing.

The paper adds to the literature on the emerging CEE donors by placing the question of their transition experience into an EU context. There is small and emerging literature on the bilateral democracy promotion policies of the new members and their usage of transition experience in these policies (Horký 2012; Petrova 2012; Kucharczyk & Lovitt 2008), so far however no research has been carried out on how the new members are involved in the EU's democracy promotion policies. This paper aims to fill this gap. The paper also contributes to the wider literature on the EU's policies for the promotion of democracy and democratic governance in the neighbourhood by examining the added value of the new member states.

The paper is structured as follows. The following section reviews the literature on the EU's promotion of democracy and democratic governance in the neighbours, as this aspect of the Community's external policies serves as the context for the transfer of transition experience. Section three discusses the transition experience of the new member states, with an emphasis on its relevance for the Eastern neighbours and its transferability. Section four compares the alignment of the EU's reform priorities in the Eastern neighbours with transition experience and presents data on the involvement of actors from the new member states in project implementation. Section five concludes the paper.

2. The EU's policies for the promotion of democracy and democratic governance

Since the end of the Cold War, the EU has been increasingly trying to promote its values in developing countries (Council of the EU 2009; Pace 2009). The underlying assumption is that by spreading values like democracy, the respect for human rights and democratic governance, the community can contribute to increasing welfare in the partner countries and thus also increase its own security and prosperity (Gillespie and Youngs 2002; Börzel and Risse 2004). While spreading the norms that have made European countries and the European integration

successful in the past centuries may seem like a missionary goal of the EU, in reality the driving force is often self interest (Crawford 2008).

Gillespie and Youngs (2002, p.13) classify the democracy promotion efforts of the EU into three large thematic groups: support for civil society; economic liberalisation (hopefully spilling over into political liberalisation); and the sponsorship of the good governance agenda. Thus, the actual content of the EU's democracy promotion policies is rather wide, and is not limited to strengthening the building blocs of democracy in an institutional sense (elections, the respect for civil and human rights, strong civil society, effective public administration, judiciaries, etc.). The rationale for including the promotion of good governance in the democracy promotion agenda is that EU support for reforms in a wide range policy areas and increasing state capacity in general, while at first glance rather technical and apolitical, can also foster more democratic and inclusive decision making on the sector level. For example, support for a reform in the healthcare sector of a partner country may not have much to do with the promotion of democracy, but the EU may require that the partner carry out a wide range of consultations with interest groups and other stakeholders when planning the reform, something an authoritarian or semi-authoritarian government would not necessarily do otherwise. Freyburg et al. (2009) therefore prefer to use the wider term 'promotion of democratic governance' instead of democracy promotion to account for the effects such sector level support may have on sowing the seeds of more democratic decision making practices. The paper adapts this wide understanding, and uses the term democratic governance to include both 'traditional' democracy promotion (support for NGOs, elections, etc.) and sector-level governance reforms as well.

The EU's democratic governance promotion efforts seem to be the most pronounced in relation to the Southern and Eastern neighbours of the community. Promoting democratic change is a key element of the European Neighbourhood Policy (ENP). Created after the 2004 round of enlargement, the ENP covers six countries in the Eastern neighbourhood (Armenia, Azerbaijan, Belarus, Georgia, Moldova and the Ukraine) and ten in the Mediterranean. The enlargement has changed the (Eastern) external borders of the community and led to the need to redefine relationships with these countries. A secure and prosperous neighbourhood is very much in the interest of the EU, thus the creation of the ENP was very much driven by self-interest (Smith 2005).

The ENP is modelled on the enlargement process (Kelley 2006; Lavenex 2008) in a sense that it attempts to foster reform in these countries by providing them positive incentives like financial support and market access. Performance is monitored through regular reviews. A similar system of conditionality seems to have worked in case of the 2004 and 2007 accession countries in promoting and supporting democratic reforms (Schimmelfennig and Sedelmeier 2005; Vachudova 2005). There is however an important difference: unlike the Central and Eastern European new member states, the ENP countries have received no prospect for full membership, leading observers like Sasse (2008) to dub the conditionality in the ENP 'conditionality-lite'. This important difference has led many scholars to question the potential of the ENP to bring about substantial change in the neighbourhood. In perhaps the most comprehensive study on the topic to date, Schimmelfennig and Scholtz (2008) came to the conclusion that the prospect of membership is the only effective tool that the EU has in order to promote political change in external countries. Anything less than the possibility of full membership, such as partnership (including trade preferences and development assistance) do not really promote democratisation. This echoes the conclusions of Dimitrova and Pridham (2004), Kopstein (2006, p.95) and Kelley (2006). According to Gänzle (2009), it is dubious whether the 'mere prospect of an enhanced trade agreement will entirely satisfy the needs and demands of the Eastern ENP countries.'

Even though it does not provide a prospect of membership, the ENP does make use of several tools to promote democratic governance in the neighbours. The positive incentives offered by the EU include giving the partners a 'stake in the common market'; gradually involving them in common policies and programs; increased financial support and technical assistance; promises of increased investment and trade; and the possibility of a 'new type of association'. After the ENP was launched, the EU began formulating 'action plans' for each country, which outline the main reforms that the partners have to undertake, and the support the EU provides in exchange. The action plans for five out of the six Eastern Partners were approved in 2005 and 2006 (Armenia, Azerbaijan, Georgia, Moldova and the Ukraine). Much of the reform goals articulated in these action plans aim to promote democratic governance and broadly address the main issues that the Eastern Partners face. As the five Eastern Partners are either rather weak democracies or outright autocracies, the action plans emphasise strengthening democratic structures, the promotion of human rights and the creation of an independent judiciary. Economic issues and sector-level reforms also figure prominently, mainly focusing on liberalizing markets, increasing bureaucratic quality, privatisation, and approximation to

EU legislation. The action plans provide benchmarks towards which the EU regularly reviews the progress of the partners and these reviews, in principal at least, serve as a guide to establishing the amount of ‘rewards’ the EU gives.

Even though the action plans have all expired by 2010, no ‘successor documents’ have emerged since, save for the Ukraine, in which’s case the Council adopted an ‘Association Agenda’ in 2009, which largely repeats the priorities of the previous action plan. It is therefore clear that the action plans remain a point of reference (Minzarari 2008) and are thus seen as a relevant source of information on what political and governance reforms the EU thinks desirable in the five Eastern neighbours. The EU is currently negotiating ‘new generation’ Association Agreements with the five Eastern neighbours to provide a new framework for cooperation, but it seems there is only visible progress in the case of the Ukraine with the text of the agreement being finalised in late 2011.

Just how effective this system of conditionality-lite is in actually promoting political change in the EU’s neighbourhood has come under scrutiny and has received heavy criticism in the academic literature in the past years. While much of the literature seems to focus on the Southern (Mediterranean) neighbours, most of the conclusions on effectiveness seem to be transferable to the Eastern Partners as well. Kelley (2006) for example argues that the EU’s democracy promotion efforts and conditions are not credible as the Community often does not enforce the political clauses in the agreements. Börzel and Risse (2004), analyzing the conceptual issues and the evolution of the EU’s democracy promotion policies argue that the ‘one size fits all’ approach of enlargement is clearly flawed in case of democracy promotion. Pace (2007; 2009) questions the entire underlying logic of the EU’s democracy promotion policy, arguing that the EU is mainly interested in stability in the Mediterranean, which can be disturbed by democratisation – something shown well by the recent Arab Spring revolutions. She also argues that the EU’s efforts are hindered by the lack of a coherent strategy and the EU’s contradicting actions in the neighbourhood. Del Sarto and Schumacher (2011) come to similar conclusions by arguing that the EU’s lack of clarity and determination undermine the democratisation process in Jordan and Tunisia. Baracani (2005) argues that the EU is satisfied with only partial reform in Morocco as opposed to genuine democratisation. Seeberg (2009) examines Lebanon and concludes that it is mainly the social and political structure of the country that inhibits the EU from implementing its normative goals. Due to the situation in

Lebanon, the EU becomes an essentially ‘realist actor dressed in normative clothes’. The clash between the rhetoric of democratisation and short term EU self interest is supported by a large number of further studies. Del Sarto and Schumacher (2005) argue that the ENP is not designed to solve the socio-economic problems in the Mediterranean, but to ‘buffer’ the EU’s borders. Crawford (2008) identifies a contradiction between ‘lofty principles and lowly self-interests’ in the EU’s engagement in Central Asia. Normative goals and realist objectives also collide in the relations between the EU and Belarus, and render EU democracy promotion activities unsuccessful (Bosse 2009). Solonenko’s study (2009) on EU democracy promotion efforts in the Ukraine mentions both EU-related factors (failure to recognise the ‘Europeanness’ of the country and ‘weak conditionality’) and domestic issues (such as the lack of elite consensus on the direction the country should take) as explanations of limited impact. The weakness of conditionality is also emphasised in the Ukrainian context by Gawrich *et al.* (2010).

Not all of the literature however is so dismal. Most authors so far have asked the question ‘Is EU democracy promotion effective?’ and the emerging consensus seems to be ‘no’, mainly due to the fact that the EU pursues other interests in the neighbourhood as well which may contradict and thus reduce the credibility of its democracy promotion policies. However, a new strand in the literature seems to be emerging, which raises a slightly different question: ‘Under what conditions can EU democracy promotion be effective in the absence of a membership perspective?’ One answer is related to sustaining democratic change once it is under way. Kopstein (2006) argues that the main strength of the EU lies in consolidating and strengthening fragile democracies in its neighbourhood, while the United States is much more successful in bringing about change in autocratic environments, but does not really seem to know what to do afterwards. The EU cannot trigger domestic change, but it can sustain and consolidate it once it has started (Van Hüllen 2012).

Another approach stresses that one should focus on the promotion of democratic governance on the sector level, instead of the promotion of democracy on the political level. In a neo-functional vein, Lavenex (2008) argues that the ENP has been successful in promoting sectoral cooperation in (seemingly) non-political issues. This may lead to a socialisation process of the ENP countries in the longer term (Sasse 2008). Freyburg *et al.* (2009; 2011) also find that there is evidence of the adoption of sector level democratic governance provisions in the neighbours. Instead of looking for overarching political changes, they argue

that the effects of the EU can be identified on the sector-level: due to approximation to the *acquis communautaire*, sectoral governance has become more democratic in the neighbours in terms of legislation, even if this legislation is not thoroughly applied. They examine four ENP countries (Jordan, Moldova, Morocco, and Ukraine) and three sectoral policies: competition, environment, and migration policy and show that the ENP was successful in ‘inducing neighbouring countries to adopt policy-specific democratic governance provisions in the absence of accession conditionality’ (Freyburg et al. 2009: 916). These findings have important implications for CEE transition experience, as much of this experience, as discussed in the following section, relates to sector level governance issues and the adoption of the *acquis*.

The main theme emerging from the empirical literature is that there are many factors decreasing the effectiveness of the EU’s democracy promotion in the neighbourhood, including the lack of credibility, coherence and a clear membership perspective. In all, these problems have led scholars to question the actual impact of the EU’s democracy promotion efforts on the political level, even though there is evidence of some effects on the sectoral level. The following section discusses the content of the transition experience of the CEE new EU member states. It argues that this experience could be relevant for the Eastern Neighbours and would enrich the EU’s promotion of democratic governance in the region.

3. The transition experience of the new member states

The ten new member states in Central and Eastern Europe started their dual transition process from planned economy to market economy and from single party state to democracy at the end of the Cold War. The fact that eight of these countries joined the EU in 2004 and two more followed in 2007 (and Croatia set to join in 2013) is evidence of the fact these transitions have been more or less completed. Generally, the CEE countries are now considered consolidated democracies (Sadurski 2004; Roberts 2010), even though they still face ‘governance problems’ such as corruption, lower levels of political accountability (Puchalska 2005), issues with transparency, as well as wider problems like public apathy towards politics and weak civil societies (Regulska 1999). In some countries, most notably Hungary, but to a lesser extent Romania and Slovakia, recent democratic rollbacks are also evident.

While these issues may undermine the credibility of such policies, almost all of the CEE new member states have made spreading democracy an integral part of their foreign policies, mainly through sharing the experience they have gathered during their transition processes with other countries. Much of the emerging literature on these bilateral democracy promotion policies is highly descriptive and exploratory in nature, which is understandable due to the limitations on data. The studies in the volume edited by Kucharczyk and Lovitt (2008) mainly attempt to describe the organisational structures, policies and resources that the new members devote to democracy promotion, and also provide policy recommendations. Jonavicius (2008) focuses on describing the differences in national approaches to democracy promotion, while Petrova (2012) contrasts the practice of the CEE countries to the Western ‘one size fits all’ approach. She argues that transition experience gives the new member states a unique advantage in democracy promotion. However, there is hardly any mention in these papers about how the CEE new member states contribute to the EU’s democracy promotion policies.

Transition experience can be a key contribution. During the last two decades, the transition process in CEE entailed a multitude of reforms in basically all fields of the polity and legislation (De Melo *et al.* 1996), ranging from the creation of democratic institutions (including electoral systems, freedom of the press, the independent judiciary, etc.) to the institutions regulating the economy (property rights, markets, corporate legislation, tax systems, etc.). Specific, high profile tasks and reforms included organizing elections, freeing prices, cutting subsidies, creating legislation for private companies, stabilizing the economy, privatizing state owned enterprises, and promoting foreign direct investment. The CEE new member states have also gained considerable experience in managing both financial and technical external assistance and channelling these into the reform process, as they have received considerable amounts of external assistance during the 1990’s from the EU, other international institutions and bilateral sources. The transition process also caused large social tensions (Standing 1996), which the new governments had to manage and cope with. According to the EU’s commissioner for development, Andris Piebalgs (2011) “[t]he 12 Member States that joined the European Union in 2004 and 2007 possess a wealth of knowledge in managing these long, complex processes.”

Two questions arise concerning this accumulated knowledge and its usage for promoting democracy and good governance in the Eastern neighbours: (1) What is the exact content of

transition experience? and (2) Is it really relevant and transferable to the Eastern neighbours of the EU?

Concerning the first question, when actually delving into the substance and content of transition experience, things can get a bit problematic. Thinking about transition experience as a large, publically available, coherent base of knowledge is misleading. It is a highly fluid concept, and in many cases it can be difficult to tell what classifies as transition experience and what does not. The transition process has affected basically all aspects of everyday social, economic and political life in the CEE countries and as such can relate to a wide area of sectors. Also, there is no central authority possessing this experience, rather it is fragmented and disbursed within the CEE societies: ministries, government agencies, civil society organisations, local governments, private companies, think tanks and individual experts can all possess certain aspects of this knowledge. There is a large information problem here: while it is known that in general transition experience exists, when it comes to details, it is difficult to provide answers to questions related to ‘who knows what’. This may imply that the optimal solution for the transfer of this transition experience must also be a somewhat decentralised process.

Related to this, one can ask the question of what can be considered as ‘best practice’ in transition experience, and thus what is the knowledge that should be transferred. The CEE countries have experimented with very different solutions to different policy reform problems, and these solutions have led to different outcomes. Take the case of privatisation: the Czech Republic for example choose to privatise state owned companies through equal access vouchers, Hungary sold much of its state property to foreign investors, while Slovenia preferred insider privatisation and domestic investors (Soós 2011). It is impossible to tell which solution was the most successful, as all approaches made sense from a political point of view at the time, and all had both positive and negative economic consequences in the longer run. Politicians in the Czech Republic sought to gain popular support through privatisation, while in Hungary the goal was to increase capital inflows and state income. Hungary was able to repay much of its government debt due to privatisation revenues, but due to the large amount of foreign investment, it also became much more vulnerable to the global business cycle, as shown by the economic crisis of 2008 (Soós 2011). The example of privatisation reflects the dilemma of other policy areas as well, and shows that one cannot speak of a single transition experience, but rather many different transition experiences along the CEE

countries. However, transition experience in relation to using external (EU) funds and aligning domestic legislation with exterior requirements (such as the *acquis*) may be more uniform, as all CEE countries faced similar requirements during their accession process.

The second question relates to the relevance and transferability of the CEE transition experience to the Eastern neighbours. The CEE countries have often emphasised their role as a bridge between the EU and the Eastern neighbours. Regardless of how one defines the success of the transition process, it is clear that the EU's Eastern neighbours have been much less successful in the process than the CEE new members. Fischer and Sahay (2001) argue that much of failure of the former Soviet states to achieve successful transition can be explained by the macroeconomic and structural policies they have adopted. Therefore, it may be reasonable to argue that they could learn from the more successful CEE countries and that their experience with similar reforms could be valuable. The transition process is far from complete in these countries: democratic structures are much weaker (in the case of Belarus and Azerbaijan one can hardly speak of democracy), all countries have severe governance problems including high levels of corruption and inefficient sectoral policies, the respect for human rights is far from perfect, privatisation is incomplete, there is still heavy state intervention in the economy, sectoral policies make trade and cooperation with the EU difficult, etc. These are exactly the problems where the CEE countries have gained experience in implementing reforms in the past decades.

Transition experience from CEE could therefore be relevant for the Eastern neighbours, even despite differences in country contexts. However, relevance does not mean that it is transferable. As Stark (1994) warns, it is not easy to replicate working institutions according to externally provided instructions. Some forms of transition experience may be easier to transfer than others. Transferability will actually depend on three groups of variables: (1) the extent that this experience fits with the local context; (2) the willingness of the partners to undertake reforms; and (3) the level (political or technical) on which the transfer happens. The exact configuration of these variables will provide some guidance as to what extent a partner country accommodates or resists CEE transition experience. For example, the fit with the local context is most likely assured in policy areas where reforms involve approximation to the *acquis*, the partners are civil servants who see clear benefits from adaption and the transfer is on the sectoral level. Giving advice and support to local NGO's and their campaigns may also allow the easy transfer of transition experience. On the other hand, there may be a large

gap between CEE transition experience and needs in the Eastern neighbours on issues where there is a clear relation to culture and traditions. Elites may resist adopting transition experience in more political issues. Horký (2012), while also acknowledging that some forms of transition experience may be more transferable than others, argues for example that it is difficult to conceive that authoritarian elites would openly embrace transition experience and the resulting institutional changes towards greater democracy. This problem however is not unique to transition experience, but it affects all democracy promotion efforts of the EU. As mentioned, EU democracy promotion works better in settings where there is some weak form of democracy already existing (Kopstein 2006) and on the sectoral level (Freyburg *et al.* 2009; 2011). These conclusions most likely also apply to transition experience as well. Also, transition experience may be more transferable in a multilateral (European) framework as in the bilateral development policies of the new member states. Despite its weaknesses, the EU is still able to put considerably larger pressure on the Eastern neighbours for adapting reforms in the framework of the ENP than any of the CEE countries could bilaterally.

Based on the above, it is difficult to give a simple answer to whether transition experience is transferable or not, and clearly more research is needed on this question. The arguments mentioned above however point towards the relevance of context and the exact process: some types of transition experience may be transferred in some type of contexts, while others may not. Even though it is difficult to provide clear cut answers to questions related to the actual content, relevance and transferability of CEE transition experience to the Eastern neighbours, it seems that in the past years it has become a sort of a fashion to talk about this transition experience as an area in which the new member states may have some added value to the EU's external development policy. The EU's main strategic document on development policy, the European Consensus for Development (European Consensus 2006, article 33) states that 'the EU will capitalise on new Member States' experience (such as transition management) and help strengthen the role of these countries as new donors.' The European Commission has repeatedly cited that the emergence of the CEE countries as donors will lead to greater specialisation among donors, with the CEE countries focusing on transition experience and the European neighbourhood, which is in-line with the principle of complementarity and donor specialisation. A resolution of the European Parliament from 2008 'calls on the EU institutions to put to good use, in order to enrich its development policy, the experience accumulated in the field [of transition] by the new Member States' (European Parliament 2009).

It is therefore clear, at least on the rhetorical level, that the community places a large emphasis on harnessing this transition experience. The most important and visible practical step that the EU has done is the publishing of the European Transition Compendium (ETC) in 2010. This is basically a database aimed at solving the information problem of transition experience mentioned above: it is a collection of ‘who knows what’ in the CEE countries in the field of transition experience. It lists and briefly details specific knowledge and best practices that various (state and non-state) actors possess under six headings: democracy, human rights and institutional reforms; economic reforms; human development; agriculture, land issues and environment; regional and local development; and the management of external aid (European Commission 2010). The main goal of the database is ‘to assist in the implementation of some of the EU’s commitments on aid effectiveness, in particular concerning the identification of each country’s comparative advantages, improved coordination and division of labour among Member States’ (European Commission 2010: 5).

The importance of transition experience is further illustrated by the fact that the CEE countries place a large emphasis on it in their bilateral international development cooperation policies. All countries have mentioned transition experience as the issue in which they have a comparative advantage compared to other donors in official strategies and documents (Horký 2012; Lightfoot 2010: 346; Kucharczyk and Lovitt 2008; Szent-Iványi and Tétényi 2008). They also clearly focus large portions of their bilateral development funds on the Eastern neighbours and the Balkans (Szent-Iványi 2012). Poland focused its EU presidency program in the second half of 2011 on transition policy (Gavas and Maxwell 2011). Slovakia’s official development strategy (Slovak Ministry of Foreign Affairs 2012) stresses that ‘Slovakia’s comparative advantages as a new donor, including mainly its experiences with the transition to democracy and market economy backed by its knowledge of the territory of priority countries, represent the most notable added value that Slovakia may bring to the donor community.’ The Czech Republic has established a dedicated financial instrument, the Transition Promotion Program to support the transfer of its transition experience. In a recent joint non-paper (Non-paper 2011), the CEE countries argued that channelling transition experience into EU policies could help ‘to achieve [...] EU political interests towards pre-accession countries, European neighbourhood partners, Sub-Saharan Africa and developing countries worldwide.’

Summing up this section, there is a definite commitment on the side of the EU towards harnessing the transition experience of the CEE new member states, who seem willing to

provide it. However, much of this commitment is only clear on the rhetorical level, and the only visible practical output is the ETC database.

4. How does the EU actually use CEE transition experience?

Given the fact that the EU and the new members seem to pay quite a lot of lip service to the importance of transition experience, and it has been argued that at least some parts of it are relevant and transferable to the Eastern neighbours, this section examines just how much transition experience enters the EU's practice. The participation of the new member states in the EU's efforts to promote democratic governance in the Eastern neighbours is assessed using two approaches: (1) an analysis of the priorities and goals in the five ENP action plans and how they correspond to the transition experience the new members have and (2) examining to what extent actors from the new member states actually take part in the implementation of democracy promotion projects in the Eastern neighbours, financed by Community instruments.

Five ENP action plans were formulated in 2005 and 2006 for Armenia, Azerbaijan, Georgia, Moldova and the Ukraine for a period of 3 to 5 years each. No action plan has been prepared or approved for Belarus. Although the EU has stressed that these action plans are tailor-made to the needs of the individual partners (European Parliament 2009), there are many similarities between them which to a certain degree reflect the similar contexts of the five countries. The action plans include approximately 70-80 priorities or areas of action for each country where reform efforts are necessary. The wording of these areas of action ranges from very general and vague (such as 'ensure protection of the right to individual property') to highly specific (like 'accede to the European Code of Social Security'). While the new member states were involved in the process of developing the ENP before their EU membership, they did not have much influence on the content of the action plans (European Parliament 2009: 8).

Analyzing the priorities and areas of action in the five action plans and aligning them with the available transition experience is not easy, not only because of the general and vague wording of the action plans mentioned above, but also because of the broad nature of transition experience. The method chosen collects and groups the areas of action mentioned in the five action plans and then tries to find specific expertise in the CEE new member states on each

issue, based on the European Transition Compendium. This approach therefore restricts transition experience to the best practices and expertise listed in the ETC, which is definitely far from being complete, but by doing so it is possible to avoid arbitrary decisions. The results of this exercise are included in Table 1. For the sake of more transparent reporting, the areas of action in the five action plans were grouped into 11 headings and 62 areas. Then, the ETC was analyzed on a project-by-project basis, and each practice/expertise was either paired up with an area of action or left out as there was no corresponding area of action. Table 1 therefore lists the number of corresponding entries in the ETC for each area of action from the five action plans.

[INSERT TABLE 1 HERE]

While this level of aggregation may hide mismatches between specific reform needs and the available transition experience, a large portion of the practices in the ETC actually corresponded rather well to the priorities in the action plans. Among the entries in the ETC, 158 were identified which could be relevant for the Eastern neighbours. While some areas, such as local government reform, police reform, customs reform, or food safety seem stronger than others, and other areas have no corresponding transition experience mentioned, there seems to be a rather good overall match. In other words, the reform goals and priorities the EU has towards the Eastern neighbours seem to be rather well aligned with available CEE transition experience. This alignment should allow the transfer of transition experience, at least to some degree.

The second approach is based on examining the participation of civil society organisations and private companies from the CEE countries in the implementation of EU-financed development projects. The EU has a wide range of financial instruments and tools to provide democracy promotion and other assistance to the Eastern neighbours: budget support, grants to civil society organisations and inter-governmental organisations to carry out projects in the region, and contracts for procurement. In case of grants, actors apply for financing for their own projects, and must also co-finance the project from their own funds. Contracts refer to the procurement of services, works or supplies, usually from private companies, and no co-financing is required.

Much information on the winners of grants and contracts is available online in the Commission's official grant and contract beneficiaries' database.¹ It contains relatively detailed information on all awarded grants and contracts, including the name of the project, home countries of the project implementers, the amount of EC financing, the location of the action, *etc.* The database covers support from all EU financial instruments, so it includes not only projects financed by the European Neighbourhood Policy Instrument (ENPI), but also other budget instruments like the European Instrument for Democracy and Human Rights (EIDHR), or the Development Cooperation Instrument (DCI), for the years 2007, 2008, 2009 and 2010. This provides a wealth of information on project level development cooperation and their implementers in the Eastern neighbours, one that has not been tapped so far by academic researchers. Based on this data, it is possible to assess to what extent CEE actors take part in the EU's promotion of democratic governance in the Eastern neighbourhood. While grants and contracts clearly do not cover the full spectrum of the EU's assistance to the region (no information on the exact usage of budget support, for example, is available), it does cover a significant portion. According to calculations based on the grant and contract beneficiaries' database and the OECD Development Assistance Committee's official development assistance (ODA) statistics,² grants and contracts made up on average 63, 77, 78 and 75% of total EC ODA to Armenia, Azerbaijan, Belarus and the Ukraine respectively between 2007 and 2010. The ratio is lower (18 and 22%) for Georgia and Moldova.

The Commission's grant and contract beneficiaries' database does have some drawbacks, the most important of these is that only the lead implementing partner's identity is included in the data – thus, if a given grant or contract was implemented by a wider international consortium, all the other partners remain unknown. This may bias the results, as CEE actors involved in larger consortia may remain hidden. However, there is no way to overcome this problem; the only thing that can be done is to keep this bias in mind when interpreting results. See Zázvorkova (2011) for other issues and problems with the database.

Grants and contracts financed by the EU of course relate not only to projects aimed at promoting democracy or democratic governance reforms, therefore a clear definition is

¹ European Commission Development and Cooperation Official Grant and Contract Beneficiaries' Database, available at <http://ec.europa.eu/europeaid/work/funding/beneficiaries/index.cfm?lang=en>, accessed January 2012.

² OECD International Development Statistics (IDS) online databases on aid and other resource flows, available at <http://www.oecd.org/dataoecd/50/17/5037721.htm>, accessed January 2012.

required of what to count as such. In keeping with the paper's broad definition outlined in Section 2, all projects were considered democracy promotion which entailed a transfer of knowledge or capacity building to national or local authorities and the civil society on any sectoral issue. This is a relatively wide definition, covering the full spectrum of democratic governance issues, and most likely does not exclude any transition experience projects. First, eligible sectors were chosen based on their OECD DAC codes, the list of these eligible codes and themes can be found in the Annex. All projects in these sectors were included. However, projects from other sectors/themes may also be relevant from the point of view of transition experience, if they entail a capacity building element. For example, an agricultural development project may only classify as democratic governance promotion if it involves aiding the government in developing new agricultural policies or increasing the capacities of agricultural authorities. Thus, some discretion was required. Projects in sectors other than the ones eligible based on their DAC codes were judged based on their brief descriptions – if they entailed some form of capacity development, they were considered as promotion of democratic governance. As a general rule, projects related to productive sectors, social and physical infrastructure development (including issues like nuclear safety) were not considered as democracy promotion, unless they entailed a clear capacity development aspect. Based on this definition, approximately 51% (the Ukraine) to 88% (Azerbaijan) of EU grants and contracts classified as democratic governance promotion between 2007 and 2010.

Table 2 shows the total value and number of grants and contracts aimed at promoting democratic governance in the Eastern neighbours between 2007 and 2010 implemented by all actors and those implemented by actors from the CEE countries separately. A quick glance at the extent of CEE involvement reveals that approximately 3.6% of the value of all grants and contracts was implemented with CEE countries as lead partners between 2007 and 2010, which means 30 projects out of 649. Out of these 30 projects, actors from the Czech Republic (8 projects) Lithuania (7 projects) and Poland (6 projects) seem to be the most active. Hungary, Romania, Latvia, and Slovenia enter with 2 each and Bulgaria with 1.³ More than two thirds of the projects implemented by CEE actors (22 out of 30) were grants. For the sake of comparison, actors from older member states like the UK, Belgium, Denmark, Italy and Germany for example implemented 92, 109, 24, 32 and 57 projects respectively.

³ If we add projects not related to democratic governance promotion, the Czech Republic would have a further 7 projects, and Slovakia would also enter with 5, most of them related to the supply of equipment for nuclear power plants.

[INSERT TABLE 2 HERE]

Based on this data, the picture on CEE involvement in the EU's democracy promotion activities in the Eastern Neighbours is not totally dismal (it should not be forgotten that the problems with the database may hide further CEE involvement as well). However, the picture is not particularly bright either, especially when compared with the older members. The actual participation rate does not match up with all the rhetorical importance put on transition experience, and neither does it live up to the fact that the priorities in the action plans are rather well aligned with transition experience.

Another conclusion also emerges: there are differences in terms of actor capacities between the CEE new member states. The fact that the Czech Republic is the most active is perhaps not a surprise, as it is the most developed country in the region and is also highly committed to international development, evidenced by the fact that it has the most developed bilateral development policy among the new member states. Poland, being the largest CEE new member state is also clearly important. The large activity of Lithuanian NGO's and government agencies is difficult to explain and would require more research. On the other hand, it is a question why for example Hungary's or Slovakia's participation is so low. This conclusion points toward the fact that the CEE new members may not be as homogenous in terms of their international development activities as some would imply.

A further observation is that the entities listed in the ETC are rarely the ones that actually implement EU-financed projects. Only two CEE project implementers in the grant and contract beneficiaries' database are actually included in the ETC. This of course does not mean that other actors listed in the ETC may not be involved in development cooperation (they may be active in bilateral development, or as members of consortia), but it is interesting to ask the question why they are not more active in the EU context if they possess relevant experience.

There are clearly several issues which hinder the participation of actors from the CEE new member states and can serve as explanations for this relatively low involvement. For one, the Commission has no systematic strategy to involve the new member states or harness their transition experience. While the ETC was a welcome initiative, it is not clear how the Commission plans to make use of the data. It is also far from being comprehensive. The data

was collected by the Commission based on questionnaires sent out to national foreign ministries. Some ministries may have been more enthusiastic in answering the questionnaire than others. Recently, CEE governments have called upon the Commission and the External Action Service to systematically include transition experience in their external policies and to operationalise the ETC (Non-paper 2011). There is also lobbying for the creation of a special financial instrument for the provision of transition experience from the new member states to those partners where it could be relevant (Trialog 2011). So far however, these initiatives have not had any visible results, but they do show the fact that CEE actors would like more support from the EU to help the transfer of their transition experience. A recent communication by the Commission entitled 'EU Support for Sustainable Change in Transition Societies' (European Commission 2012) does include several references on closer cooperation with member states (without explicit reference to the new members), but its adoption by the Council and implementation is yet to be seen.

Another, deeper issue is the capacity problems new member state actors have. It has been documented elsewhere (see for example Szent-Iványi and Tétényi 2008) that NGO's and other potential development stakeholders are relatively weak in the CEE countries, and thus may simply not be competitive enough to win EU financed grant and contract tenders, despite the fact that they may have some competitive advantage due to their transition experience. Problems for actors (especially development NGO's) include issues like finding resources for co-financing grants, small staffs, and a lack of networks and contacts in the Eastern neighbours. Anderspok and Kasekamp (2012) identified the need for capacity building related to advocacy and fund raising for Baltic development NGOs. Funding problems have become more acute in the past years, as many CEE governments have cut back their financing to development NGOs (Horký and Lightfoot 2012). Many NGOs in the CEE countries are more active in local development education than implementing projects abroad. Solving these problems is clearly a much more long term task than providing some form of positive discrimination to them in Community financed development grant and contract tenders. There are some positive tendencies however: Bucar (2012) for example highlights how instrumental NGOs have become as partners of official development cooperation in Slovenia, and how this has contributed to increasing their capacities.

5. Conclusions

This paper has attempted to investigate how much the EU makes use of the transition experience of the CEE new member states in its efforts to promote democratic governance in five (six) of its Eastern neighbours. The EU is increasingly active in promoting democracy and democratic governance in its partners and the new member states have started their own bilateral democracy promotion policies as well. While the effectiveness of the EU's external democracy promotion efforts may be questioned, the paper argued that CEE transition experience could enrich this policy area, as much of the Eastern neighbours are in the midst of reforms which are similar to the ones the CEE countries have already carried out in the past decades. In rhetoric, the EU acknowledges the importance of transition experience, and has repeatedly stated its commitment to making a greater use of it.

The paper has argued that at least some parts of transition experience should be transferable to the Eastern neighbours and has shown that the EU's reform priorities in these countries are well aligned with this experience. In practice however, CEE participation in implementing EU financed projects is much lower than what one would expect based on these factors. This low participation may be explained by the capacity problems of the development actors in the new member states, but it may also point towards a contradiction between the EU's rhetoric and the actual importance it places on harnessing the transition experience of the new member states in democracy promotion.

An important question highlighted in the paper is the transferability of transition experience. While tackling this question was not a direct goal of the paper, the results can be read in the light of it: maybe the participation of CEE country actors is so low in EU democracy promotion programs because their transition experience is actually not transferable? Our understanding of this issue is clearly still low, and there is much scope for case study based research examining specific transition experience transfer project and the reasons for their success or failure.

If the EU is serious about using CEE transitions experience, it should make specific efforts to promote the participation of CEE actors in EU-financed development projects. If words are not met with actions, then this problem will add to the existing set of contradictions between what the EU says and what it actually does in its external democracy promotion policies. If the community wishes to strengthen its credibility, it should rather strive to close such gaps.

In the short run, some form of special treatment to CEE actors may be justified (although solutions like the creation of a new financial instrument for transition experience may have problems of their own), but in the long term capacity development should be given a higher priority. The proposed European Endowment for Democracy may play an important role here.

Blaming the EU for low CEE participation is of course not totally justified. National governments should also do their share in strengthening local actors and encouraging them to share their experience gathered during the transition process internationally.

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Tables

Table 1. Alignment between the ENP action plans and CEE transition experience

Priorities mentioned in the action plans	Number of related entries in the ECT	Priorities mentioned in the action plans	Number of related entries in the ECT
Strengthening democratic structures		Business climate	
Constitutional reform	1	Better conditions for SME's	11
Electoral reform	0	Restructure state-owned corporations	1
Reform local self governments	9	Reform of competition policy	0
Parliamentary reform	0	Protection of IPR	0
Reform of the judiciary		Privatisation	5
Increase capacities of the judiciary	1	Approximation to EU legislation	0
Reform of the prosecution system	0	Reduce state involvement in the economy	0
Reform the court system	1	Strengthen banking regulations	2
Reform major legal codes	3	External trade and customs	
Improve legal aid	0	Strengthen customs administration	11
Human rights and fundamental freedoms		Alignment with EU practices	0
Institutions protecting human rights	3	Trade reform	0
Eradication of torture	0	Joining trade blocs and the WTO	3
Freedom of the media, expression, assembly and association	0	Transparency of import and export regulations and procedures	1
Growth of civil society	5	Revision of existing standards	0
Protection of property rights	0	Promote export capacity	1
Police reform	7	Ensure the free movement of FDI	0
Rights of minorities	2	Reforms ensuring food safety	21
Children's rights	8	Border management and migration	
Rights of trade unions	0	Border management reform	5
Economic development and poverty reduction		Combat trafficking, organised crime, terrorism, illegal arms trading, drugs, money laundering	1
Prudent monetary and fiscal policies	1	Readmission, refugee and visa issues	0
Reform of the National Bank	0	Ratify and implement relevant international conventions	0
Public debt management	11	Migration and asylum	0
Targeted poverty reduction	8	Cooperation on foreign and security policy	
Reforms in employment, social security and social protection	11	Cooperation on Common Foreign and Security Policy	0
Local and regional development	1	Ratify and implement relevant international conventions	0
Health, education and social services		Promote resolution of conflicts	0
Health sector reform	6	Other issues	
Reforms in education and vocational training	11	Improve statistical data collection	0
Reforms in higher education	0	Information society	2
Transport and energy		R&D policy and international cooperation	0
Transport and energy strategy	0	Fight against corruption	0
Nuclear safety, close unsafe plants	0	Civil service reform and training	5
Cross-border networks, including approximation to EU networks	0	Strategic planning of environmental issues	0
Reforms in road, railway, water and air transport	0	TOTAL	158

Source: compiled by the author based on the ENP action plans (European Union 2005a; 2005b; 2006a; 2006b; 2006c) and the European Transition Compendium (European Commission 2010).

Table 2. EU assistance for the promotion of democratic governance in the Eastern partners, 2001-2010

Partner country	Total EU assistance for democratic governance		CEE involvement	
	Amount (€)	Number of grants & contracts	Amount (€)	Number of grants & contracts
Armenia	36 304 226	98	1 099 667	2
Azerbaijan	28 160 977	56	1 950 000	2
Belarus	19 242 011	42	923 964	9
Georgia	51 669 013	188	3 418 475	5
Moldova	37 641 556	55	3 178 278	4
Ukraine	192 866 628	153	4 401 403	5
Eastern Europe regional	98 688 767	57	1 576 136	3
Total	464 573 178	649	16 547 923	30

Source: calculations of the author based on the European Commission's grant and contract beneficiaries' database

Annex - Eligible DAC codes and themes

15110 Public sector policy and administrative management
15111 Public finance management
15112 Decentralisation and support to subnational government
15140 Government administration
15151 Elections
15210 Security system management and reform
15240 Reintegration and SALW control
15130 Legal and judicial development
15150 Democratic participation and civil society
15153 Media and free flow of information
15160 Human rights
15220 Civilian peace-building, conflict prevention and resolution
16020 Employment policy and administrative management
16062 Statistical capacity building
25010 Business support services and institutions
92010 Support to national NGOs
99820 Promotion of development awareness