THE RELATIONS BETWEEN ROMANIA AND EUROPEAN UNION

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With the collapse of the communism regimes in central and eastern Europe, the states from this area, among which Romania, expressed their aspiration to integrate in the big European family represented by the European Union. In this respect the European Union proposed “association agreements” to these countries, agreements to which Romania adhered in February 1993 (in 1995 Romania presented its request for admission in the EU). Further on, in 1997 Romania launched “The national program for the adoption of the acquis communautaire”.

An important moment for Romania has arrived at Helsinki during the meeting of the European Council (10-11 December 1999), which decided to organize bilateral intergovernmental conferences for all the 13 candidate states in order to begin the accession negotiations, which were opened by Romania on the 16th of February 2000.

The Helsinki decision regarding the beginning of the admission negotiations with Romania was a political one; Romania having acute economical, juridical and administrative problems. In the European Commission 2003 country report regarding Romania, there are positive appreciations with regard to the fulfillment of the political criteria and for the progress made in the adoption of the acquis communautaire as well as for the economical progress but Romania still did not receive the statute of functional market economy. On the other hand the malfunctions still persist in the domains of public administration, agriculture, justice and the fight against corruption.

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The dissolution of the communist regimes in Central-Eastern Europe was followed in a short period by major political and economical changes within the states from this area; these were confronted with the phenomenon of transition from centralized economy to market economy. The hope of these states relayed on the integration and the adherence to European (European Communities - European Union) and Euro-Atlantic (NATO) structures. As a result, these countries have been showing since the beginning of the ’90 a strong interest towards the strengthening of relations with European Communities.

The institutions of the 12 did not officially respond to these states but they did show availability to support the efforts of these countries towards a democratic system and market economy. In this way the European Communities proposed Central-Eastern European countries Partnership Agreements, known as “European Agreements”. The first Agreements of this kind were concluded in 1991 with Hungary,


Czechoslovakia and Poland. The Partnership Agreements followed them in 1993 between European Communities and Romania and in 1994 with Bulgaria. The last Agreements were concluded with the Baltic States. Based on the general principles of market economy, political pluralism and human rights “the European Agreements” have replaced the intermediary agreements from 1988-1989, having as purpose the creation of a free exchange area between CEE and Central and Eastern European countries. These agreements were very lucrative for the countries involved, because CEE suppressed quantitative restrictions, customs rights for some products, in the same time offering support for the implementation of the aquis communautaire in the states of this area. These agreements were welcomed with great satisfaction by these states, despite the fact that they were not soon followed by firm promises of integration.

With regard to Romania, the lack of professionalism inherited from the totalitarian regime, the dissolution of some alliances that Romania was a part of (COMECOM, Warsaw Pact), have had negative influences on Romania’s foreign policy.

Shortly after the Revolution from December 1989, the image of Romania abroad was badly affected, the Romanian state risking an eventual international isolation.

Following the example of its neighbors from Central Europe (Czech Republic and Slovak Republic, Hungary and Poland), Romania expressed its will to integrate in NATO and European Union. Although the Romania’s request was a rather formal one, the Romanian state being far away from 1993 Copenhagen criteria (state of law, respect of human rights, ethnic minorities, functional market economy which can resist the competition of single European market and the adoption of the aquis communautaire). In order to respond to these requests, Romania had to accomplish urgently a radical reform of its economic system, having as priority the privatization of same state subsidized companies.

The declaration of January 7, 1990, underscores Romania’s will to collaborate with CEE. The first results of the new policy were accomplished in October 1990, when Romania has signed “The Cooperation and Commercial Agreement with CEE”, which came into effect in 1991\(^3\). Although this type of agreement was proposed for 10 years, Romania was able to conclude it in only 5 years. This was applied to all the products made in CEE, apart from steel and coal as well as from agricultural products.

During the second stage Romania has signed a Treaty of Association to the EU (February 1, 1993), which is a part of the European agreements\(^4\). This Treaty offered an important judicial framework for closing the gap between the Romanian state and the civilization area represented by the European organization. CEE has offered to support Romania towards a new economical and political system which would respect the rules of the state law and human rights including minority’s rights, would practice a multiparty system based on free and democratic elections and would build a market economy.

The association agreement has created an institutional framework suited for the development of close relations between Romania and EU: The Council of Association (politic-national level) and The Parliamentary Committee of Association (it was created a Commission for the European Integration of Romania) and The Association Committee. The last one is made up of high officials of Romanian government, of European Council and European Commission and support the Association Council.

The new dialogue framework between Romania and EU allowed a constructive dialogue between the two parties at all levels, the Romanian products access improvement on the community market, the involvement of the Romanian state in all the development projects of the trans-European infrastructure networks – transports, communications, energy, participations in community programs (research, industrial cooperation, energy, environment protection, trans-border cooperation, support in the training and improvement of the personal). The main component of this agreement is the economic one, badly affected during the past years and even in the present by the delays regarding the harmonization of Romanian legislation with that of the European Community.

The European Council of Copenhagen (June 1993) drafted more clearly the requirements of the European Union towards the candidate states, the synthetic structures and directions of assessment of social, economical and political life quality.

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\(^4\) See The European Agreement of Association between Romania and EU published on Romania’s Foreign Affairs Ministry site.
A new step was made by the publication of the White Book in 1995, and especially by the 2000 Agenda approved in 1997.

The documents mentioned above were preceded by “The Pre-Adhesion Strategy” adopted by the European Council of Essen (December 1994), which was due to prepare the economy of the candidate states for the EU internal market rules. This strategy made a clear distinction between the alignment to the internal market and the adherence to the Union. The adherence to the EU involves the accommodations of the entire aquis communautaire.

Romania has responded to the above mentioned documents by drafting a declaration (The Snagov Declaration – June 21, 1995 – signed by the majority of the Romanian political parties) which supports “The National strategy for the preparation of Romania’s integration in the EU”.

The document proves a certain weakness, showing the lack of understanding of the European integration phenomenon, not considering the economical and social cost of this undertaking. We are again in the area of “mimesis”, the government of that period was supporting a Europe of Countries where the sovereignty transfer should be limited.

Romania has submitted the integration request in 1995. The change of the political regime in 1996 announced an improvement of the Romania’s image abroad, image that was degraded in short time by the lack of coherence of the Ciörbea’s government policies. Romania’s integrations request was analyzed by the European Commission which made public its opinion in June 22, 1997. The Commission analyzed the situation of our country from the perspective of the Copenhagen criteria. It was obvious that Romania made political progress, but some things still had to be done in the field of privatization, strengthening the judicial system and the coherence of economical policies, competition and the adoption of aquis communautaire.

The Commission’s conclusion was generally not favorable to Romania. The country could not support, according to the Commission the mid-term economical requests.

Romanian government responded in September 1997, criticizing the European Commission’s lack of understanding for the social and economical changes in Romania. The government from Bucharest also criticized the EU enlargement strategy which, in its opinion, was creating two groups of countries, differently considered, although EU wanted to respect the criteria of even treatment for all the candidate states. The Commission proposal that the reformation of European institutions, that was to be done by the new Amsterdam Treaty, would comprise only 20 states was also criticized by Romania.

Romania has responded to the Commission in 1997 by launching “The National Programme for the Adoption of the Aquis Communautaire”, supported by all the political parties. In this document, Romania announced its intentions to create a functional market economy, tight control of the frontiers, stable macro economic framework, and consolidation of the legislative framework regarding the property rights etc. The modest accomplishments of the Romanian government during the next period have disappointed the EU. As a consequence the Romanian state was not in the group of “The Luxembourg countries” (1997). The European Council from Luxembourg decided the convocation in the spring of 1998 of an Intergovernmental bilateral conference for the beginning of the negotiations with Cyprus, Hungary, Poland, Estonia, Czech Republic and Slovenia.

Despite the Luxembourg failure, Romania continued the dialogue with the EU, so that the launching of “The National Programme for the Adoption of the Aquis Communautaire” was followed by discussions between the Romanian institutions and the European ones. The European institutions intended to support Romania for the modernization of the infrastructure, environment, and development of small-medium enterprises, public administration reform and statistics. Unfortunately the rapport presented by the Commission in 1998, underlined the weak economical progress of the 1996-1998 governance.

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The historical moment for Romania arrived in December 10–11, 1999 at Helsinki when the European Council decided to organize (February 2000) intergovernmental bilateral conferences for the beginning of the negotiations with Romania, Slovakia, Letonia, Bulgaria and Malta. This time the 13 candidates were convened in a single framework, in order to assure them the complete equality.

The preparations of the Helsinki European Council were made in Viena (11–12 December 1998) when the council had invited the Commission to draft a Report on the candidate countries. The Commission led by Romano Prodi has shown a bigger interest for the problems of Central and Eastern Europe. The Report regarding Romania asked for the fulfillment of two criteria: to concentrate adequate financial resources and to implement a structural reform of the social institutions for abandoned children and to improve the macro economic situation. The Commission Report from 1999 was influenced by the Kosovo crisis. The Commission emphasized the political aspects favorable to Romania. It was also a consequence of the Romania’s attitude towards Yugoslavia’s bombardment. The admittance of the Romanian state to the negotiations was a step forward on the way towards EU.

The negotiations with Romania were opened in February 16, 2000. The government concluded in May 26, 2000 the discussions for 5 chapters: small medium enterprises, science and research, education, professional training and youth, foreign relations and common foreign and security policy. Documents were drafted with regard to: competition, statistics, trade law, consumer protection, culture, audio and visual, telecommunications and technologies information, customs union as well as the policy in the field of transports. The negotiations with the European Union have underlined once more the lack of Romanian institution’s professionalism (the lack of experts in various fields of integration). We can add also the insufficient coordination between the ministers and the awkwardness of the 1999-2000 government. Nevertheless beginning with 2001 we can observe an improvement of the negotiation process and a clearer strategy, fact emphasized by the reports of the European Institutions.

The Helsinki decision was a political one, Romania suffering severe economical, administrative and judicial delays. These delays intensified during 1999-2000. The official stand of Romania towards the future European architecture (which was to be discussed at Nice in November 2000) was in favor for a “United Europe of Nations”. The position of Romania is close to that of Great Britain, country that is not willing to give up its sovereignty to the Union.

The institutional reform of Nice includes Romania in the future enlarged European Union. Romania became more active in the relations with the EU, sending its representatives to the European Convention, representatives who expressed Romanian points of view vis-à-vis the European Constitution.

Unfortunately, the slack economical progress, the lack of a judicial and economical framework consonant with EU requirements, postpones the integration deadline of Romania. The free access in the Schengen area beginning with 2002 is a positive signal that Romania has started to make progresses, especially regarding the control of the borders and the adoption of the legislation compatible with that of EU in this field of action. The European Commission Country Report from 2002 regarding Romania underscores the progress of the economy, but unlike Bulgaria, Romania did not receive the status of a functional market economy, which is an important criterion in order to close the negotiations with the European Union. Neither the Commission Report from 2003 changed the existing situation, the report using an equivocal formula which states that Romania can be considered a functional market economy if it continues the satisfactory progresses made until that moment. Romania continues to fulfill the politic criterion. In the same time the country has made economical progresses and structural reforms and has

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11 See the Nice Treaty. Translated and commented under the coordination of Vasile Vese, Adrian Ivan, Cluj-Napoca, ed. Dacia, 2001.
advanced towards the adoption of the aquis communautaire, it took actions against inflation but has severe problems with the corruption, which affects the entire Romanian society. Besides that Romania has a weak administrative capacity in order to implement the adopted legislation. Simultaneously the Commission criticizes the lack of total reform in the field of energy, agriculture, environment protection etc. Nevertheless we can observe positive actions with regard to the inflation control, some measures of fight against corruption (See the National Prosecutor’s Magistracy against Corruption), protection of ethnic minorities (especially the roma ethnics).

The 2003 Country Report is in general a positive one, allowing the continuation of the negotiations with the EU. The 2004 perspectives are not very positive, considering that in Romania political elections will take place and as a result a slowing down of the structural reforms pace is expected.

However it can be pointed out that since 1995, the year when Romania submitted the integration request in the EU, until 2003, the country, despite its economical delays, has made important progress for the closing of the integration negotiations and the signing of the pre-adhesion treaty with EU in 2005.

Nevertheless, we can observe that there are still important chapters left to negotiate, such as: agriculture, competition policies, regional development policies, energy, justice and internal affairs, financial and budgetary provisions etc. which demand political will and immediate reforms.

We believe that Romania’s negotiations with the EU will also be affected by the adhesion of the 10 states in 2004, the first big enlargement in the history of the european construction. From this point of view, Romania can create a new negotiation strategy, especially considering that the perspectives of an immediate integration are not always generating positive effects. For example in the case of the agriculture, Romania will have to negotiate the status of the 4 million individual farms which will be no more subsidized beginning with 2011-2012. In the same time we believe that it will be very difficult to liberalize the price of energy, having in consideration the social consequences of this action etc. The delays will also persist in the field of public administration, especially because the Romanian state does not have enough trained clerks to implement the communitarian legislation.

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