NGO Involvement in the European Union Foreign Policy

Western Balkans and Enlargement



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## Abstract

The European Union has for over two decades introduced increasingly more policies on promoting the development of civil society, following the philosophy that non-governmental organisations foster a more participatory democracy within the European Union by representing civil society, contributing to policy-making and European integration. In 2008, the European Commission Directorate-General on Enlargement established the Civil Society Facility (CSF) under the Instrument for Pre-accession (IPA) with the purpose of financially and politically supporting the development of civil society for the task of advancing candidate countries towards EU accession. The CSF promotes and supports the EU integration process by assisting civil society development and its capacity to influence policy-making and decision-making processes. These EU efforts to include civil society and NGOs into its external policy-making accession countries are interesting as they contradict the general notion of international relations which perceives the EU foreign and external policy sector as 'high-politics' and it should therefore be 'insulated' from the involvement of non-state actors. This thesis sets out to investigate the involvement of NGOs in the EU's foreign policies on accession countries through conducting two case studies using the policy analysis approaches of the 'policy cycle' and 'process-tracing'. The first case study will focus on the Bulgarian NGO, Center for the Study of Democracy (CSD), and its involvement in the EU's efforts to establish an Ombudsman Institution in Bulgaria during its accession period. The second case study will focus on the NGO network Southeast European Leadership for Development and Integrity (SELDI) and its involvement in the EU's anti-corruption policies on accession countries in Western Balkans through its Framework Partnership Agreement with the European Commission.

The first case study, on the Center for the Study of Democracy (CSD), finds that the CSD was a significant actor throughout the entirety of the national policy-making processes on the Bulgarian Ombudsman Act and took part in drafting the finalized legislation. For its efforts, particularly the European Commission provided grant funding for the CSD, specifically for its work on establishing an Ombudsman. In this sense, the capabilities of the CSD were utilized by the EU as a means for achieving the objective of establishing an Ombudsman in Bulgaria

as a part of its larger policy on Bulgaria's accession. In this way, the CSD was especially involved in the implementation of the EU's policy interests.

The second case study, on the SELDI network, finds that the Framework Partnership Agreement between the European Commission and SELDI under the Civil Society Facility and the Instrument for Pre-accession, established formal communication and consultancy processes in which SELDI can provide recommendations, evaluation and monitoring information to the EU institutions. Furthermore, the SELDI network has through active networking during events and policy forums established a network between its members and EU representatives, which can be utilized for lobbying through informal contacts.

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## 1. Introduction

The presence of non-governmental organizations as international actors within international relations has become ever more apparent, since they first started appearing for more than 50 years ago. Since the 1980's, the number of active NGOs has increased significantly and their role and orientation has gradually evolved from primarily focusing on charity, relief and emergency aid towards being involved in most aspects and areas of society.[1] As a result of this trend, the NGO as an international actor has gained an increasingly more central role in policy-making areas and governance within intergovernmental organizations such as the United Nations and within the European Union. The EU has promoted NGO involvement in EU policy-making for more than two decades by establishing policies with the objective of furthering and strengthening the EU-NGO relationship. This relationship between the EU and NGOs was described by the EU Commission in a discussion paper published in 2000. The EU Commission describes its relations with NGOs as a "partnership" that has expanded on all fronts during the last two decades.[2] The Commission argues that NGOs foster a more participatory democracy within the European Union by representing civil society, contributing to policy-making and European integration.[3] In this perspective, NGOs are viewed as an extension of civil society, whose involvement in EU policy-making will further the process of democratization of the EU. In this sense, the EU-NGO partnership is a remedy for combating the democratic deficit of the EU. In 2016, the EU-NGO project published a paper on promoting more civil society participation in environmental governance through NGOs and CSOs (civil society organizations). The project highlights how NGOs have become "critical stakeholders in environmental decision-making processes and a valued partner in implementing and monitoring environmental policies".[4] It is clear that within the contemporary environmental sector of policy making within the EU, NGOs are officially acknowledged by the EU and accepted as good practice of environmental policy-making. Historically, NGOs have been far more active and involved within the 'low politics' of the EU than in 'high politics'.[5] In high politics, states generally remain in complete control of its security, defence and foreign policies which are rarely subject to or affected external pressures from NGOs.[6] On the other hand,

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[1] "The Growth in the Number of NGOs in Consultative Status with the Economic and Social
Council of the United Nations" Peter Willetts 2015
[2] "The Commission and Non-governmental Organization: Building a stronger", European Commission 2000, p.2
[3] "The Commission and Non-governmental Organization: Building a stronger Partnership", European Commission 2000, p. 5
[4] "The Commission and Non-governmental Organization: Building a stronger Partnership." European Commission 2000, p. 6
[5] Kegley, Charles. *"World Politics: Trend and Transformation"*, p. 217
[6] Kegley, Charles. *"World Politics: Trend and Transformation"*, p. 217

NGOs' impact is highest in low politics domains such as environmental policy, combating climate change, humanitarian aid and more. In this regard, the EU foreign policy is considered an 'insulated sector' which is only open for little to no external influence from non-state actors. In 2008, the European Commission Directorate-General Enlargement established the Civil Society Facility (CSF) under the Instrument for Pre-accession (IPA) with the purpose of financially and politically supporting the development of civil society for the task of advancing candidate countries towards EU accession. The CSF promotes and supports the EU integration process by assisting civil society development and its capacity to influence policy-making and decision-making processes,[7] As a means to realize these objectives the EU has through the CSF and IPA engaged in Framework Partnership Agreements (FPA) with networks of CSOs and NGOs. The partnerships also establish a flow and exchange of experience, know-how and good practice between local NGOs in candidate countries and EU institutions.[8] The EU's efforts to involve NGOs in their foreign and external policies towards candidate countries stand in contrast to the general idea of the EU foreign policy sector as 'insulated' from non-state actors. This research paper thus embarks on a curiosity on the relationship between the EU and NGOs within the EU enlargement and accession policies towards candidate countries.

In this regard, this paper seeks to examine if the predominant contention that EU foreign policy is an 'insulated sector' primarily driven by state actors and EU institutions is the case for the EU's enlargement policies.

In reference to the issues stated above, the research paper seeks to answer the following research question:

**How and to what extent are Non-Governmental Organizations involved in the European Union's foreign and enlargement policy efforts towards candidate countries?**

In order to address the research question, I will conduct two case studies on NGOs involved in EU foreign policy schemes on corruption and anti-corruption efforts in enlargement candidate countries. The first case study will include the Bulgarian NGO and policy-think tank, Center for the Study of Democracy (CSD). It will focus on CSD's interaction and role with the EU in introducing and establishing an Ombudsman Institution in Bulgaria as part of Bulgaria's accession process. The second case study will include the Southeast European Leadership for Development and Integrity (SELDI) which is a network of CSOs working primarily within

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[7] Mid-term Evaluation of the Civil Society Facility for the Western Balkans and Turkey. European Commission, 2017 p. 9
[8] Mid-term Evaluation of the Civil Society Facility for the Western Balkans and Turkey. European Commission, 2017 p. 9

anti-corruption in countries of Southeast Europe. It will focus on SELDI's Civil Society Facility partnership with the EU and how SELDI through this is involved in EU foreign policy efforts on anti-corruption in a number of candidate countries in Southeast Europe and Western Balkans. The basis for doing these case studies builds on an interview and extensive e-mail correspondence with analyst Stefan Karaboev of the Economic Program of the CSD and project researcher within the SELDI network.

## 2. Synopsis/Outline

First, I will provide a general outline of the research project, in which the objective of each section is described briefly. This is done in order to ensure a greater cohesion between the reader and the paper, making the common thread throughout the dissertation more apparent.

**Introduction**

The introduction seeks to broadly introduce the reader to the topic of research project and hereby establish the general topic of the paper, being the role and influence of NGOs within EU foreign and external policies and more specifically enlargement policies towards candidate countries for EU membership. The introduction will introduce the idea that recent literature suggests that researchers may need to include NGOs as active actors within EU foreign policy and why this opens a discussion on the issue of NGO civil society representation. Lastly, this section will state and set the problem formulation for the paper.

**Methodology**

The methodology section will give a description of the methodology applied throughout the process of constructing this research project. The primary objective of this section is to establish the analytical framework for conducting the analysis and to offer theoretical explanation for which set of methods that can be applied to the specific cases of analysis in this paper as a means to achieve an answer to the stated problem formulation. The theory application into practice will also be described in detail on how the theories of policy lifecycle and process-tracing are applied as analytical tools or methods for achieving insight into the issue of NGO involvement in EU Enlargement policy.

**Theory**

As a means to ensure cohesion between the project and the reader, the theory section will provide a description of the theories and theoretical terms used and applied in this paper. The most essential theories presented and accounted for is the theory of the policy lifecycle and the theory of process-tracing. These are theories which can explain various aspects of EU policy-making processes.

**Analysis**

The analysis section will contain the two case studies on the CSD and the SELDI network, with the purpose of examining how they are involved in the EU's foreign policy efforts.

**Conclusion**

The conclusion of the project will first of all provide a comprehensive answer to the problem formulation put forth in the paper based on the findings achieved through the analysis. The conclusion section will also reflect on my considerations throughout writing the project and on the implications faced in the research project, including methods and methodology. This section will also reflect and contribute to future research within the topic of NGOs in EU's Enlargement policies towards candidate countries up for EU membership accession or pre-accession.

**Discussion**

The discussion section seeks to reflect on and discuss the evolving role of NGOs as a key actor within international relations and EU policy-making and why it is important to question the EU's perspective on NGOs as representing civil society.

## 3. Definition of Terms

### 3.1 Non-governmental organization (NGO)

The term "NGO" can be described as a broad umbrella term for many diverse organizations and types of bodies. Hence, there is no generally accepted definition of an NGO and the term carries different connotations in different circumstances.[9] According to Sabine Lang, "the NGO has been one of the moving targets of social analysis in that it describes a phenomenon

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[9] "What is a Non-Governmental Organization?" Peter Willets

with unclear boundaries, a multitude of self-proclaimed or associated actors, and an equally hazy set of norms and tasks".[10] It is therefore important to provide a somewhat clearer definition of the term for the use in this paper. While there is no generally accepted definition of the term NGO, most definitions of the term share some fundamental features or characteristics that constitute the NGO. Firstly, as suggested by the term non-governmental organization, NGOs are not related to any government or governmental institution.[11] NGOs are not for profit, they are voluntary and they pursue the interests of the public good rather than on self-interest for the organization and its members.[12] Based on these features, this paper adopts the definition given by Sabina Lang, which treats the NGO as "a voluntary not-for-profit organization that is bound legally to be non-political but can engage in non-institutional politics that generate normative claims about a common good, and that acts on these claims as a public expert in variously scaled civic spaces".[13] However, while NGOs are established as non-profit, they may receive funding from governmental or private institutions as long as the NGO operates without oversight or representation from that government.

## 3.2 Civil society organization (CSO)

Because 'NGO' is often used interchangeably with 'CSO' in literature, it is important to provide a clearer use of terminology for this paper.[14] United Nations Development Programme (UNDP) has crafted a note paper on the terminology on NGOs and CSOs, which provides distinction between the two terms and how they are to be used and perceived differently. The UNDP argues that "NGOs should be properly understood as a subset of CSOs involved in development cooperation, albeit often one with no clear boundaries".[15] For instance, Constituency-based organizations, such as trade unions or professional associations, for example, often do not self-identify as NGOs, but rather as CSOs. The 2007– 2008 Advisory Group on CSOs and Aid Effectiveness and the OECD DAC defines CSOs "to include all non-market and non-state organizations outside of the family in which people organize themselves to pursue shared interests in the public domain. Examples include community-based organizations and village associations, environmental groups, women's rights groups, farmers' associations, faith-based organizations, labour unions, co-operatives, professional associations, chambers of commerce, independent research institutes and the not-for-profit media".[16]

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[10] Lang, Sabine. "NGOs, Civil Society and the Public Sphere", 2013 p. 10
[11] Lang, Sabine. "NGOs, Civil Society and the Public Sphere", 2013  p. 12
[12] Lang, Sabine. "NGOs, Civil Society and the Public Sphere", 2013 p. 12
[13] Lang, Sabine. "NGOs, Civil Society and the Public Sphere", 2013 p. 13
[14] "NGOs AND CSOs: A Note ON TERMINOLOGY." UNDP p. 2
[15] "NGOs AND CSOs: A Note ON TERMINOLOGY." UNDP p. 1
[16] "NGOs AND CSOs: A Note ON TERMINOLOGY." UNDP p. 1 annex A1

## 3.3 Lobbying in the case of the EU

Establishing a precise definition of lobbying is not a simple task seeing that definitions used among state governments, international organizations and supranational institutions range from narrow to wide approaches.[17] There is thus no greater consensus behind what the term lobbying means. The council of Europe sees lobbying in general as a "concerted effort to influence policy formulation and decision-making with a view to obtaining some designated result from government authorities and elected representatives".[18] These concerted efforts include public actions such as public affairs activities by various institutions such as associations, consultancies, advocacy groups, think-tanks, non governmental organisations, lawyers, etc.[19] The EP-Commission Transparency Register perceives lobbying as "all activities carried out with the objective of directly or indirectly influencing the formulation or implementation of policy and the decision-making processes of the EU institutions, irrespective of the channel or medium of communication used".[20] Among others, these activities include contacting Members, officials or other staff of the EU institutions, circulating information material and organising events for which invitations have been sent to Members, officials or other staff of the EU institutions.[21] . Lobbying in the EU can be distinguishes as a specific activity which goes beyond ordinary rights and attempts of citizens to influence policies of EU institutions. Based on the above, any effort of an NGO to directly or indirectly influence EU policy-makers is considered lobbying no matter the channel or medium of communication used to achieve this, whether this might be through events, meetings etc. In the same regard, activities of NGOs that are developed under projects with grant financing from the European Union which sets up frameworks for networking are also considered lobbying efforts.

## 3.4 EU foreign policy

The following section seeks to broadly characterize foreign policy in general and secondly to clearly and comprehensively explain how the term EU foreign policy is applied in this paper. In general, foreign policy compromises sovereign state's or in the case of the EU, a collection of states' interactions with other states in the international arena. Foreign policy can also be said to refer to a government's strategy in dealing with other nations or to use Christopher Hill's definition, foreign policy is the 'purposive action with the view towards promoting the interests

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[17] Lobbying the EU institutions" Library of the European Parliament , 2013 p. 1
[18] Lobbying the EU institutions" Library of the European Parliament , 2013 p. 1
[19] Lobbying the EU institutions" Library of the European Parliament , 2013 p. 1
[20] Lobbying the EU institutions" Library of the European Parliament , 2013 p. 2
[21] Lobbying the EU institutions" Library of the European Parliament , 2013 p. 2

of a single political community or state'.[22] In this sense, foreign policy is constituted by the sum of the general objectives that guide the activities and relationships of one state in its interactions with other states. The primary objective of foreign policy is to influence and affect other states' actions or policies through tools of foreign policy. The European Union foreign policy is constituted by a number of policies that guide its strategy and use of foreign policy tools towards other states, including the Common Foreign and Security Policy (CSFP), Common Security and Defence Policy, EU Neighbourhood Policy (ENP), Partnerships and Enlargement. In this sense, this paper does not limit its application of the term to foreign policy *sensu stricto*, namely the CSFP and CSDP, but rather applies it as EU foreign policy *sensu lato* which also considers other areas such as development, trade and enlargement as inherent parts of the broad EU foreign policy.[23] This is an important distinction to make as it supports the very foundation of the analysis of this project, which is to examine NGO involvement in EU foreign policy, through analysing aspects of EU enlargement and European Neighbourhood Policy. Following the rationale of Stephan Keukeleire and Tom Delreux, this paper argues that EU foreign policy is multifaceted and comprises a broad range of areas such as those described above, seeing that the "whole picture of EU foreign policy can only be fully understood and explained if one takes into account these various facets, methods and levels.[24] Based on this broad understanding, Keukeleire and Delreux defines EU foreign policy as "the area of European policies that is directed at the external environment with the objective of influencing that environment and the behaviour of other actors within it, in order to pursue interest, values and goals".[25]

Rooted in the definition above, I argue that EU enlargement, partnerships and ENP, which are the main focus of the analyses presented in this paper, are part of the EU foreign policy sector. According to the EU, the general objectives of its foreign policy include preserving peace, strengthening international security, promoting international cooperation and developing and consolidating democracy, the rule of law and respect for human rights and fundamental freedoms.[26] The EU enlargement, partnerships and neighbourhood policies among others provide a great variety of foreign policy tools and measures that it utilizes in order to realize the objectives of its foreign policy.[27] Andrew Moravcsik has in more papers and on several occasions described EU enlargement as the single most powerful policy

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[22] Hill, C. "The changing politics of foreign policy", 2003 p. 285
[23] Keukeleire, Stephan. "The Foreign Policy of the European Union", 2014 P. 1
[24] Keukeleire, Stephan. "The Foreign Policy of the European Union", 2014 p. 1
[25] Keukeleire, Stephan. "The Foreign Policy of the European Union", 2014 p. 1
[26] "Foreign & Security Policy." European Union, Europa.eu
[27] Moravcsik, Andrew "Europe, the Second Superpower", 2010 p. 91

instrument of Europe for project influence via civilian instruments on a global scale.[28][29] Moravcsik argues that the EU enlargement policy has proven to be a successful foreign policy tool in promoting and establishing stability in fragile democracies.[30] Within EU enlargement, Association agreements and partnerships have been influential and effective tools for inducing or promoting specific policy changes or conditions in non-member states by utilizing the incentive of financial assistance and EU membership as a force of attraction.[31] A good example of this process in practice is the EU's foreign policy efforts and engagement towards the Western Balkans. While the EU foreign policy of the 1990s towards the Western Balkans initially failed to stop the wars and conflicts, the EU's efforts were of crucial importance in achieving stronger sustainable peace through transformation of the political, legal, socio-economic and security structures within the Region.[32] Perhaps the two most important tools or instruments of the EU's external relations efforts towards establishing peace and promote transformation in the region of the Western Balkans are the Stabilization and Association Process (SAP) and Association Agreements.[33] The SAP was launched in 1999, in the aftermath of NATO's military intervention in Kosovo, with the aim of supporting economic and democratic transition as well as explicit preparation for eventual accession.[34] Through the SAP, EU offers a mixture of economic and financial assistance through the Instrument for Pre-Accession (IPA) and also trade concessions.[35] In return, involved countries of Western Balkans agree to cooperate with the EU in aligning domestic legislation to the EU *acquis* and to cooperate on all areas of EU policy, such as security and justice.[36]

Through utilizing the above mentioned foreign policy tools, the EU is able to influence the domestic state of another country as a means to promote change which is in the EU's self-interest. In the case of the Western Balkans, the EU offers the SAP, Accession Agreements and IPA tools which are highly beneficial to the targeted countries, especially due to the EU's force of attraction, and in return the EU gains the ability to at least partly influence domestic polices in that targeted country. Being able to influence and promote change in another state is the very essence of foreign policy. Through its successful foreign policy efforts in the Western Balkans, the EU has created a far more stable neighbouring region in terms of especially security and

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[28] Moravcsik, Andrew "Europe: Rising Superpower in a Bipolar World", 2010 p. 157
[29] Moravcsik, Andrew "Europe: Rising Superpower in a Bipolar World", 2010  P. 159
[30] R. Young, Alisdair "Policy-Making in the European Union", 2015 p. 425
[31] R. Young, Alisdair "Policy-Making in the European Union", 2015 P. 425
[32] The Foreign Policy of the European Union, Stephan Keukeleire. P. 242-243
[33] Alasdair R. Young, Helen Wallace and Mark A. Pollack, Policy-Making in the European
 Union pp. 416-417
[34] Alasdair R. Young, Helen Wallace and Mark A. Pollack, Policy-Making in the European
 Union p. 417
[35] Keukeleire, Stephan. "The Foreign Policy of the European Union", 2014 p. 243
[36] Keukeleire, Stephan. "The Foreign Policy of the European Union", 2014 p. 243

economy. By doing so, the EU has fulfilled aspect of its foreign policy objectives that seek to establish peace and stable neighbouring environments at the EU's borders. As the European Union's Foreign and Security Policy seeks to foster stabilisation, security and prosperity in its neighbouring countries it is crucial to the EU's future to have a stable EU Neighbourhood, in political, socio-economic and security terms.[37]

The argument above can also be exemplified by EU's efforts towards the Ukraine Crisis. When the Ukraine Crisis erupted as a result of former Ukrainian President Yanukovych abandoning the initial Association Agreement with the EU on 21 November 2013, especially the eastern part and the Donbas region of Ukraine was consequently destabilized in all aspects of society. Following Russia's annexation of Crimea, the EU represented by the External Action Service (EEAS), led by Morgherini, stated that "in response to the illegal annexation of Crimea and deliberate destabilisation of a neighbouring sovereign country, the EU has imposed restrictive measures against the Russian Federation".[38] It was clear that in a short period of time, the stabilization of Ukraine became a high-priority of the EU's foreign policy. The EU's primary policy tool to achieve this is the Eastern Partnership with Ukraine, which through the Association Agreement from 2014, aims to strengthen political association and economic integration.[39] The reforms brought about by the Association Agreement seek to bring Ukraine closer to the EU by aligning its legislation and standards to the EU ones in all aspects of society.


## 4. Theory

### 4.1 Civil Society and NGOs in EU Foreign Policy

The objective of this section is to first present relevant literature on which inspiration was drawn when shaping this project and then secondly to illustrate that recent research studies have identified NGO involvement in EU foreign policy-making. Contemporary research challenges the conventional perspective on NGOs' role in international relations, in which they can be argued to have traditionally primarily only been involved in 'low-politics'. The following will present literature on the topic of EU foreign policy and non-state actor involvement and highlight the findings that challenge the predominant contention that EU foreign policy remains an 'insulated sector', predominantly driven by state actors and EU

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[37] "European Neighbourhood Policy (ENP)", European Union External Action Service
[38] "EU sanctions against Russia over Ukraine crisis," European Union Newsroom
[39] European Neighbourhood Policy (ENP)", European Union External Action Service

institutions. Some literature would suggest that NGOs and other organizations have gained increasingly access to EU's foreign policy domain. If this is the case it would indicate a shift in the policy areas of the EU, which are open to involvement of NGOs. Civil society and organizations have traditionally played a large role policy-making in low-politics areas such as environmental policy etc. This is reasonable seeing that in low-politics, the policy-process and agenda setting is primarily driven from the bottom and up. As an example, environmental policy issues are often first framed by a local environment as it is the first actor to notice the issue. Following this, NGOs can push for the issue to be dealt with by policy-makers. However, in high-politics such as foreign policy, the policy process is primarily characterised by a top-down approach, which leaves significantly fewer opportunities for NGOs to influence the process. Part of this is due to the fact that agenda-setting in high-politics of the EU primarily takes place 'from above' through high-level political institutions which push and urge the EU to act.[40]

Benedetta Voltolini has published the academic article "Non-state actors and framing processes in EU foreign policy: the case of EU–Israel relations". The article revolves around examining the role of non-state actors in EU foreign policy. Voltolini argues that policy changes within the EU foreign policy are the results of framing processes through which member states and EU institutions craft a new understanding of the issue at stake, which in turn leads to new initiatives.[41] Traditionally, these framing processes are exclusively exercised by state-actors, seeing that changes in EU foreign policy occurs through the result of bargaining between member states and institutions.[42] Nevertheless, Voltolini argues that researchers need "to 'complicate' the process" by including new actors into the framing processes, namely actors such as NGOs.[43] In doing so, she contradicts the traditional picture of foreign policy as an insulated sector. Interest-groups, NGOs and think tanks are crucial to understanding the emergence and codification of frames, according to Voltolini.[44] Thus, a picture emerges in which non-state actors are involved in framing processes, agenda-setting and policy changes within EU foreign policy-making. Voltolini's article rests on empirical data which identifies how NGOs are involved in framing processes within EU foreign policy towards Israel.The article finds that a crucial role was played by an NGO called the MATTIN Group in the framing

[40] Princen, Sebastian "Crashing and creeping: agenda-setting dynamics in
the European Union," 2006 pp. 1126-1129.
[41] Benedetta, Voltolini. "Non-state actors and framing processes in EU foreign policy: the case of EU–Israel relations" , 2015 pp. 1502-1519
[42] Benedetta, Voltolini. "Non-state actors and framing processes in EU foreign policy: the case of EU–Israel relations" , 2015 pp. 1502-1519
[43] Benedetta, Voltolini. "Non-state actors and framing processes in EU foreign policy: the case of EU–Israel relations" , 2015 pp. 1502-1519
[44] Benedetta, Voltolini. "Non-state actors and framing processes in EU foreign policy: the case of EU–Israel relations" , 2015 pp. 1502-1519

process of a new legal frame which ultimately changed EU's policy towards Israel.[45] The MATTIN Group thus directly influenced the policy process outcome through frames. Voltolini showcases how MATINN Group achieved its access to EU's Israel policy by playing the role as a policy entrepreneur. Using Kingdon's definition, a policy entrepreneur can be individuals or interest groups that position themselves "in and around government with their solutions at hand, waiting for problems to float by to which they can attach their solutions, waiting for a development in the political stream they can use to their advantage". [46] The MATINN Group successfully deconstructed the political frame of the EU–Israel relations by confronting the EU with concrete information and evidence, which demonstrated serious legal issues with the policy. The evidence provided by the MATINN Group demonstrated that EU law and EU commitments under international law were not complied with under the former policy towards Israel. Though there was initial resistance by EU and national officials, the MATTIN Group continuously pushed for the EU to alter its policy on Israel due to legal flaws and their implications for the EU's legal framework.[47] Through these continuous efforts, the Group formed an opening of a policy window. It utilized the window to establish direct contact with the relevant EU policy-makers, which subsequently led to the emergence and codification of a new legal frame at the EU level.[48]

Gerald M. Steinberg has conducted a research study, which deals with the role of NGOs EU foreign policy in regards to the Arab-Israeli conflict. The paper seeks to reveal how the EU's emphasis on soft power and promotion of norms and values in its foreign policy has contributed to even closer cooperation with CSOs and NGOs.[49] As a result, there has been a surge in the level of interdependence between the EU and NGOs. The relationship between them is characterized in how the EU provides core funding to hundreds of NGOs and receives legitimacy, information, and analysis from them in return. In relation to this, Steinberg argues that this increased interdependence allows NGOs to expand their impact and role in EU policy-making. NGOs have gained increasingly more access to EU policy domains, including foreign policy.[50]

The issue of NGOs evolving role and increased access to more policy areas of the EU than previously is a highly relevant and contemporary issue as suggested by the literature presented

[45] Benedetta, Voltolini. "Non-state actors and framing processes in EU foreign policy: the case of EU–Israel relations" , 2015 pp. 1502-1519
[46] Kingdon, John W. "*Agendas, alternatives, and public policies",* 2014. Pp. 165-166
[47] Benedetta, Voltolini. "Non-state actors and framing processes in EU foreign policy: the case of EU–Israel relations" , 2015 pp. 1502-1519
[48] Benedetta, Voltolini. "Non-state actors and framing processes in EU foreign policy: the case of EU–Israel relations" , 2015 pp. 1502-1519"
[49] Steinberg, Gerald M. "EU Foreign Policy and the Role of NGOs: The Arab-Israeli Conflict as a Case Study", 2016 pp. 251–268
[50] Steinberg, Gerald M. "EU Foreign Policy and the Role of NGOs: The Arab-Israeli Conflict as a Case Study", 2016 pp. 251–268

above. However, it is fair to argue that it deserves more academic attention seeing that during the initial search for literature on the subject I only found relatively few articles. Additional research is necessary in order to map NGOs role in different aspects of the EU foreign policy. The research presented above was focused on the EU policy towards Israel and also the Arab-Israeli conflict, but it is relevant to look into other parts of the EU foreign policy as well.

Prof. dr. Fabienne Bossuyt from the Centre for EU Studies, Department of Political Science at Ghent University, is currently leading a large research project on the influence of human rights NGOs on the European Union's (EU) human rights promotion in the post-Soviet space. One of the objectives of this project involves "challenging the predominant contention that EU foreign policy remains an 'insulated sector' predominantly driven by state actors and EU institutions, the project will analyse whether and to what extent human rights NGOs influence the EU's promotion of human rights in its diplomatic activities, and will assess what factors explain that influence".[51]

## 4.2 Policy lifecycle

This section seeks to describe the policy lifecycle as a general theory, but also its practical use as analytical approach to political science and EU policy analysis. It will first describe the approach in general and then go more in-depth with each step or stage of the cycle. Before doing so, it is important to note that this section will not go into detail with the specific legislative structures of the EU such as the ordinary legislative procedure as this would make no sense in regards to the case of NGO involvement in EU foreign policy towards countries up for enlargement and accession. The policy-making procedure that we are interested in this paper will be explored in the analysis.

The policy cycle has been a well-known model of analysis within the field of policy analysis since the 1960s and "has been tightly connected with a perspective that considers the policy process as evolving through a sequence of discrete stages or phases".[52] A policy cycle is a form of heuristic model for conducting research on policy processes and its development and can be utilized as a model which "brings a system and a rhythm to a world that might otherwise appear chaotic and unordered".[53] Lasswell was one of the first to propose a policy model.[54] Lasswell introduced a model of the policy process as a part of an attempt to establish a multidisciplinary

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[51] "PhD opportunity on the influence of human rights NGOs on the EU's policy towards post-Soviet space", European Commission
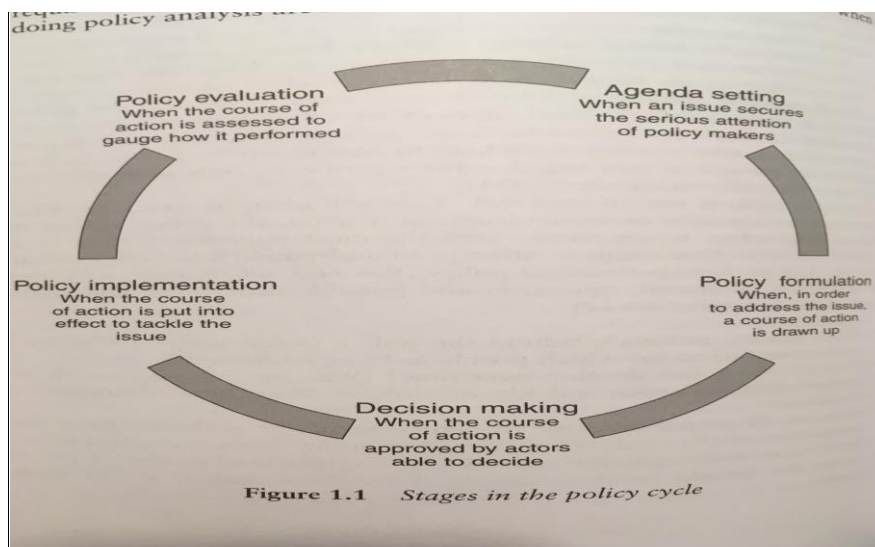[52] Jann, Werner. "Theories of the Policy Cycle", 2007 p. 43
[53] Althaus, Catherine "The Australian Policy Handbook", 2013, p. 32
[54] Jann, Werner. "Theories of the Policy Cycle", 2007 p. 44

and prescriptive mode of policy analysis.[55] Laswell's model is comprised of seven stages: intelligence, promotion, prescription, invocation, application, termination, and appraisal.[56] Jann Werner notes that the model proposed by Laswell became a starting point for numerous additional theoretical models of the policy cycle.[57] Laswell's initial model was subsequently adopted by other scholars and academics such as Brewer, 1974; Anderson (1975), May and Wildavsky (1978); Jenkins, 1978; Brewer and deLeon, 1983, who added additions to it. Thus, there is a multitude of variations of the policy cycle available in literature, which, to some extent, vary in their definitions of each stage of the cycle. In some literature, the very first stage is the stage of problem identification, in which a problem area or specific problem is defined and then consequently leads to the formulation of a new policy or a reformulation of an existing policy.

However, according to a number of researchers involved in theorizing on the policy cycle, the contemporary conventional policy cycle is comprised by the stages of agenda-setting, policy formulation, decision making, implementation, and evaluation.[58][59][60] The approach described in this paper primarily follows a similar cycle of stages and is based on the ideas of Verluis, van Keulen and Stephenson, which are mainly put forth in their book "Analyzing the European Union Policy Process". However, other ideas and notions of other theoretical aspects are included and taken into account. The policy lifecycle conceptualizes the EU policy process



Figure 1.1    Stages in the policy cycle

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[55] Jann, Werner. "Theories of the Policy Cycle", 2007 p. 44
[56] The Oxford Handbook of Classics in Public Policy and Administration." Lodge, Martin, 2015 p. 2
[57] Jann, Werner. "Theories of the Policy Cycle", 2007 p. 44
[58] Revisiting the Policy Cycle." Freeman, Brigid, 2013 p. 3
[59] "The Policy Cycle." Templer, Robert. p. 1
[60] Jann, Werner. "Theories of the Policy Cycle", 2007 p. 45

into five stages – agenda setting, policy formulation, decision-making, policy implementation and policy evaluation.[61]

The following section will introduce each stage of the policy cycle in very brief words in order to provide an overall overview of the model. Hereafter, the next section will provide a far more descriptive and comprehensive clarification of each stage. The first stage of the policy lifecycle is agenda setting, which can be defined as "when an issue secures the serious attention of policy makers".[62] Following problem identification and the problem at hand having reached the agenda of the relevant policy-makers, the given policy reaches the second stage of the policy lifecycle, which is the stage of policy formulation. Policy formulation is described as "when, in order to address the issue, a course of action is drawn up".[63] The third stage is then the decision-making process in which "the course of action is approved by actors able to decide".[64] The fourth stage is policy implementation and is "when the course of action is put into effect to tackle the issue".[65] The fifth stage is policy evaluation in which "the course of action is assessed to gauge how it performed". The evaluation stage is the last stage of the policy cycle, however because "analyzing policy starts with conceiving of policy as following its own particular life cycle, thus with a beginning, middle and possibly end"[66] the given policy may end or go through the cycle again. A policy is a process that is subject to constant change through the various stages in which it is formed. While policies may end, they can also keep existing. Policies are in general active for a very long period of time and they are subject to constant change throughout this time. Hence, while a policy can become inactive after the final stage of the policy cycle due to various reasons such as being assessed as ineffective, a policy can also be renewed or amended and hereby enter another cycle. In terms of EU legislation and policy-making in general this can be exemplified through looking at directives, regulations, binding decisions etc. For instance, when an EU policy has been implemented, it will be evaluated on its effectiveness to deal with the given issue. The evaluation will often lead to recommendations on how the policy can be improved through amendments or ratification. If new features are adopted, the policy would have to go through the stages of the policy cycle once more in order to put these into place, making a continuous cycle.

Having briefly described the policy lifecycle in general, the following sections will provide a more thorough explanation of each stage. The stages of agenda setting, implementation and

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61 Esther Versluis, Mendeltje van Keulen and Paul Stephenson, "Analyzing the European Union Policy Process" 2011, p. 20.
62 Esther Versluis, Mendeltje van Keulen and Paul Stephenson, "Analyzing the European Union Policy Process" 2011, p. 20.
63 Esther Versluis, Mendeltje van Keulen and Paul Stephenson, "Analyzing the European Union Policy Process" 2011, p. 20.
64 Esther Versluis, Mendeltje van Keulen and Paul Stephenson, "Analyzing the European Union Policy Process" 2011, p. 20.
65 Esther Versluis, Mendeltje van Keulen and Paul Stephenson, "Analyzing the European Union Policy Process" 2011, p. 19.
66 Esther Versluis, Mendeltje van Keulen and Paul Stephenson, "Analyzing the European Union Policy Process" 2011, p. 19.

evaluation will receive the most attention, as they are by far the most relevant stages for analysing interest group influence on policies as these stages traditionally are more 'open' to non-state actor influence.

### 4.2.1 Agenda Setting

Agenda setting is the first stage of the policy lifecycle and is the process in which issues are able to gain attention from policy-makers. It is therefore a vital stage as it is the process in which issues are sorted and categorized to determine which issues that needs policy-making the most. Policy makers in the level EU, or at national levels for that reason, are faced by an almost unlimited amount of issues that require their attention and they are therefore constrained to prioritize which issues they will focus on and which they will 'ignore'. The list of issues that policy-makers and policy-making institutions such as the EU determines prioritize and focus on, constitute their agenda. Because only issues that achieve serious attention will be subjected to decision-making, stakeholders or interest groups such as NGOs that seek to push for policy on an issue attempts to direct the attention of the relevant policy makers towards the given issue.[67] Policy entrepreneurs such as interest groups, lobbyists and politicians, will direct their efforts towards gaining or 'exploiting' windows of opportunity in which they can push for a policy and present a problem that they want to be addresses by the given policy-makers.[68] In regards to presenting issues to policy-makers, the notion of 'framing' is a key word for policy entrepreneurs and serves as a discursive tool for maximizing their chance of success with pushing for their targeted policy. Price and Hawkins both note that the policy entrepreneurs can link issue or policy they push for to existing commonly accepted norms or concern they are more likely to be successful in their efforts.[6970] Another way in which policy entrepreneurs can promote a policy or issue is through events.[71] EU institutions and policy-makers in general often arrange events and discussion forums in which stakeholders such as organizations and individuals with expertise on the given issue are invited to present their perspectives and discuss the subject matter.[72] These events can also be created by non-governmental actors and can be of either formal/professional or informal/social nature.[73] Events provide great opportunities for NGOs and other interest groups for first of all networking but also for promoting and pushing their agenda towards the policy-makers.

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[67] Alasdair R. Young, Helen Wallace and Mark A. Pollack, "Policy-Making in the European Union", 2015 p. 54
[68] Kingdon 2003 pp. 204-205 ellers fyr bogen ind
[69] Price, R. "Transnational Civil Society and Advocacy in World Politics", 2003. p. 597
[70] Hawkins, D. "Explaining Costly International Institutions: Persuasion and Enforceable Human Rights Norms", 2004. p. 780
[71] Downs, A. "Up and Down with Ecology – the Issue Attention Cycle", 1972. p. 39
[72] Appendix 1, Interview with CSD analyst Stefan Karaboev
[73] Appendix 1, Interview with CSD analyst Stefan Karaboev

As this project deals with identifying NGOs' role and influence in EU foreign policy-making it is of crucial importance to examine agenda setting as it can highlight the ability of a NGO to influence the issues and topics on the EU´s foreign policy agenda.

### 4.2.2 Policy Formulation

Policy formulation is the second stage of the policy lifecycle model, in which policies are formulated or shaped before they are taken to the decision-makers who decide if the policy should be actively set in place or not. Initially, policy formulation may seem as a very simple and straight forward process, however, a policy may go through several draft texts and different legislative bodies before there is a final policy draft. If a topic is important enough and has gained the attention of policy-makers, draft legislative texts and policy proposals are made. While it is solely EU officials who are directly shaping or formulating the final draft, these officials or institutions do often have access to consultation and recommendations from numerous interest groups. These groups can be defined as 'epistemic communities', which refers to a network of professional policy entrepreneurs who possess expertise, experience and competence within a particular policy areas.[74] Policy-makers have the opportunity to draw on the expertise of such epistemic groups both during the various stages of the policy cycle and especially during agenda-setting and policy formulation. Some think-tanks, large NGOs and other organizations are likely to be placed in such a role. Peterson refers to these epistemic communities as 'policy networks', which are "sets of formal institutional and informal linkages between governmental and other actors".[75]

### 4.2.3 Decision-making

The third stage is decision-making in which the final draft of a policy is brought to the decision-makers who usually vote if it should become legislation and be implemented. Decision-making procedures are different based on the type of legislation, whether if it is a regulation, directive or decision and depending on which legislative body that is the primary decision-maker.[76] The context of policy-making and decision-making in the EU varies extensively across policy areas. The policy-making processes within EU enlargement domain will be explored later in the paper. However, non-governmental individuals or groups do not have any access to the decision-making process other than indirectly through personal contacts etc. which is almost impossible to identify.

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[74] Haas, P. M. "Introduction: Epistemic Communities and International Policy Coordination", 1992. p.3
[75] Peterson, J. "Decision-Making in the European Union: Towards a Framework for Analysis", 1995.
[76] Alasdair R. Young, Helen Wallace and Mark A. Pollack, "Policy-Making in the European Union", 2015 p. 57

### 4.2.4 Implementation

Once a policy has been adopted, it will enter the fourth stage of the policy lifecycle, which is the implementation stage, where the policy is to be implemented into practise. The implementation procedure varies significantly depending on the policy area and which member-state or which states that are in play. That is mainly because member-states are often themselves, responsible for the implementation of a policy that affects them. Depending on the EU policy, different EU bodies are responsible for implementing policies. However, following the decision of the EU to adopt a policy, it must often first be incorporated into national law, before they are translated into practice by national institutions.[77] The implementation stage is important when analysing non-governmental influence because this stage is often open to various actors, such as companies and NGOs.[78]

### 4.2.5 Policy evaluation

Policy evaluation is the fifth stage of the policy cycle and involves assessing to what extent the implemented policy has been successful in dealing with the given issue at play. During this stage, various actors who have monitored the implementation will provide recommendations for the policy on how to improve it. Usually these actors have been given the responsibility to monitor the policy beforehand by the EU institutions, as they need various actors to best possible evaluate the policy.[79] In order to do this effectively, the EU utilizes a multitude of non-EU actors in evaluating polices. These actors, such as NGOs, engage in regular dialogue with EU authorities and officials with the purpose of bringing a perspective to ensure better implementation of EU initiatives and policies in the EU countries."[80] By monitoring the policy, actors are allowed to not only evaluate after the implementation stage, but throughout most of the policy-making process.[81]

### 4.2.6 Limitations of the Policy Cycle Framework

The following section will discuss some of the criticism that the stages approach has been subject to, but also discuss the utility of the approach as a tool for policy analysis. The concept of the policy cycle or the stages approach has received criticism by a substantial amount of political scientists, discrediting the theoretical foundation of the heuristic model.[82] While some

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[77] Alasdair R. Young, Helen Wallace and Mark A. Pollack, "Policy-Making in the European Union", 2015 p. 63
[78] Alasdair R. Young, Helen Wallace and Mark A. Pollack, "Policy-Making in the European Union", 2015 p. 65
[79] Alasdair R. Young, Helen Wallace and Mark A. Pollack, "Policy-Making in the European Union", 2015 p. 65
[80] "Non-governmental organisations," *European Commission*
[81] Esther Versluis, Mendeltje van Keulen and Paul Stephenson, "Analyzing the European Union Policy Process*",* 2011 p. 212.
[82] Jann, Werner. "Theories of the Policy Cycle", 2007 p. 57

criticising attacks are targeting the very model as a theoretical framework, other attacks are focused on and concerned with issues of each single stage of the policy cycle.[83] First of all, many scholars such as Sabatier, Richardson, Hague and Harrop point out that the policy cycle as a heuristic framework is an oversimplification of the reality of the policy process, which is a deeply complex phenomenon.[84] Sabatier argues that the stages of the policy process are not as discrete as the heuristic implies.[85] In reality, policy-making does not necessarily follow a specific sequence of discrete stages even though the framework provides an account of the ideal form of rational policy and decision-making. *"the stages model is said to suffer from descriptive inaccuracy, because empirical reality does not fit with the classification of the policy process into discrete and sequential stages"*.[86] This idea is based on the notion that it does not make sense to classify sections of the policy process into chronological or sequential stages as the various stages can intertwine and affect each other outside this sequential order. For instance, the process of implementing a given policy may trigger the need to directly reformulate aspects of the initial process and hereby implementation will feed into the policy formulation process, bypassing the order of the framework. A series of studies on the implementation of policy identified that in a number of cases, authentic policy-making is not compatible with a distinct division or separation between policy formulation and implementation.[87] Furthermore, Kingdon points out that agenda-setting and policy formulation do not necessarily occur in the order proposed by the policy cycle, but instead policies are sometimes in advance of there being a problem.[88] In situations presented above, the policy cycle model ignores the "role of knowledge, ideas and learning in the policy process as influential independent variables affecting all stages of the policy process and not only in the evaluation stage".[89]

It is necessary for the researcher of policy to take into account the misleading nature of the policy cycle framework and its general criticism of its stages approach. So in general, one must consider departing from aspects of the hierarchical top-down perspective and to take into account other approaches within political science literature towards policy analysis. Another limitation to the policy cycle in regards to especially EU policy analysis is that the model is insufficient in capturing and highlighting interactions between multiple policies being pursued

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[83] Jann, Werner. "Theories of the Policy Cycle", 2007 p. 58
[84] Alasdair R. Young, Helen Wallace and Mark A. Pollack, "Policy-Making in the European Union", 2015 p. 47
[85] Alasdair R. Young, Helen Wallace and Mark A. Pollack, "Policy-Making in the European Union", 2015 p. 48
[86] Jann, Werner. "Theories of the Policy Cycle", 2007 p. 58
[87] Jann, Werner. "Theories of the Policy Cycle", 2007 p. 57
[88] Alasdair R. Young, Helen Wallace and Mark A. Pollack, "Policy-Making in the European Union", 2015 p. 48
[89] Jann, Werner. "Theories of the Policy Cycle", 2007 p. 58

within a particular policy domain.[90] This issue is highly related to EU policy coordination and coherence in which several different, but related policies may interfere or intertwine with other policies as a result of pursuing an overarching policy objective.[91] In pursuing certain strategic approached, the EU often establishes a different variety of policies playing out on different levels and in different policy areas. A good example of this is EU enlargement and association policies, which are also especially relevant to the analysis of this paper. In order for the EU to prepare the ground for a possible association process for a targeted country, it uses a wide range of policies covering multiple political areas such as finance, law, agriculture and customs. While these policies are obviously pursuing their own specific objective, they are all also involved in pursuing the overall EU foreign policy of achieving association of the given state and enlarge. This presents an issue for the policy cycle in the sense that it is difficult to map and capture how possible multiple policies intertwine and overlap each other. Based on their given policy area, these policies are situated in different structures of policy-making and decision-making, making it especially difficult.

However, while the policy cannot be said to comprehensively describe policy-making in its reality, the policy cycle perspective has in many studies proven to provide an excellent heuristic device or instrument for the analysis of certain aspects of policy. "The diverse concepts developed in studies seeking to understand specific parts of the policy cycle".[92] The policy cycle does in this sense possess some utility for gaining insight into some specific elements of an analysed policy process. For the purpose of this paper, the policy cycle will serve as an analysis tool for identifying the involvement of non-state actors within the given policy process targeted. The stages approach can in this sense be utilized as a means to identify the constellation of actors present at each stage of the policy. The question of how the policy cycle will be applied as a model for conducting analysis in this paper will be comprehensively discovered in the section named 'analytical framework', within the methodology section.

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## 4.3 Process-Tracing

Process tracing refers to a qualitative research method within various fields of study. In this case, it refers to the research method within the field of political science. Process tracing is a method for "tracing causal mechanisms using detailed, within-case empirical analysis of how

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[90] Alasdair R. Young, Helen Wallace and Mark A. Pollack, "Policy-Making in the European Union", 2015 p. 49
[91] Steeck and Thelen 2005 pp. 19-22
[92] Jann, Werner. "Theories of the Policy Cycle", 2007 p. 58

a causal process plays out in an actual case".[93] Process tracing method is often applied to case studies that aim to gain a greater understanding of the causal dynamics that produced a specific or given outcome.[94] By engaging in a process of linking causal mechanisms to changes in outcomes of a given process, the researcher becomes able to identify how a process had a certain outcome. Process tracing is a single-case method, meaning that only inferences about the operation of the mechanism within the studied case are possible because this is the evidence gathered through tracing the specific process in the case.[95] One of the great benefits of this research method is that it allows for an in-depth analysis of very specific processes. The ambition of process tracing method is to use causal theories to explain why something occurs in a particular case. The essence of process tracing is that the researcher shifts the analytical focus from causes and outcomes to the causal process in-between them, analysing the intervening variable, which led to a cause. Process-tracing allow for the exploration of mechanisms that contribute to policy change.[96] Put in perspective to the framework of this project, NGO influence may be an intervening variable and causal process, which cause a change and thereby affect the outcome of a policy. Combined with a case study, process-tracing allows for in-depth investigation of a specific phenomenon or policy and its processes of change.[97] Due to its in-depth nature these "methods are suited for analysis in under-researched areas and in policy domains in which it is more difficult to collect and standardise data, as well as build reliable data sets for quantitative approaches".[98] Especially EU foreign policy can be categorized as a 'closed' policy area in which a large part of policy documents are not publicly available and the specific category of documents that can be examined differs significantly from issue to issue.[99] Within the domain of foreign policy and external policies one can also argue that much informal or behind the scene lobbying takes place, in which consultation takes place for instance.[100]

As described, process tracing is then a research method or approach for tracing causal mechanisms by utilizing a rather detailed case study analysis of how a causal process plays out in a specific case. In this sense, process tracing can be applied together with a case study as a means to gain a greater understanding and insight into the causal mechanism or dynamics, which produced the outcome of a particular policy-making process. In this case, I trace the

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[93] Beach, Derek "Process-Tracing Methods in Social Science", 2017
[94] Voltolini, Benedetta. "Framing processes and lobbying in eu foreign policy: case study and process-tracing methods.", 2016 p. 1
[95] Beach, Derek "Process-Tracing Methods in Social Science", 2017
[96] Voltolini, Benedetta. "Framing processes and lobbying in eu foreign policy: case study and process-tracing methods.", 2016 p. 1
[97] Voltolini, Benedetta. "Framing processes and lobbying in eu foreign policy: case study and process-tracing methods.", 2016 p. 2
[98] Voltolini, Benedetta. "Framing processes and lobbying in eu foreign policy: case study and process-tracing methods.", 2016 p. 2
[99] Voltolini, Benedetta. "Framing processes and lobbying in eu foreign policy: case study and process-tracing methods.", 2016 p. 2
[100] Voltolini, Benedetta. "Framing processes and lobbying in eu foreign policy: case study and process-tracing methods.", 2016 p. 2

causal mechanisms and dynamics of NGOs in regards to how they affect EU policy-making on anti-corruption and foreign policies and reforms. This is done by tracing official documents, meetings, dialogue etc. in which the NGOs are playing an active role within the given process. Applying the process tracing approach enables for tracing the causal mechanism of this process and if and how these have affected the outcome. In other words, the objective is to trace how these NGOs through their dialogue, meetings etc. may have caused a change or influence in the final outcome, if there is one. In this sense, the data collected will be analysed with the intention of comparing or linking the causal mechanisms caused by their agenda-pushing etc. by the NGOs to the outcome in policy-making.

## 5. Methodology

### 5.1 Analytical Framework

The overarching purpose of any empirical study is test and respond to the research question posed. In order to conduct a study for examining the research question comprehensively and in the best way as possible, it is necessary to set up an analytical framework or research design.[101] The objective of this chapter is thus to clarify on the analytical framework applied to this paper, describing how the analysis is conducted. As described previously, this project is interested in examining how NGOs are contributing and involved in aspects of EU foreign policy-making. The objective is not to analyse general or overall aspects of the EU foreign policy but rather to focus on more specific processes of EU foreign policy-making. The content of the analysis of this project is based on examining interactions and cooperation between the EU and the CSD in the project of establishing an Ombudsman in Bulgaria as a part of its accession process. In addition it includes content on SELDI's engagement and involvement in realizing EU efforts on corruption and anti-corruption in accession states based on their mutual FPA partnership. In specific, the analysis seeks to identify and subsequently examine possible processes in which the CSD and the SELDI network are in a position to influence EU policies. In order to examine this issue accordingly, the following sections establishes research design, which through applying theories of policy analysis in practice will provide a foundation of utility tools for analysing policy processes. The analytical model is based on an in-depth case study approach, applying methods of 'policy tracing' and analytical tools of the 'policy life-cycle model'.

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[101] Andersen, L. B "Forskningsdesign", 2014

The approaches of analysis above have been favoured for one reason in particular, which involves limited transparency on lobbying in EU policy processes. In general Studies and other assessments of lobbying can be distinguished in two ways, namely access by lobbying organisations or individuals to the decision-making process and assessing the success of the lobbying activity. The former mode of analysis appears to have been assessed more extensively, whereas the latter is little covered in studies as it is very difficult to measure.[102]This is in large part consistent with past personal experience in researching EU policy-making processes, which has highlighted considerable challenges in the process of data collection as a consequence of EU institutions' limited transparency on consultancy meetings with interest-groups. The growing role of the EU as a policy-maker has resulted in a significant increase in the phenomenon of lobbying at the EU level.[103] The EU recognizes a lack of transparency of interest-group lobbying within its institutions and consequently regularly initiate and introduce new mechanisms for improving its transparency, such as the European Transparency Register and the Financial Transparency System. During the preliminary search for information on the topic of this project, e-mail correspondence and sub sequentially an interview with analyst Stefan Karaboev of CSD also suggested that collecting documents containing explicit information on specific processes would prove a difficult task.[104] Due to a general lack of transparency on the EU side when it comes to publishing extensive information on meetings, events and consultations in which NGOs and interest groups are involved, it is arguably very difficult to access or measure the level of influence that such groups may have in this regard. Hence, the researcher is in some cases only able to obtain information on which processes the given NGO has had access to and thus which processes it has had the ability or opportunity to exercise influence on. Due to this, the policy cycle model provides useful tools for identifying and categorizing the stages of a policy in which an interest group has been involved in and able to influence. In this sense, I argue that applying a policy cycle approach can counter some of the challenges posed by the lack of transparency.

The use of the policy lifecycle in this paper is inspired by the ideas of Verluis, van Keulen and Stephenson who incorporated the general policy lifecycle method into EU policy analysis. As a result, the policy lifecycle can be utilized as an approach to analyse specific EU policy processes. The ideas and theory of the policy cycle will be accounted for in the theory section, this section revolves around how this paper intends to apply this approach into practice. In the

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[102] "Lobbying the EU institutions" Library of the European Parliament , 2013
[103] "Lobbying the EU institutions" Library of the European Parliament , 2013
[104] Appendix 1, interview with CSD analyst Stefan Karaboev

case of this project, the policy lifecycle is applied as a means to identify the main actors that are involved in the different stages of policy-making. Hence, it is a tool allowing us to zoom in on specific parts of the policy-making process, enabling us to determine the different constellations of actors and stakeholders at play in the various stages of the policy process. In this way, it is possible provide insight into where the NGO's are active within policy-making and hence if they are in a position where they are able to obtain influence.

However, it is important to note that simple presence of non-governmental actors and NGOs at the EU level within the policy-making process, does not necessarily lead to influence on the final policy. In this sense, "presence does never grant a priori influence".[105] It is therefore important to emphasize how this project methodologically will determine influence levels in regards to NGO involvement in EU policy-making processes. Firstly, one can argue that an NGO's level of influence on a policy process is in part based on which policy stages they are involved in. In this sense, not every policy-making stage is equally important or crucial and the stages thus carries different 'weight'. It is quite clear that the most important stage of the policy lifecycle, in regards to measuring influence, is the decision-making stage in which a policy formulation or draft is approved. Then, theoretically, if an NGO has any form of influence within the decision-making process, it will be regarded to possess a high level of influence. In addition, if an NGO is involved in multiple stages of the policy process, its level of influence can generally be considered higher than if it is only involved in a single one. A consequence of suggesting that the stages of the policy-lifecycle do not carry the same weight of importance in regards to influence, is the task of ranking each stage in terms of how important they are deemed. This is not done in this paper, as I argue that this would require a substantial theoretical discussion of the policy-lifecycle, which is not the purpose or aim. Therefore, the process of determining NGO influence is not solely based on this approach. Instead, it will also be based on the method of 'process tracing'. While I do not focus the analysis on the idea of 'ranked policy stages', it is an important idea which is kept in mind, when conducting this form of analysis.

### 5.1.1 Summary of Analytical Framework
The sections above have attempted to establish a clear analytical framework for how this project will analyse the case of interest group and NGO lobbying in the policy-making involving EU Anti-corruption policy efforts and reports. The analytical framework is based on

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[105] Mihai Dinescu. "EU Democratic Deficit and the Civil Society Case study on EU migration policy", 2011 p. 2

a case study approach, which allows the analysis to go in-depth and focus on the specific policy process in order to identify most possible actors involved and aspects of influence. This case study approach is combined with process tracing and policy stages approaches to methodologically collect data and analyse it. The policy stages approach enables for identifying the constellation of actors at play at the various stages of policy making and process tracing allows for a comprehensive tracing of anti-corruption policy processes as a means to measure the level of influence exercised by the NGOs within the policy-making.

## 5.2 Case Study

Case study research provide excellent instruments and tools for delving into a specific policy process due to its high in-depth focus and thorough and comprehensive analysis of the phenomena at hand. This is especially true for examining lobbying within foreign policy areas, in which "data collection and quantification is not easily achieved".[106] When investigating EU foreign policy, the researcher can face difficulties with obtaining all the relevant official documents that allows for tracing a policy process from its draft proposal to its final document. These difficulties arise when some official documents are not publicly available, which is not an uncommon issue within the foreign policy sector and in regards to NGO involvement in foreign policy. It can be difficult to obtain official EU documents that contain comprehensive information on how NGOs are involved in policy processes. Conducting large quantitative studies are thus not appropriate for examining interest group lobbying in EU foreign policy. Instead, case study research is more appropriate and relevant in examining NGO lobbying in EU foreign policy. Therefore, this paper will utilize a case study approach, which allows the research to easier identify all the "relevant factors that explain how non-state actors intervene in the policy-making process".[107] This case study approach will be combined with the 'process tracing' method and the policy lifecycle, which are both described in the following sections.

## 5.3 Data Sources

The following section seeks to describe the data collected which serves as the foundation for the analysis in this paper. The reasoning behind choosing this data will be clarified and also the choices taken in this regard. In the attempt to examine and shed some light on how and to what extent NGOs are involved within the EU's external policies towards enlargement

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[106] Blatter J., Haverland M. (2014) Case Studies and (Causal-) Process Tracing p. 357
[107] Blatter J., Haverland M. (2014) Case Studies and (Causal-) Process Tracing p. 357

countries, this paper will conduct a case study on the Bulgarian NGO Center for the Study of Democracy (CSD) and the Southeast European Leadership for Development and Integrity (SELDI Initiative), which is a network of NGOs, including the CSD, working within the realm of anti-corruption policies. The though process behind the choice of doing a case study on the CSD was highly concerned with the fact that the CSD is placed in Bulgaria. First, because as Bulgaria is a member of the EU, many of the CSD as well as government documents are available in English. In addition, as it joined in 2007, Bulgaria is one on the newest members of the EU. Seeing that Bulgaria's accession process occurs relatively recent, it was likely that policy-makers and NGO members who were active during the accession process, would still be available for contact. I chose to conduct interviews with CSD personnel during the initial part of my research as it was difficult to paint a map of the connections between the CSD, SELDI and EU institutions. It proved to be instrumental for the further research as provided an enlightened guideline for how to obtain content.

## 6. Analysis

### 6.1 Enlargement Policy-Making and Institutional Structure

The following section will provide an overview of EU Enlargement policy in regards to the processes of policy-making. The importance of establishing the policy-making processes of EU enlargement is based on the idea that in order to examine how NGO actors are involved in policies brought about by an overall enlargement policy, it is necessary to comprehend the institutional structure of the process and the different roles of the institutions. The overall policy-making process of EU Enlargement is defined by Article 49 of the Treaty of the European Union (TEU), which states the following:

"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. The European Parliament and national Parliaments shall be notified of this application. The applicant State shall address its application to the Council, which shall act unanimously after consulting the Commission and after receiving the consent of the European Parliament, which shall act by a majority of its component members. The conditions of eligibility agreed upon by the European Council shall be taken into account. The conditions of admission and the adjustments to the Treaties on which the Union is founded, which such admission entails, shall be the subject of an agreement

between the Member States and the applicant State. This agreement shall be submitted for ratification by all the contracting States in accordance with their respective constitutional requirements."[108]

As such the legislative process is primarily guided by the Council which acts unanimously and is thus the formal decision-making institution in the field of enlargement policy. On the other hand, the Commission and the Parliament are involved in the process primarily only as consultative institutions. However, while the Article 49 of the TEU alone paints a rather simple picture of the internal processes within and between the institutions involved in the policy-making on enlargement, Sercan Gidisoglu notes that the institutional and practical dynamics that constitute the enlargement decision-making structure in the EU are far more comprehensive.[109] According to Dinan, it is possible to recognize five stages of the enlargement process, which are pre-accession, application, negotiation, ratification and implementation stages.[110]

In the pre-accession stage in which the very initial ideas and negotiations on a probable application for EU membership, it is the Commission which acts as the primary communicator with the possible candidate country.[111] The commission does in this stage assist "the potential candidates in their efforts for complying EU application criteria by preparing and administering some assistance programs and financial aids".[112] The commission's primary tool for administering financial assistance in regards to enlargement, is the Instrument for Pre-accession Assistance (IPA). It is framework through which the EU supports reforms in the enlargement countries with financial and technical help.[113] These EU pre-accession funds are in this sense an investment into the both the enlargement countries and the EU itself, by making political and economic reforms possible and hereby preparing and assisting the enlargement countries in their efforts for complying with EU application criteria.[114] During the pre-accessions stage, the Commission is also tasked with estimating the possible impacts of a probable enlargement. Once a potential candidate country is considered as being in compliance with the accession application criteria, it will apply for membership. The application is addressed for the Council, which as the sole decision-making body decides whether or not the application should be considered. However, before deciding on this matter the Council will

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[108] Official Journal of the European Union . "CONSOLIDATED VERSION OF THE TREATY ON EUROPEAN UNION", 2012 p. 31
[109] Gidisoglu, Sercan. "Instituional & Practical Dynamics of EU Enlargement Decision-Making: EU Machinery Effect", 2013  p. 1
[110] Dinan, Desmond, "The Commission and Enlargement", 1997 pp. 17-40.
[111] Gidisoglu, Sercan. "Instituional & Practical Dynamics of EU Enlargement Decision-Making: EU Machinery Effect", 2013 p. 15
[112] Gidisoglu, Sercan. "Instituional & Practical Dynamics of EU Enlargement Decision-Making: EU Machinery Effect", 2013 p. 15
[113] "European Neighbourhood Policy and Enlargement." European Commission
[114] "European Neighbourhood Policy And Enlargement." European Commission

first ask the Commission to provide a 'first opinion' as defined by the TEU. In the first opinion the Commission considers all the Copenhagen criteria and then recommends whether the accession negotiations with the given country should be opened or not. Following this application stage, we move to the negotiation stage. While it is formally the Council's responsibility to conduct the negotiations with the candidates and to approve common negotiation positions in all chapters, it is in fact the Commission which plays the biggest role in negotiating. That is because in practice it is the Commission which acts as negotiator because "the concrete negotiations are conducted via the Commission, more precisely the enlargement commissioner and DG Enlargement, who negotiate the terms with candidates, then present the outcomes to the Council".[115] It is therefore primarily the Commission and DG Enlargement bodies, which are involved in working and meeting with civil society on matters of enlargement and accession related policies.

As a part of a post-doctoral research project by Sercan Gidisoglu on the Institutional and Practical Dynamics of EU Enlargement Decision-Making, the results of 35 in-depth interviews of policy-makers within the negotiating stage of EU enlargement policy gained some significant insight into the daily workings EU enlargement policy-making.[116] In almost every interview conducted, especially members of the Working Party on Enlargement and Countries Negotiating Accession to the EU (COELA), the interviewees emphasizes the importance of their informal contacts and suggests that networking is the most important aspect in policymaking.[117] In relation to this some the interviews defined the "EU is a big talking machine" and some suggested that on daily bases the formulation of the real deals or compromises during those informal contacts outside the formal instances or meetings.[118] One of the interviewees was cited for stating that "the group's official meeting is nothing but the emerging part of the Iceberg. The real Iceberg is what happens around; those informal meetings, contacts with the Presidency, with the Commission, with other member states".[119]

## 6.2 Case Study: Center for the Study of Democracy

This section will first describe the general idea and role of an Ombudsman Institution and then showcase the EU's interest in pursuing polices on promoting and establishing Ombudsmen in

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[115] Gidisoglu, Sercan. "Instituional & Practical Dynamics of EU Enlargement Decision-Making: EU Machinery Effect", 2013 p.5
[116] Gidisoglu, Sercan. "Instituional & Practical" Dynamics of EU Enlargement Decision-Making: EU Machinery Effect, 2013 p. 4
[117] Gidisoglu, Sercan. "Instituional & Practical" Dynamics of EU Enlargement Decision-Making: EU Machinery Effect, 2013 p. 5
[118] Gidisoglu, Sercan. "Instituional & Practical" Dynamics of EU Enlargement Decision-Making: EU Machinery Effect, 2013 p. 16
[119] Gidisoglu, Sercan. "Instituional & Practical" Dynamics of EU Enlargement Decision-Making: EU Machinery Effect, 2013 p. 21

enlargement candidate countries during their accession process. Following this, I zoom in on how the Bulgarian Ombudsman Institution was established with the purpose of identifying to what extent the NGO Center for the Study of Democracy (CSD) was involved within this process. An Ombudsman Institution (OI) refers to "An office provided by the constitution or by action of the legislature or Parliament and headed by an independent high level public official who receives complaints from aggrieved persons against government agencies, officials and employers or who acts on his or her own motion, and has power to investigate, recommend corrective actions and issue reports".[120] The Ombudsman can be seen as a form of checks and balances institution which in general terms is mandated and tasked with the responsibility to protect and intervene when citizens' rights and freedoms have been violated by actions or omissions of the State and municipal authorities and their administrations as well as by the persons assigned with the provision of public services. Likewise, an Ombudsman is tasked with monitoring, promoting and protecting human rights by issuing opinions and recommendations and encouraging ratification of international treaties etc. In the EU accession process, the candidate countries have to harmonize national legislation with the acquis, implement it and demonstrate administrative capacity and a good track record with benchmarks achieved. Part of the acquis is that the protection of citizens must be assured by means of legislation, institutions and through supervisory bodies, which is where the Ombudsman plays a special role.[121] These obligations are defined within the acquis communitaire for the specific country. Due to its roles in checks and balances, the Ombudsman is perceived as an institution which through its unique role as an independent intermediary between the government and the citizen it has the potential of adding significant value to the overall accountability framework of a country.[122]

### 6.2.1 The EU's policy interest in introducing a Bulgarian Ombudsman Institution

In relation to enlargement policies, the Commission of the EU seems to perceive the establishment and strengthening of Ombudsman institutions in the candidate enlargement countries as positive progress towards closer accession. This is also evident when taking into account the Commission's progress reports and statements on enlargement candidate countries. Former *Secretary General of the Council of Europe, Mr. Walter Schwimmer, describes the* ombudsman institution as "a major element in the process of democratic stabilization, precisely because its *raison d'etre* and tasks are closely inter-related with the notions of human rights,

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[120] International Bar Association definition, 1974
[121] UNDP. "Ombudsman Institutions in Southeast Europe: EU Accession", *2013 p.* 14
[122] Bergman, Elin. "Ombudsman Institutions - Governance & Public Sector Management", 2014 p. 3

rule of law, good governance, transparency, pluralism and equality".[123] He also states that the "the Council of Europe has for many years recognized the importance of the institution of the ombudsman as an important non-judicial means of complementing the judicial protection of human rights at the national level in a democratic society based on the rule of law, including the protection of the individual in his/her dealings with administrative authorities".[124] In Croatia's accession process, Ombudsman findings from the field of human rights were used in EC Progress Reports and the Commission commended the strengthening of the Ombudsman, especially in the field of antidiscrimination.[125] In a 2011 Commission staff working paper on Croatia's progress towards accession, the Commission notes that "Measures have been taken to strengthen the position of the Ombudsman's Office including creation of a mechanism for improved follow-up of his recommendations".[126] Following this, the Commission states that "Greater attention should therefore be paid to the Ombudsman's recommendations to further enhance his role as an institutional counterweight defending the rights of citizens and combating maladministration".[127] In line with these statements, the EU Accession process led to wider strengthening and capacity building of the Ombudsman Office in Croatia. For instance, the Commission provided financial support for the Croatian Ombudsman through the EU instruments, such as TAIEX, IPA and PROGRESS. This funding allowed for activities, which normally fall outside the Ombudsman's budgetary framework, such as nationwide campaigns, data bases, additional equipment, training for staff, and research and it also helped strengthening the links with civil society, particularly NGOs as partners.[128] The case of the Ombudsman's role in the Croatian EU accession process reveals some insight into the EU's interest in promoting and supporting the establishing and strengthening of Ombudsman institutions in enlargement candidate countries.

The OIs originally originated in the Nordic countries and spread rapidly throughout Western Europe following the Second World War and they started to appear in Eastern Europe during the 1990s and onwards.[129] However, when Bulgaria presented its application for European Union membership in 1995 it did not yet have an established Ombudsman. The Bulgarian Ombudsman was first established an autonomous independent institution by the Ombudsman Act, which was adopted in 2003. The act was put into force as of 1 January 2004 and the first

[123] Schwimmer, Walter. "*Forthcoming Introdcution of the Ombudsman Institution in Bulgaria*", Center for the Study of Democracy 2003

[124] Schwimmer, Walter. "*Forthcoming Introdcution of the Ombudsman Institution in Bulgaria*", Center for the Study of Democracy 2003
[125] UNDP. "Ombudsman Institutions in Southeast Europe: EU Accession", *2013* p. 15
[126] European Commission. "Staff Working Paper - Croatia Progress Report", 2011
[127] European Commission. "Staff Working Paper - Croatia Progress Report", 2011
[128] UNDP. "Ombudsman Institutions in Southeast Europe: EU Accession", *2013* p. 16
[129] Bergman, Elin. "Ombudsman Institutions - Governance & Public Sector Management", 2014 p. 7

national Bulgarian Ombudsman was elected in April 2005. Following Bulgaria's application for membership in 1995, the EU Commission gave its opinion on the application to the Council in 1997.[130] This is following the framework in which the Commission submits the present Opinion, responding to the request of the European Council in Madrid in December 1995 to present the Opinion as soon as possible after the conclusion of the Intergovernmental Conference, which commenced in March 1996 and concluded in June 1997.[131] In its Opinion, the Commission analyses the Bulgarian application on its merits and evaluates the status of Bulgaria in regards to the criteria laid down by the European Council in Copenhagen in 1993. The Commission assesses to what extent Bulgaria's domestic legislation is aligned with the EU acquis. In its assessment on the Judiciary Structure in Bulgaria, the Commission notes that "The monitoring and review of administrative measures is the task of the ordinary courts, whose decisions may be challenged before the Supreme Court of Administration which has just been set up".[132] In addition, "there is no procedure whereby citizens can refer matters directly to the Constitutional Court".[133] In extension to this, it is emphasised that "Bulgaria has no Ombudsman".[134] On the functioning of the Judiciary Structure in Bulgaria, the Commission points to a number of concerning issues and states that "the process of dispensing justice in Bulgaria is still marked by serious shortcomings".[135] When the Commission concludes on the assessment, it contends that "Bulgaria should take the necessary steps to set up these institutions as soon as possible, so as to avoid prolonging an unsatisfactory state of affairs".[136] This refers to a number of institutions such as Supreme Court of Cassation and the Ombudsman institution. The former Secretary General of the Council of Europe, Mr. Walter Schwimmer noted during a public discussion in 2003 that "The establishment of an ombudsman institution was one of the priorities set by our Parliamentary Assembly under its monitoring procedures in respect of Bulgaria."[137] The resolution report adopted from the Parliamentary assembly in January 2000 states that "the institution of an ombudsman for human rights should be created".[138] in These comments and opinions stated by the Officials of the Council and the Commission highlight the EU's high interest in establishing an Ombudsman institution in Bulgaria during its accession process. In this sense, we argued that the EU actively pursued a

[130] European Commission. "Commission Opinion on Bulgaria´s Application for Membership of European Union", 1997
[131] European Commission. "Commission Opinion on Bulgaria´s Application for Membership of European Union", 1997
[132] European Commission. "Commission Opinion on Bulgaria´s Application for Membership of European Union", 1997
[133] European Commission. "Commission Opinion on Bulgaria´s Application for Membership of European Union", 1997
[134] European Commission. "Commission Opinion on Bulgaria´s Application for Membership of European Union", 1997
[135] European Commission. "Commission Opinion on Bulgaria´s Application for Membership of European Union", 1997
[136] European Commission. "Commission Opinion on Bulgaria´s Application for Membership of European Union", 1997
[137] Schwimmer, Walter. "Forthcoming Introdcution of the Ombudsman Institution in Bulgaria", 2003
[138] European Union Parliamentary Assembly. "Honouring of obligations and commitments by Bulgaria", 2000

policy on this matter, as a priority within the broader enlargement policy on the case of Bulgaria.

## 6.2.2 The role of the CSD on the Bulgarian Ombudsman

In 1998 the Law Program of the CSD started exploring the possibility of introducing an Ombudsman-type institution on a national level to act as a complementary mechanism for monitoring and control over the public administration and for strengthening and restoring the rights of citizens violated by the state or by government officials.[139] In relation to this the CSD created a series of new projects concerning a new Ombudsman institution, such as developing a "Concept and Draft Law paper on the introduction of an Obudsman institution" and the project *"Promoting European Standards in Human Rights: Establishment of Ombudsman Institution in Bulgaria"*. Both these projects were created with the support of the European Commission.[140] During the years in which the CSD worked on introducing an Ombudsman in Bulgaria it received funding through grants from the EU Commission and the Council, specifically related to Ombudsman projects. According to the annual report of the CSD from 2003, the CSD received a grant of 278,470 BGN by the European Commission for the project "Promoting European Standards in Human Rights: Establishment of Ombudsman Institution in Bulgaria".[141] In addition, the CSD received a grant of 122,004 BGN in 2002 and one of 128,302 in 2003 from the Council of Europe, Information Centre on the Council of Europe.[142] According to email correspondence I have had with a CSD member, part of the funds from the Council Information Centre was spent on projects related to their work on the Ombudsman.[143] However, these grant sums are derived only from the CSD annual reports because the European Commission Financial Transparency System (FTS) can only be used to obtain information on EU grants from after 2007. In addition, while the CSD has received grants for its Ombudsman work in previous years as well it is not possible to give a concrete grant amount as the financial statements of these annual reports do not include a detailed description of which the projects the funding was labelled for. Because this is a decade ago and due to the nature of the FTS only applied from 2007 and onwards, it has not been possible to trace the EU grants to the CSD from earlier years. Nevertheless, through its funding the EU supported the CSD's

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[139] "Introducing The Ombudsman Institution in Bulgaria", Center for the Study of Democracy
[140] "About the Ombudsman Information Network". Ombudsman Information Network, Anti-corruption.bg
[141] Center for the Study of Democracy. "Annual Report 2003 - Notes to the financial statements", 2004 p. 11
[142] Center for the Study of Democracy. "Annual Report 2003 - Notes to the financial statements", 2004 p. 11
[143] Karaboev, Stefan. E-mail Correspondence, 2018

implementation of a policy which the EU pursued, namely the establishment of the Ombudsman institution.

In order to identify the level of influence of the CSD on adopting the Ombudsman Act in 2003, the following section will through process-tracing examine to what extent elements and articles from the CSD draft law concept paper from 2000 are included in the Ombudsman Act legislative document. While the Ombudsman Act is available in English, the CSD draft law is only available in Bulgarian as it was forwarded to the policy-makers in the Bulgarian parliament. For the purpose of translating relevant parts of the document to English, Language Translation Systems was applied initially to gain some overview after which I have relied on assistance from a CSD contact for correcting some of the most essential sections.

In 2000, the CSD Law Program published the edition Ombudsman Institution: Concept Paper and Draft Law for Bulgaria.[144] The document contains the concept paper on the legal opportunities for establishing this institution in Bulgaria and a specific draft law for doing so. Later the same year, the Draft Law on the Ombudsman institution together with explanatory notes was presented to the Bulgarian National Assembly for the beginning of the legislative procedure for its adoption.[145] According to the CSD, their working group on the Ombudsman was highly involved throughout the entire policy-making process for introducing and establishing the Ombudsman and they were regularly seated in government working groups with MPs and other policy-makers.[146] It is therefore likely that aspects of the CSD draft law was adopted in the Ombudman Act of 2003. Analysing the coherence in formulations and frames between the two documents can thus provide some assessment of the CSD's impact on national legislation and role in implementing the institution.

The first chapter of the ombudsman law contains the general provisions. Most of the general provisions naturally include articles which are universal for Ombudsmen and in this sense share common definitions and formulations with universal other national Ombudsmen. To exemplify, article 1 states that "This Act regulates the legal status, organization and activities of the Ombudsman".[147] As it serves no point to go into detail with articles of this nature, the focus will be on articles that are more specific to the case of Bulgaria. However, I like to note that the language and formulation used in the general provisions of the Ombudsman Act articles are very similar to the ones in the draft law.

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[144] "Introducing the Ombudsman Institution in Bulgaria". Center for the Study of Democracy
[145] "Introducing the Ombudsman Institution in Bulgaria". Center for the Study of Democracy
[146] Appendix 1, interview with CSD analyst Stefan Karaboev
[147] "Bulgarian Ombudsman Act", 2003 UNHCR, article 1

Article 8 of Chapter Two on assumptions of office, of the more specific formulations of an article, which is in much line with the draft formulations of the CSD paper. Article 8, states that "the Ombudsman shall be elected by the National Assembly for a term of five years and may be re-elected to the same office only once".[148] The first paragraph of the article 4 of the CSD recommended draft articulates that "the People's Defender shall be elected by The National Assembly for a term of 5 years".[149] Its second paragraph that "A person may not be elected as the people's defender more than twice".[150] It is a universal feature that an Ombudsman has a long term and serves until a successor is appointed and assumes the office.[151] Likewise an Ombudsman may be appointed for a specified or unlimited number of additional terms, but the legislation on this varies from country to country. It is therefore striking that the terms on election of the Ombudsman recommended by the CSD match the implemented terms of the Ombudsman Act.

Depending on the country of situation, national legislation on Ombudsmen sets down different requirements for which individuals who may be elected for the office of the people's defender. Among other requirements, the Danish Ombudsman legislation act requires that the Ombudsman "shall be a law graduate".[152] In Romania, a citizen must "fulfil the legal requirements for holding the position of judge at the Constitutional Court".[153] The CSD draft law suggested that the eligibility for the office of the Ombudsman should require a citizen to be over 40, but not older than 65, with higher education and knowledge in the field of national law international law.[154] While the Ombudsman Act does not set any age restriction, it does state in article 9 that the office "shall be limited to Bulgarian citizens, holding a university degree, demonstrating high integrity".[155] Here I note that both the CSD draft and the Ombudsman Act does not demand specific requirements to education, other than it must be of University-level. Many Ombudsmen Institutions require a specific branch of education or that the citizen must be eligible for the office of a Supreme Court judge. This is for instance true in the case of the United States, Norway, Denmark, Romania etc. It is thus interesting that the

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[148] "Bulgarian Ombudsman Act", 2003 UNHCR article 8
[149] "Ombudsman Institution – Concept Paper and Draft Law for Bulgaria". Center for the Study of Democracy
[150] "Ombudsman Institution – Concept Paper and Draft Law for Bulgaria". Center for the Study of Democracy
[151] Gottehrer, M. Dean. "Fundamental Elements of An Effective Ombudsman Institution" p 10
[152] "The Ombudsman Act", The Danish Ombudsman Act 1996, Folketinget
[153] "Law No. 35/1997 on the organization and functioning of the People's Advocate Institution", The Romanian Ombudsman Act
[154] "Ombudsman Institution – Concept Paper and Draft Law for Bulgaria". Center for the Study of Democracy article 3
[155] "Ombudsman Institution – Concept Paper and Draft Law for Bulgaria". Center for the Study of Democracy article 9

policy-makers on Bulgarian Ombudsman Act chose to incorporate requirements that are similar to the ones provided for in the CSD draft law.

In article 15 of the draft law, the CSD states that the People's Defender shall be entitled to the same immunity as a Member of Parliament.[156] This was more or less directly implemented as the Ombudsman Act, in article 16, articulates that "the Ombudsman shall enjoy the same immunity as a National Representative".[157]

In the analysis above it was identified how the CSD has been involved in the policy of establishing the Bulgarian ombudsman and we can as a result establish in which policy cycle stages the CSD has been involved in. In the case of the CSD's involvement in the EU policy on establishing an Ombudsman institution in Bulgaria, there is painted a picture in which the CSD had played a significant role in implementing the policy. The CSD has been the main actor and driver for achieving the agenda pushed by the EU Commission and the Council of introducing and Ombudsman as part of Bulgaria's accession process. As illustrated, the CSD has taken part in every level or stage of the policy-making of Bulgaria's domestic legislation on the Ombudsman institution, apart from decision-making. It was the CSD and the coalition 2000, which first took the agenda or idea of an ombudsman to the national policy-makers in Bulgaria with the clear argument that it would constitute a significant addition to the judicial framework in Bulgaria and as a result convert into further progress towards EU accession. The CSD Ombudsman taskforce then published a draft law concept paper based on its research and public discussion, which was taking to MPs and the parliamentary assembly in Bulgaria. While it is obviously the parliamentary members who in the end decided upon the final formulation and draft of the Ombudsman act, the analysis found multiple cases in which CSD draft formulations were used in the final draft for legislation. Following the adoption of the Ombudsman Act, the new institution relied on the assistance of the CSD for putting into place or implementing certain objectives. Finally, the CSD has through its monitoring and contentious reports on the Ombudsman following its establishment been involved in evaluating the institution for the purpose of providing new recommendations for improvement. Because of the CSD's clear role in realizing the introduction of the Ombudsman in Bulgaria, it has been a significant actor and even 'partner' for the EU institutions. It is fair to say that the EU has enjoyed the possibility for utilizing the expertise and capabilities of the CSD for bringing Bulgaria's judicial framework closer to the EU acquis. It is in this sense that the CSD has been

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[156] "Ombudsman Institution – Concept Paper and Draft Law for Bulgaria". Center for the Study of Democracy article 15
[157] "Bulgarian Ombudsman Act", 2003 UNHCR article 16

a key actor in the implementation of the EU external policies on Bulgaria regarding improving the judicial conditions through establishing an Ombudsman.

Apart from being involved in implementation, the CSD has also had opportunities for pushing recommendations and agendas onto EU officials during the many public policy events, which it has held. As mentioned earlier in this paper, formal and informal events provide great opportunities for NGOs to influence certain policies.[158] In 2000, the Parliamentary Commission of Bulgaria, the CSD and a number of other organizations held an international conference with the title *"Establishment of Ombudsman Institution in Bulgaria"* in the National Assembly.[159] At the conference, Ms. Hanne Juncher, Directorate General of Human Rights to the Council of Europe was present and briefed the participants with the ombudsman related activities carried out within the Council of Europe.[160] As briefly touched upon earlier, the CSD was visited by Walter Schwimmer, the Secretary General of the Council of Europe during a public discussion in 2003.[161] In 2006, the Law Program held a discussion on judicial reform in Bulgaria. The objective of the event was to inform the diplomatic community on the progress of judicial reform in the country. The Deputy Chiefs of Mission of EU Member States and a representative of the Delegation of the European Commission to Bulgaria attended the event.[162] In this event, the CSD exercised its role as monitor and evaluator of the judicial reform progress in Bulgaria. The insights and information provided during such events are valuable for the EU to tap into in their assessment on Bulgaria's accession process. The CSD has also been in contact with the European Ombudsman on several occasions, including a number of roundtable discussions[163] and during a study visit to the European Ombudsman Institution. During events and discussion there is at least the possibility for the CSD to discuss and promote ideas which they seek to gain the policy-makers support for. While presence and the ability to influence and push for agendas do not necessarily equal actual influence, it is important to note. Following the Ombudsman Act and the resulting establishment of the Ombudsman institution, the CSD continued to work on the institution in terms of monitoring and evaluating its performance and impact on the judicial sphere in Bulgaria. For instance, in 2006 the CSD published the project "the Healthcare Ombudsman – Best Practices and Prospects for Bulgaria".[164] In this way, the CSD is also involved in evaluating the Ombudsman.

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[158] Appendix 1. Interview with CSD analyst Stefan Karaboev
[159] "International conference: Establishment of Ombudsman Institution in Bulgaria". Center for the Study of Democracy
[160] "International conference: Establishment of Ombudsman Institution in Bulgaria". Center for the Study of Democracy
[161] Schwimmer, Walter. "Forthcoming Introdcution of the Ombudsman Institution in Bulgaria", Center for the Study of Democracy, 2003
[162] "Law Program". Center for the Study of Democracy
[163] "Law Program". Center for the Study of Democracy
[164] "Law Program". Center for the Study of Democracy

You can argue that the reasoning behind CSD's engagement in the process of introducing an Ombudsman in Bulgaria is not coming from the agenda pushed forward by the EU but rather its own self-interest in doing so. However, while it is difficult to make a definite conclusion in this regard, the EU is in any case utilizing the expertise and abilities of the CSD to implement a policy interest which they seek to achieve.

## 6.3 Case Study - SELDI Network

The Southeast Europe Leadership for Development and Integrity (SELDI) was initially created in 1999 by the International Development Law Organization (IDLO) and CSD.[165] SELDI constitutes an effort of civil society organizations, representatives of intergovernmental and governmental institutions and experts within various countries of Southeast Europe focused on public-private coalition building for legal development in the countries of Southeast Europe.[166] Since 2000, the most active area of the SELDI initiative has been coalition building the field of anti-corruption measures[167]. As of 2012 SELDI's anti-corruption initiative is comprised of 17 likeminded CSOs working in a good governance coalition in Southeast Europe, involving partners from nine countries namely Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Kosovo, Republic of Macedonia, Montenegro, Serbia and Turkey.[168] In 2016, members from Moldova and Romania joined the network. The overall objective of the SELDI anti-corruption unit is to introduce a regional framework for countering corruption in the countries of Southeast Europe.[169] According to SELDI, its primary objective is "to contribute to a dynamic civil society in the region, capable of participating in public debate and influencing policy and decision-making process in the area of anti-corruption and good governance."[170] A large part of SELDI's work resolves around watch-dog capacity and monitoring corruption in Southeast Europe and ultimately publish documents on their findings. SELDI regularly generates and publishes Corruption Assessment Reports (CAR) on the countries of Southeast Europe. In 2016 alone, SELDI published CAR reports from Macedonia, Kosovo and Albania and in 2015 they published on  Turkey and Serbia.[171] One of the features of the CAR reports is that all reports apply the same methodological model for assessing corruption. This methodology is based on

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[165] "History". Southeast European Leadership for Development and Integrity
[166] "Objectives". Southeast European Leadership for Development and Integrity
[167] Hajdinjak, Marko. "*Smuggling in Southeast Europe",* Center for the Study of Democrcy, 2002 p. 66
[168] "Objectives". Southeast European Leadership for Development and Integrity
[169]  Hajdinjak, Marko. "*Smuggling in Southeast Europe",* Center for the Study of Democrcy, 2002 p. 66
[170] "Objectives". Southeast European Leadership for Development and Integrity
[171] "Publications" Southeast European Leadership for Development and Integrity

the Corruption Monitoring System (CMS), which was designed and developed by CSD in 1998.[172] CMS was thus initially developed for assessing corruption in the Bulgarian society. CMS provides methods for diagnostic and measuring of corruption in a society through collecting and examining quantitative data on citizens and individuals' experience with corruption. Data is collected through a form of questionnaire and national survey with at least 1,000 respondents across country. The CMS tracks citizens' experience with corruption pressure and involvement and their perceptions of the level of corruption and anticorruption efforts. In order to do this, the CMS uses three indicators based on the citizens' experience, attitudes, and perceptions of corruption. The following is an example of a research question on experience-based corruption; Whenever you have contacted officials in the public sector, how often in the last year you have had to - Give cash to an official, Give gift to an official, Do an official a favour. The respondent then have a number of answer possibilities such as In all cases, In most of the cases, In isolated cases, In no cases and Don't know.[173] One of the key assets of the SELDI's use of the CMS is that since its creation, SELDI CAR report have been following the same methodology which first of all allows for examining data trend over time but also for comparing corruption across countries and regionally. The utility of the CSM is recognized by Eurobarometer as some CMS concepts have also been modified and included in the Eurobarometer surveys on corruption.[174]

### 6.3.1 European Union Funding to SELDI

The SELDI network alongside with its website and projects have since 2012 been funded by the European Union. It is a project implemented by a consortium led by the Center for the Study of Democracy.[175] As a result of the 2012 open call for proposals for the European Commission 'Support to regional thematic networks – Civil Society Facility Framework Partnership Agreements and associated Implementation Grants', the Commission entered into a partnership with the SELDI network.[176] For the purpose of promoting the civil society and advancing candidate countries towards EU accession, the European Commission, DG Enlargement, has established the Civil Society Facility (CSF) under the IPA with the objective to support the EU integration process by assisting civil society development and its capacity to

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[172] "CMS Methodology",Southeast European Leadership for Development and Integrity
[173] "CMS Methodology". Southeast European Leadership for Development and Integrity p. 3
[174] "CMS Methodology". Southeast European Leadership for Development and Integrity p. 1
[175] "Objectives", Southeast European Leadership for Development and Integrity
[176] "FPAs" Technical Assistance for Civil Society Organisations.

influence policy-making and decision-making processes.[177] In addition, the CSF seeks to support civil society for the reason of creating knowledge growth which can provide feedback and feed back into EU institutions.[178] The partnership in which SELDI is engaged, is within the CSF on the Western Balkans and Turkey. Under the framework of the CSF the European Commission has also established offices to provide Technical Assistance to CSOs (TACSO) in the Western Balkans and Turkey.[179] TASCO functions as the main provider of public information on the CSF FPAs in Western Balkans as the EC and DG Enlargement websites publish rather limited information on this matter. Within the 2012 Call CSF FPA 132438, which is described above, SELDI is part of a larger network of 18 networks supported under the Civil Society Facility of the EU's IPA.[180] The purpose of this specific call was for the EC to enter into partnerships with regional networks of CSOs and bringing together representatives from different organisations in the Western Balkans and EU to "pursue shared objectives regarding good governance and the fulfilment of the political criteria for EU accession".[181] As decided in joint with the DG Enlargement through the CSF, the 18 CSO network projects are tasked with a set of specific objectives based on their area of expertise. The SELDI network is hence tasked with objectives within promoting democratic values, rule of law and more specifically anti-corruption policies. In its contract under the CSF project 'Civil Society for Good Governance and Anti-Corruption in SEE', SELDI's objectives are described in the following; "contribute to supporting the EU integration process through anchoring democratic values and structures, the rule of law, human rights, and social inclusion. Contribute to a more dynamic civil society in the region, actively participating in public debate on democracy and rule of law and with capacity to influence policy and decision-making processes in the area of good governance and anti-corruption".[182] As a result of its partnership with the EC, the SELDI initiative on good governance and anti-corruption obtained a grant of 1.234.049 € in total by the Directorate-General for Enlargement of the Commission through the IPA.[183] The first part of the grant of 691,483 € was received in 2012, for establishing the anti-corruption coalition project. The CSD was the formal recipient of the grant as it functions as the coordinator of the SELDI project on anti-corruption. In 2014, SELDI received the second part of the grant of 542,566 €.[184]

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[177] Mid-term Evaluation of the Civil Society Facility for the Western Balkans and Turkey, European Commission, 2017 p. 9
[178] Mid-term Evaluation of the Civil Society Facility for the Western Balkans and Turkey, European Commission, 2017 p. 9
[179] "FPAs", Technical Assistance for Civil Society Organisations
[180] "Homepage", Southeast European Leadership for Development and Integrity
[181] "FPAs", Technical Assistance for Civil Society Organisations
[182] Civil Society for Good Governance and Anti-Corruption in SEE, Technical Assistance for Civil Society Organisations p . 1
[183] Appendix 2, European Commission, Financial Transparency System
[184] Appendix 3, European Commission, Financial Transparency System

## 6.3.2 SELDI in European Union Policy-making

Because of SELDI's partnership with the DG Enlargement of the Commission and the nature of their mutual relationship, there are evident aspects in which the SELDI network are involved in monitoring, evaluation and implementation of the EU's external enlargement based policies towards the pre-accession and candidate countries of the Western Balkans. The following section will examine how SELDI is involved and its opportunities for lobbying within EU procedures and at formal and informal events or meeting. In an interview with Stefan Karaboev, an analyst within the economic program of the CSD and in the SELDI program, Karaboev described a number of ways in which SELDI members are consulted and involved in providing recommendations to the EC on corruption.[185] While there is no established procedure for consultancy, the most 'formal' process for consultation of NGOs according to Karaboev, occurs during the EC's missions to a given country for collection information for its country reports on corruption.[186] In the process of creating or drafting country corruption reports, the EC "does its research (and) they have missions that go into the countries (which) meet with the institutions, meet with policy-makers and also meet with the NGOs".[187] Karaboev here notes that the Cooperation and Verification Mechanism (CVM) is the primary EC actor for conducting these missions, in which consultations and meetings with various stakeholders are held. In the case of Bulgaria, he estimates that the CVM is consulting the CSD twice annually as part of their program.[188] Unfortunately, while the CVM website acknowledges that their "reports have also benefitted from contacts civil society", specific information on such CVM hosted events and consultations are not published publicly on EC and CVM websites nor in their reports.[189] Nevertheless, these EC mission events executed by the CVM are processes in which members of the SELDI are consulted and able to forward recommendations to the EC and hence engage in a mixed process of evaluation and agenda-setting. According to Karaboev, the second platform for the SELDI members to influence the EU anti-corruption policies in the Western Balkans is through dissemination and engagement events or policy conferences in which the essential stakeholders for the given policy are all invited onto one platform.[190] This usually includes NGOs, national policy-makers and representatives from Brussels or EU country delegations. Karaboev emphasizes that

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[185] Appendix 1, interview with CSD analyst Stefan Karaboev
[186] "European Neighbourhood Policy And Enlargement Negotiations", European Commission
[187] Appendix 1, interview with CSD analyst Stefan Karaboev
[188] Appendix 1, interview with CSD analyst Stefan Karaboev
[189] "Cooperation and Verification Mechanism for Bulgaria and Romania", European Commission.
[190] Appendix 1, interview with CSD analyst Stefan Karaboev

conclusions and agreements from these events are very rarely published online for the media.[191] Reports and agreements that are published based on consultations with civil society do not include information on their contribution. However it is important to stress the significance of the relationships and contacts that are created and enhanced during such events and policy conferences. The informal ties and connections established between EU officials and SELDI individuals are regularly utilized for a variety of purposes.[192] For instance, Karaboev describes that during the process of doing reports and projects, "we contact them (EU contacts), we send them some drafts say what do you say, give us some feedback".[193] In some cases SELDI members are also invited to participate in more technical working groups on specific EU reports. Information on these technical working groups are not available to the public or the media.

There are in general some clear limitations to gaining access and obtaining information on the context of informal meetings, events and connections between SELDI and the EU. However, I have identified that there are certainly informal channels containing flows of information between EU officials and SELDI members. Networking is an essential tool for lobbying and exercising advocacy within the institutions of the EU. Guides and studies on successful lobbying in EU policy-making generally stress the importance of networking and constituency building.[194] Dr. Franz Fischler, member of the European Commission notably once voiced that the origins of the term lobbying stems from "an activity that got its name from the men populating the lobby of Parliament, trying to catch the eyes and ears of elected representatives on their way to the assembly room".[195] This refers to the idea that at least a part of lobbying is done and achieved through networking among EU officials and establish a portfolio of people within the given field of policy-making that you intend to affect. Due to the lack of transparency and hence lack of access to information on consultations of the NGOs of the SELDI network in regards to EU's efforts on corruption in candidate countries, it is proving a difficult task to tap into and assess the level of influence exercised by NGOs within such consultation. As a consequence, the analysis of SELDI's involvement in the EU's corruption reports and policies towards candidate countries in Western Balkans is to some extent strained

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[191] Appendix 1, interview with CSD analyst Stefan Karaboev
[192] Appendix 1, interview with CSD analyst Stefan Karaboev
[193] Appendix 1, interview with CSD analyst Stefan Karaboev
[194] "Influencing the European Union – An Advocacy Guide", Bond For International Development, 2012
[195] Fischler, Dr. Franz "Networking in the European Union Lobbying – A key element of the European politics?", 2004, Speech at European Alpbach Forum p. 2

to focus more on SELDI's access to policy-makers, consultations and their opportunities for exercising influence.

The SELDI initiative has achieved recognition as an NGO and think-tank possessing expert knowledge on anti-corruption efforts, which it has obtained as a continuous process since its launch in 1998 and with the credibility of the CSD as project coordinator. SELDI's status was further cemented when it achieved its CSF partnership with EU. Due to this, SELDI is regularly consulted and quoted by the European Commission services, its experts have on occasions been seated as members in expert groups such as the EU Group of Experts on Corruption and they are regular speakers at European Parliament hearings.[196] Following the publication of the 2016 European Commission enlargement reports, the European Parliament hosted a round table on the anti-corruption agenda for south-east Europe the same year.[197] While the main focus of the roundtable event was to discuss the EC enlargement reports, the SELDI network was invited to the roundtable where they presented the key findings of their 2016 regional anti-corruption report[198] In concluding the discussion, member of the European Parliament Monica Macovei and SELDI represented by Ruslan Stefanov from CSD agreed to establish a follow-up discussion between representatives of the civil society, the European Commission, and the European Parliament tackle some of the worst challenges in SEE.[199] In European Parliament briefing documents, SELDI reports and statements are regularly used for briefing the MEPs on the corruption status of the Western Balkans region. As the in-house research service and think tank of the European Parliament, the European Parliamentary Research Service (EPRS) is tasked with providing information, analysis and research on policy issues relating to the European Union in order to assist the European Parliament (EP) members in their parliamentary work.[200] In a 2017 briefing document on Anti-corruption efforts in the Western Balkans prepared for the EP, SELDI produced reports are used as reference of information.[201] The briefing lays out a timeline of corruption and anti-corruption in the region. The document notes that the CSD already in 2003 pointed out that the Western Balkans' major difficulty lies in the 'systemic nature' and 'institutionalisation' of corruption.[202] For the current insight into the matter, the document refers to the 2016 SELDI regional report on corruption and anti-corruption. . In fact, SELDI is used as a reference 6 times in this 10 page briefing document.

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[196] Civil Society for Good Governance and Anti-Corruption in SEE. Technical Assistance for Civil Society Organisations p. 2
[197] "Anti-corruption efforts in the Western Balkans", European Parliament p. 5
[198] "Anti-corruption efforts in the Western Balkans", European Parliament p. 5
[199] "SELDI Corruption Monitoring System 2016", 2016, press release Brussels
[200] "EPRS European Parliamentary Research Service", 2017 European Parliamentary Research Service.
[201] "Anti-corruption efforts in the Western Balkans", 2017 European Parliament
[202] "Anti-corruption efforts in the Western Balkans", 2017 European Parliament p. 3

There are more cases like these, in which the SELDI or CSD is used as reference on matters of corruption and anti-corruption in briefings to the EP. A EP briefing from 2005 on "Corruption — still a major problem in several Western Balkan countries", is just another example.[203]

As it was suggested by Karaboev, a substantial part of SELDI's workload revolves around doing reports on corruption assessment and anti-corruption policies before presenting their results and findings to the relevant policy-makers and stakeholders.[204] This is partly done through setting up and hosting events and inviting a wide range of stakeholders such as CSOs, policy-makers and relevant EU representatives. In the period of 2016 to 2017 alone, the SELDI network hosted or co-hosted 22 events.[205] These include conferences, policy workshops, policy forums and presentations of reports. 17 of those events were hosted either hosted by the SELDI alone or in cooperation with other civil society groups or networks. The remaining 5 events, were hosted by SELDI in cooperation with EU institutions. These SELDI-EU projects of this period covers a variety of different events. For instance, a conference in Sarajevo on 'civil society for government accountability' with the regional TACSO office in Bosnia and Herzegovina, under the DG NEAR and CSF FPAs. Another event was a roundtable held in the EP on 'the Anti-Corruption Agenda for Southeast Europe after the 2016 Enlargement Package', which was jointly hosted by the EP and SELDI. In all the events hosted in a joint effort by SELDI-EU, both SELDI members and EU officials and representatives are present and gives presentations.

EU representatives has also attended some of the events that are solely hosted by SELDI or together with another civil society group. Out of the 17 events SELDI has hosted without EU institutions, EU representatives has attended four of them. Taking a closer look at the content of the SELDI events which EU officials have taken part in, there is a common theme on both international and regional forums or conferences in which present discuss anti-corruption efforts, especially on the Western Balkans. On the other hand, events on the state of corruption and anti-corruption in single countries was not attended by EU representatives. The SELDI event which received the greatest amount of attention from EU representatives was the SELDI Second Regional Anti-Corruption Policy Forum: Countering Corruption and State Capture in Southeast Europe. The main objective of the forum was to present the main findings and policy recommendations from the *SELDI 2016 Corruption Monitoring System* in SEE to national and regional stakeholders. While the full participants list if not available to the public, the agenda

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[203] "Anti-corruption efforts in the Western Balkans", 2017 European Parliament
[204] Appendix 1, interview with CSD analyst Stefan Karaboev
[205] The number of events which were published online, available at www.seldi.net

list, speakers list and the presentations are available. During the two day event, there were given four speeches and presentations by EU representatives by the following people; Sabine Zwaenpoel who is Chapter Coordinator on Accession negotiations to the EU, DG Neighbourhood and Enlargement Negotiations, EC. Alain Servantie, DG Enlargement, EC, Nicola Bertolini, Delegation of the EU to Macedonia and Ivo Vajgl, member of EP. In her presentation on anti-corruption in the context of EU accession, Zwaenpoel emphasized that the EU needs civil society and NGOs for the purpose of achieving objectives on anti-corruption. In specific, she highlights the significance of NGOs as tools for monitoring and evaluating corruption anti-corruption in accession countries as they provide assessments.[206] Civil society's role in pressuring local governments are also key as "pressure from Brussels alone will not do".[207] These statements illuminate the characteristics of the EU-SELDI partnership, in which the EU supports the work of SELDI both through funding and political support and in exchange the EU can utilize the capabilities of SELDI network as a tool for monitoring, evaluation and receiving input on anti-corruption policies towards accession countries, particularly in the Western Balkans.

In examining the SELDI network's role and involvement within the framework of the EU's foreign policy on anti-corruption toward accession countries of the Western Balkans, it is evident that SELDI is placed in a strong position for lobbying policy-makers and EU institutions within enlargement, especially the EC DG enlargement and the EP. While SELDI was a project initiated by the CSD and hence inherited some important seniority in working with the EU, the position that SELDI has now is primarily achieved through its FPA partnership with the EC under the CSF and IPA frameworks. Through the FPA and the contract between the EU and SELDI, there is set up an institutional framework for corporation between the two parties. The framework provides SELDI with access to EU institutions and policy-makers and gives them clear opportunities for exercising influence, especially on agenda-setting, implementation and evaluation. Besides the formal processes of contact and consultancy, the SELDI has through networking during events and policy forums established a network between its members and EU representatives, which can be utilized for lobbying through informal contacts.

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[206] ANTI-CORRUPTION in an EU accession context", Sabine Zwaenpoel European Commission
[207] ANTI-CORRUPTION in an EU accession context", Sabine Zwaenpoel European Commission

# 7. Discussion

The international arena has in the last two decades, experienced an "NGO boom" as coined by Lang.[208] While there is no accurate assessment of how many NGOs operate at the transnational level, the sector has expanded significantly. In the period of 1994-2009 the number of NGOs registered with the UN Economic and Social Council increased from 41 to 3,172.[209] While this phenomenon can be contributed to a number a possible reasons one of the more documented reasons point to how the political opportunities in the NGO sector has multiplied immensely in terms of funding and foundation. In fact, Kim Reimann argues that "it is impossible to understand the explosive growth of NGOs in the past several decades without taking into account the ways in which states, international organizations and other structures have actively stimulated and promoted NGOs from above".[210] This is also especially true for the case of the EU. In this paper, we have seen multiple processes in which the EU directly supports and promotes NGOs both politically and financially. Alex Warleigh sees this development and surge in the EU's support for NGOs as an expression of how both EU actors and the current academic literature on NGOs perceive NGOs as actors with the ability to foster and further the participatory democracy.[211] In this sense, the EU's increased interest in promoting NGOs and their efforts to involve them more into policy-making, is part of a strategy to for tackling the democratic deficit. The European Commission has in several papers, described the EU's rationale behind the increased cooperation with non-governmental organization. The EU's primary argument for actively seeking to include NGOs within policy-making is that NGOs represent civil society and that they are fostering participatory democracy.[212] In addition, while the decision making process in the EU is first and foremost legitimised by the elected representatives of the European people, the EC argues that NGOs can make a contribution in "fostering a more participatory democracy both within the European Union and beyond".[213] These arguments showcases how the EU perceives and defines NGOs and their democratic nature.

The findings of the analysis of this paper falls well in line with the idea that the EU pursues greater engagement with civil society and NGOs. In the analysis it was illustrated how NGOs have several opportunities for engaging in policy-making in parts of the EU's foreign policy

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[208] Lang, Sabine. NGOs, Civil Society and the Public Sphere. 2013 p. 13
[209] Lang, Sabine. NGOs, Civil Society and the Public Sphere. 2013 p. 13
[210] Reimann, Kim D. "A View from the Top: International Politics, norms and Worlwide Groth of NGOs", 2006
[211] Warleigh, Alex. "Europeanizing Civil Society: NGOs as Agents of Political Socialization", 2001
[212] "The Commission and Non-governmental Organization: Building a stronger partnership", European Commission p. 5
[213] "The Commission and Non-governmental Organization: Building a stronger partnership", European Commission p. 5

on enlargement. In this way, NGOs are getting involved in aspects of what is considered high politics. The concepts of low and high politics are based within international relations theory and conceptualizes policy sectors into two groups. This categorization is simply based on how vital the policy sectors are to the survival of the nation-state. Stanley Hoffmann defines high politics as including the "policy areas that concern the security and status of a state in the international system".[214] He states that the core domains of high politics are foreign and security policy. On the other hand, low politics include policy areas that are not of vital importance to the immediate survival of the state and its status in the international arena. International relations theories such as realism explains how survival as a sovereign state within the world system is the preeminent goal of any state prior to pursuing other objectives. From this perspective, foreign and security policy are the most 'important', policy areas. Consequently, these sectors have traditionally been rather 'insulated' with little opportunity for non-governmental interference as the policy-making is conducted from top-down by the highest level of politicians such as foreign affairs ministers and state leaders.

It is likely that NGOs will slowly become increasingly more involved in EU foreign policy matters. There is an evolution occurring in the role of NGOs in international relations. I argue that as NGOs evidently becomes increasingly more significant agents with policy-making within the EU foreign policy domains, it becomes increasingly more important to critically examine and discuss the role of NGOs and the general issue of civil society representation and democratic deficit. As NGOs are gaining an increasingly more prominent and evident role within the policy-making of the EU, it is crucial for the EU to establish frameworks and put into place procedures which monitor the NGOs. This argument builds on the idea of keeping the ones who possess power and influence in check as a democratic feature. With power, scrutiny and transparency must consequently follow. NGOs have traditionally been excellent at critically monitoring governments and commercial groups on behalf of civil society. However, now that NGOs are gaining for opportunities for involvement and exercising more influence on a wide range of EU policy areas, such as foreign policy, it is crucial to also monitor their role.

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[214] Richardson, Jeremy. "European Union: Power and Policy-making" p. 45

## 8. Conclusion

The European Union has especially in the last two decades voiced its support for enhancing civil society. As part of the civil society, NGOs foster a more participatory democracy within the European Union by representing civil society, contributing to policy-making and European integration. In line with this philosophy, the EU has introduced policies on promoting the development of civil society in several EU policy domains. In 2008, the European Commission Directorate-General on Enlargement established the Civil Society Facility (CSF) under the Instrument for Pre-accession (IPA) with the purpose of financially and politically supporting the development of civil society for the task of advancing candidate countries towards EU accession. The CSF promotes and supports the EU integration process by assisting civil society development and its capacity to influence policy-making and decision-making processes. The EU efforts to include civil society and NGOs into its external policy-making accession countries are interesting as they contradict the general notion of international relations which argues that the EU foreign and external policy sector is 'high-politics' and is therefore 'insulated' from the involvement of non-state actors.

This thesis has sought to shed light on the involvement of NGOs in the EU's foreign policies on accession countries. This has been explored through two case studies using the policy analysis approaches of the policy cycle and process-tracing. The first case study focused on the Bulgarian NGO, Center for the Study of Democracy (CSD), and their involvement in the EU's efforts to establish an Ombudsman Institution in Bulgaria during its accession period. The second case study has focused on the NGO network Southeast European Leadership for Development and Integrity (SELDI) and its involvement in the EU's anti-corruption policies on accession countries through its Framework Partnership Agreement with the European Commission.

The first case study, on the Center for the Study of Democracy, provided a greater understanding of the roles of the EU and the CSD in introducing an Ombudsman Institutions and the interactions between them. European Commission opinions and Parliamentary Assembly reports illuminated the EU's policy interest in implementing an Ombudsman in Bulgaria as part of the country's accession process. The CSD was a significant actor throughout the national policy-making processes on the Ombudsman Act and took part in drafting the finalized legislation. For its efforts, particularly the European Commission provided grant funding for the CSD, specifically for its work on establishing an Ombudsman. In this sense,

the capabilities of the CSD were utilized by the EU as a means for achieving the objective of establishing an Ombudsman in Bulgaria as a part of its larger policy on Bulgaria's accession. In this way, the CSD was involved in the implementation on the EU's policy interests.

The second case study, on the SELDI network, provided insight into the opportunities for the SELDI organizations to exercise influence on EU anti-corruption policies towards Western Balkans and internationally. The Framework Partnership Agreement between the European Commission and SELDI under the Civil Society Facility and the Instrument for Pre-accession, established formal communication and consultancy processes in which SELDI can provide recommendations, evaluation and monitoring information to the EU institutions. Furthermore, the SELDI network has through active networking during events and policy forums established a network between its members and EU representatives, which can be utilized for lobbying through informal contacts.

Throughout the process of conducting and writing this thesis there has been an overarching challenge in collecting and obtaining relevant data which could provide insight into the level of influence of NGOs lobbying to the EU policies. This challenge was largely founded in a lack of accessibility to EU documents containing information on meetings, events and consultations with NGOs. In the cases analysed in this paper, the EU institutions did not have publicly available documents on the such consultancy processes. A specific example of this is the European Commission Financial Transparency System (FTS), which is only able to provide information on grants and funding from 2007 and on. This makes it difficult to trace grants prior to 2007. For the case of this paper, it was thus necessary to rely on a secondary source of information. This creates a limitation for the analysis as it relies on one source of information, rather than two as it is difficult to double check. In general, the lack of transparency of the EU institutions in their engagement with stakeholders is to some extent forcing the collection of data from other sources. In my case, it was necessary to collect information and content on events and meetings through the CSD and SELDI. For future research on the issue of NGO involvement in EU foreign policy, it is ideal to collect and obtain data from an alternative channel such as interviews with EU policy-makers, if the time restrictions allow for it.

## 9. List of abbreviations

EC – European Commission

EP – European Parliament

MEP - Member of the European Parliament

CSO – Civil Society Organization

NGO – Non-Governmental Organization

IPA – Instrument for Pre-Accession

FPA - Framework Partnership Agreements

FTS - European Commission Financial Transparency System

CSD – Center for the Study of Democracy

SELDI - Southeast European Leadership for Development and Integrity

CVM - Cooperation and Verification Mechanism

DG - Directorate-General of the European Commission

CSF – Civil Society Facility

CAR - Corruption Assessment Report

CMS - Corruption Monitoring System

OI – Ombudsman Institution

TASCO - Technical Assistance for Civil Society Organisations

COELA - Working Party on Enlargement and Countries Negotiating Accession to the EU

## 10. References

**Books:**

Alasdair R. Young, Helen Wallace and Mark A. Pollack, *Policy-Making in the European Union*, (Oxford: Oxford University press, 2015).


Althaus, Catherine, Bridgman, Peter and Glyn Davis "The Australian Policy Handbook, (A&U Academic, 2013)

Blanton, Shannon Lindsey and Kegley, Charles W. *World Politics: Trend and Transformation*. (Boston, Mass. Cengage Learning, 2017)


Cini, Michelle and Nieves Pérez-Solórzano Borragán. *European Union Politics*. (Oxford: Oxford University Press, 2016).


Hawkins, D. *Explaining Costly International Institutions: Persuasion and Enforceable Human Rights Norms*. (International Studies Quarterly, 2004)


Hill, C. *The changing politics of foreign policy*. (Basingstoke: Palgrave, 2003)


Keukeleire, Stephan. *The Foreign Policy of the European Union*, (London: Palgrave Macmillan, 2014)


Kingdon, John W. *Agendas, alternatives, and public policies*. (New York: Pearson, 2014).


Lang, Sabine. *NGOs, Civil Society and the Public Sphere*, (New York: Cambridge University Press, 2013).


Versluis, Esther, Mendeltje van Keulen and Paul Stephenson. *Analyzing the European Union Policy Process.* New York: Palgrave Macmillan, 2011.

**Journals:**

Andersen, L. B., Binderkrantz, A. S. and Hansen, K. M. "Forskningsdesign". 66-96 Metoder i statskundskab, (København: Hans Reitzels Forlag, 2014)

Andrew Moravcsik, "Europe: Rising Superpower in a Bipolar World", in Alan Aleandroff and Andrew Cooper, eds. RISING STATES, RISING INSTITUTIONS: CHALLENGES FOR GLOBAL GOVERNANCE, (Washington DC: Brookings Institutions Press, 2010), pp. 151-171

Andrew Moravcsik "Europe, the Second Superpower", Current History, 2010, Research Library

Blatter J., Haverland M. (2014) Case Studies and (Causal-) Process Tracing. In: Engeli I., Allison C.R. (eds) Comparative Policy Studies. Research Methods Series. Palgrave Macmillan, London

Derek Beach, "Process-Tracing Methods in Social Science". Oxford Research Encyclopedia of Politics, 2017, DOI: 10.1093/acrefore/9780190228637.013.176

Dinan, Desmond (1997), "The Commission and Enlargement", in Redmond and Rosenthal (eds), The Expanding European Union: Past, Present, Future, Boulder, CO: Lynne Rienner, pp. 17-40.

Downs, A. "Up and Down with Ecology – the Issue Attention Cycle", 1972. Public Interest

1992. International Organization

Ferris, Charles "BRIEF ON THE OFFICE OF THE OMBUDSMAN", presentation before the Ombudsman Committee at the International Bar Association. September 1980.

Gidisoglu, Sercan. *"Instituional & Practical" Dynamics of EU Enlargement Decision-Making: EU Machinery Effect. Bogazici University, 2013 Turkey.* https://ecpr.eu/Filestore/PaperProposal/4f31779c-3bfe-4d3d-9828-020285673132.pdf

Haas, P. M. "Introduction: Epistemic Communities and International Policy Coordination",

Hajdinjak, Marko. *"Smuggling in Southeast Europe".* Center for the Study of Democrcy. 2002. ISBN 954-477-099-2

Hans Holmén and Magnus Jirström. "Look Who's Talking! Second Thoughts about NGOs as

Representing Civil Society", Journal of Asian and African Studies, 2009. Linköping University, Sweden and University of Lund, Sweden


Jann, Werner. "Theories of the Policy Cycle", CRC Press 2007. DOI: 10.1201/9781420017007.pt2


Mihai Dinescu. "EU Democratic Deficit and the Civil Society Case study on EU migration policy", University of Gothernburg 2015.


Official Journal of the European Union . "CONSOLIDATED VERSION OF THE TREATY ON EUROPEAN UNION", 2012. Last accessed: 29-05-2018  https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-        b506-fd71826e6da6.0023.02/DOC_1&format=PDF


Sebastiaan Princen & Mark Rhinard, "Crashing and creeping: agenda-setting dynamics in the European Union,"*Journal of European Public Policy* 13, (2006)

Steinberg, Gerald M. "EU Foreign Policy and the Role of NGOs: The Arab-Israeli Conflict as a Case Study". European Foreign Affairs Review, 2016. Issue 2, pp. 251-268

Voltolini, Benedetta. "Non-state actors and framing processes in EU foreign policy: the case of EU–Israel relations", Journal of European Public Policy, 2015 Pages 1502-1519


 "The Oxford Handbook of Classics in Public Policy and Administration." Lodge, Martin, Edward C. Page and Steven J. Balla. 2015 DOI:0.1093/oxfordhb/9780199646135.001.0001


Voltolini, Benedetta. *"Framing processes and lobbying in eu foreign policy: case study and process-tracing methods."* Published online 27 May 2016. doi:10.1057/eps.2016.18


"Ombudsman Institutions in Southeast Europe: EU Accession and the Universal Periodic Review". United Nations Development Programme Zagreb, Croatia. 7-8 November 2013.


Fischler, Dr. Franz "Networking in the European Union Lobbying – A key element of the European politics?", 2004, Speech at European Alpbach Forum


Price, R. "Transnational Civil Society and Advocacy in World Politics", 2003. World Politics. 55/4:
579-606

Peterson, J. "Decision-Making in the European Union: Towards a Framework for Analysis", 1995. Journal of European Public Policy


**Webpages:**

"Agenda 2000 – Commission Opinion on Bulgaria´s Application for Membership of European Union". European Commission. Last accessed: 29-05-2018. http://europa.eu/rapid/press-release_DOC-97-11_en.htm

 "Non-governmental organisations," *European Commission*, last accessed: 29 May 2016, http://ec.europa.eu/social/main.jsp?catId=330.

"European Neighbourhood Policy (ENP)", European Union External Action Service, last accessed, 15 December 2017, https://eeas.europa.eu/headquarters/headquarters-homepage/330/european-neighbourhood-policy-enp_en

"EU sanctions against Russia over Ukraine crisis," European Union Newsroom, last accessed: 17 December 2017, https://europa.eu/newsroom/highlights/special-coverage/eu_sanctions_en.

"PhD opportunity on the influence of human rights NGOs on the EU's policy towards post-https://euraxess.ec.europa.eu/jobs/265585

"The Commission and Non-governmental Organization: Building a stronger Partnership." *European Commission.* 18 January 2000.


"The Growth in the Number of NGOs in Consultative Status with the Economic and Social Council of the United Nations" *City University London, http://www.staff.city.ac.uk/p.willetts/NGOS/NGO-GRPH.HTM*

"Mid-term Evaluation of the Civil Society Facility for the Western Balkans and Turkey". European Commission. 1 December 2017. Last Accessed: 29-05-2018.https://ec.europa.eu/neighbourhoodenlargement/sites/near/files/csf_evaluation_report_wbt_dig.pdf

"What is a Non-Governmental Organization?" Willets, Peter. City University. London. Last accessed: 29-05-2018. http://www.staff.city.ac.uk/p.willetts/CS-NTWKS/NGO-ART.HTM

"NGOs AND CSOs: A Note ON TERMINOLOGY." UNDP. Last accessed: 29-05-2018. http://www.cn.undp.org/content/dam/china/docs/Publications/UNDP-CH03%20Annexes.pdf

"Foreign & Security Policy." European Union, Europa.eu. Last accessed: 29-05-2018 https://europa.eu/european-union/topics/foreign-security-policy_en

"Revisiting the Policy Cycle." Freeman, Brigid. University of Melbourne. 21 June 2013. http://federation.edu.au/__data/assets/pdf_file/0018/119043/Revisiting_Policy_Cycle_20 3_BFreeman.pdf

"The Policy Cycle." Templer, Robert. Sector.rec.org. Last accessed: 29-05-2018. http://sector.rec.org/SPP_CEU_Presentations/Robert%20Templer%20_he%20Policy%20 Cycles.pdf

"European Neighbourhood Policy And Enlargement." European Commission. Last accessed: 29-05-2018. https://ec.europa.eu/neighbourhood-enlargement/instruments/overview_en

Bergman, Elin. "Ombudsman Institutions." Governance & Public Sector Management. Last accessed: 29-05-2018. http://siteresources.worldbank.org/PUBLICSECTORANDGOVERNANCE/Resource s/285741-1233946247437/5810405-1399294268994/Ombudsman-presentation.pdf

Schwimmer, Walter. *Forthcoming Introdcution of the Ombudsman Institution in Bulgaria.* Center for the Study of Democracy. Last accessed: 29-05-2018. http://www.csd.bg/artShow.php?id=618

"Commission Staff Working Paper Croatia", 2011 Progress Report. EUR-Lex. Last accessed 29-05-2018. https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A52011SC1200

Honouring of obligations and commitments by Bulgaria. Parliamentary Assembly. Last accessed: 29-05-2018. http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=16776&lang=en#

"Introducing the Ombudsman Institution in Bulgaria". Center for the Study of Democracy. Last accessed: 29-05-2018. http://www.csd.bg/artShow.php?id=11061

"About the Ombudsman Information Network". Ombudsman Information Network. Last accessed: 29-05-2018. http://www.anticorruption.bg/ombudsman/eng/about.htm

"Annual Report CSD 2003 - Notes to the financial statements" Center for the Study of Democracy. Last accessed 29-05-2018, http://www.csd.bg/artShow.php?id=6273

"International conference: Establishment of Ombudsman Institution in Bulgaria". Center for the Study of Democracy. Last Accessed: 29-05-2018. http://www.csd.bg/artShow.php?id=12403

"Law Program". Center for the Study of Democracy. Last Accessed: 29-05-2018. http://www.csd.bg/artShow.php?id=8923

"History". Southeast European Leadership for Development and Integrity. Last accessed: 29-05-2018. http://seldi.net/history/

"Objectives". Southeast European Leadership for Development and Integrity. Last accessed:
29-05-2018. http://seldi.net/about-us/objectives/
Publications. Southeast European Leadership for Development and Integrity. Last
accessed: 29-05-2018. http://seldi.net/publications/

"CMS Methodology". Southeast European Leadership for Development and Integrity. Last
accessed: 29-05-2018. http://seldi.net/cms-data/cms-methodology/

"FPAs". Technical Assistance for Civil Society Organisations. Last accessed: 29-05-2018.
http://www.tacso.org/Content/Read/91?title=FPAs

Mid-term Evaluation of the Civil Society Facility for the Western Balkans and Turkey.
European Commission. 1 December 2017. Last Accessed: 29-05-2018.
https://ec.europa.eu/neighbourhood
enlargement/sites/near/files/csf_evaluation_report_wbt_dig.pdf

"Civil Society for Good Governance and Anti-Corruption in SEE". Southeast European
Leadership for Development and Integrity. Las accessed: 30-05-2018.
http://www.tacso.org/data/dokumenti/pdf/SELDI_2015_2016.pdf

"European Neighbourhood Policy and Enlargement Negotiations". European Commission.'
Last accessed: 30-05-2018. https://ec.europa.eu/neighbourhood-
enlargement/countries/package_en

Cooperation and Verification Mechanism for Bulgaria and Romania. European Commission.
Last accessed: 30-05-2018. https://ec.europa.eu/info/strategy/justice-and-fundamental-
rights/effective-justice/rule-law/assistance-bulgaria-and-romania-under-cvm/cooperation-
and-verification-mechanism-bulgaria-and-romania_en

"Influencing the European Union – An Advocacy Guide", Bond For International
Development. Last accessed: 30-05-2018.
https://www.bond.org.uk/data/files/Influencing_the_European_Union.pdf

Anti-corruption efforts in the Western Balkans. European Parliament. Last accessed: 30-05-
2018.http://www.europarl.europa.eu/RegData/etudes/BRIE/2017/599417/EPRS_BRI(
2017)599417_EN.pdf

"EPRS". European Parliamentary Research Service. Last accessed: 30-05-2018.
http://www.europarl.europa.eu/EPRS/EPRS%20general_EN.pdf

"Anti-corruption efforts in the Western Balkans", 2017 briefing European Parliament. Last
accessed: 30-05-2018
http://www.europarl.europa.eu/RegData/etudes/BRIE/2017/599417/EPRS_BRI(2017)
599417_EN.pdf

"The Ombudsman Act", The Danish Ombudsman Act 1996, Folketinget. Last accessed 30-
05-2018, https://en.ombudsmanden.dk/loven/

"Law No. 35/1997 on the organization and functioning of the People's Advocate Institution", The

        Romanian        Ombudsman        Act.        Last        accessed:        30-05-2018, http://www.avp.ro/linkuri/lege35_en.pdf

Gottehrer, M. Dean. "Fundamental Elements of An Effective

        Ombudsman Institution". Last accessed 30-05-2018, http://www.theioi.org/

"Bulgarian Ombudsman Act", 2003 UNHCR. Last accessed: 30-05-2018,

        http://www.refworld.org/docid/44ae58354.html

"Ombudsman Institution – Concept Paper and Draft Law for Bulgaria". Center for the Study

        of Democracy. Last accessed: 30-05-2018, http://www.csd.bg/artShow.php?id=12524

"Corruption — still a major problem in several Western Balkan countries". European

        Parliament.        Last        accessed:        30-05-2018. http://www.europarl.europa.eu/RegData/etudes/BRIE/2015/557025/EPRS_BRI(2015) 557025_EN.pdf

"Lobbying the EU institutions" Library of the European Parliament , 2013 Last accessed 30-05-18

        http://www.europarl.europa.eu/RegData/bibliotheque/briefing/2013/130558/LDM_BRI( 2013)130558_REV1_EN.pdf

"ANTI-CORRUPTION in an EU accession context", Sabine Zwaenpoel European

        Commission.        Last        accessed,        30-05-18, http://seldi.net/fileadmin/public/Events/2016.09.29_Skopje_Final_event/Presentation_Sa bine__Zwaenepoel.pdf