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Research Article

'When Counting Counts' – Europeanisation of Census-Taking in Croatia, Bosnia and Herzegovina and the Former Yugoslav Republic of Macedonia

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Abstract

In 2000, the European Union (EU) extended the membership perspective to the Western Balkans; however these countries have taken different political paths towards EU accession at different speeds. The population census is one of the conditions for EU accession and part of the eighteenth acquis chapter on statistics. This article seeks to explain the variation in census-taking in the 2010 census round in Croatia, Bosnia and Herzegovina and the Former Yugoslav Republic of Macedonia considering two Europeanisation mechanisms: (a) the conditionality and (b) the legitimacy of the EU regulations in the area of census-taking. While conditionality assesses the cost-benefit calculation between the EU rewards/pressure and domestic adoption costs, legitimacy analyses whether the EU census regulations will be accepted based on their perception of appropriateness. Congruence analysis will be used to compare the effectiveness of the Europeanisation mechanisms on the censuses in the countries under investigation. The study concludes that in Croatia legitimacy had the most impact, whereas the cases of Bosnia and Herzegovina and the Former Yugoslav Republic of Macedonia can be better explained by conditionality. Therewith this study contributes to the recent findings that conditionality as well as legitimacy matter for research on Europeanisation.

Keywords

Europeanisation; EU enlargement; Census-taking; Conditionality Legitimacy; Western Balkans

More than a decade after the European Union (EU) extended the membership perspective to the Western Balkans in 2000, these countries have taken different political paths towards EU accession at different speeds. The pathway of EU accession is tied to conditions and depends on compliance with EU rules and norms by the candidate countries. The process of alignment with EU rules and norms has been described as a major challenge for the countries in the Balkan region (Prifti 2013; Noutcheva 2012). The population and housing census (hereafter census) is one of the aspects which represents a challenge in some of the enlargement countries.

Within the *acquis communautaire* the census is part of the eighteenth chapter on statistics (Eurostat 2014a). Census-taking is crucial for the production and dissemination of population data and serves as a backbone for official statistics. The census is the tool for a state to gain information about its population and their living standards. Census data are important for the sample designs to conduct statistical surveys. As the EU is very keen on using statistics for evidence-based decision making, a reliable population count is a crucial element in the EU accession process. However, in the Balkan region, the collection of the data for the population and housing census is an exceedingly sensitive issue as important decisions over the distribution of public funds and/or the allocation of institutional quotas for various societal (ethnic/linguistic) groups are based on census data (Everaers 2015). Essentially, census-taking is often highly politicised in multi-ethnic and multi-lingual societies and especially in the Western Balkans (Bieber 2015).

Censuses in the Western Balkan region were conducted long before EU accession. The last census of Yugoslavia was collected shortly before its break-up in 1991. Now within the framework of EU enlargement, accession countries have to comply with EU conditions for census-taking. Except for Bosnia and Herzegovina, whose census took place in 2013, all Western Balkan countries conducted

their censuses in 2011, the reference year of the EU population count (Eurostat 2014b). Although all Western Balkan countries have the same EU conditions to comply with, three cases were chosen based on the different outcomes with regard to census-taking: ranging from aborted (the Former Yugoslav Republic of Macedonia, hereafter FYROM), to delayed (Bosnia and Herzegovina, hereafter BiH) and relatively timely, with minor contestation (Croatia). In addition to the different census outcomes, these are also countries in different stages of EU accession; whereas Croatia became an EU member in 2013, FYROM is a candidate country and BiH a potential candidate.

Earlier scholars have researched the censuses in the region, but focused foremost on the construction of national identity through the census categories (Bieber 2015) or the aspect of ethnicity (Daskalovski 2013; Visoka & Gjevori 2013). Recently, more attention has been paid to the politics of numbers behind the population count (Keil & Perry 2015; Daskalovski 2013), but, so far, there is little research on the impact of the EU on the censuses in the Western Balkans (Keil 2015).

This article assesses whether the impact of the EU enlargement process can explain the variation in census-taking outcomes in BiH, Croatia and FYROM. This will be done by using congruence analysis to test the impact on census-taking of two mechanisms of Europeanisation: conditionality and legitimacy. Legitimacy focuses on the acceptance and implementation of the EU census regulations, as well as the nature of debates and contestations surrounding the census processes. This will show whether countries comply with the EU rules because they see it as appropriate and legitimate to do so. Conversely, conditionality, which is based on the logic of consequences, assesses the rational cost-benefit incentives behind the differences of countries in EU accession (Schimmelfennig & Sedelmeier 2004, 2005, 2007) and, in particular, whether the benefits of complying with EU conditions (EU rewards) outweigh the domestic adoption costs. Which of the two Europeanisation mechanisms is more likely to explain compliance is explored.

CENSUS-TAKING WITHIN EUROPEANISATION

Europeanisation has many definitions: from broader ones, looking at '[p]rocesses of a) construction, b) diffusion, and c) institutionalisation of formal and informal rules, procedures, policy paradigms, styles and 'ways of doing things'' (Radaelli 2006: 59); to more concrete ones, which see Europeanisation as shorthand definition for the domestic influence of the EU (Elbasani 2013: 5). As this research is only looking into a rather small aspect of the *acquis* and how this influences the censuses in the enlargement countries, Europeanisation will be defined as the influence of the EU on the Western Balkan countries (Elbasani 2013: 5). Earlier research on Europeanisation has looked into EU member state building (Keil 2013; Bieber 2011) but also the effectiveness of the *acquis* conditionality in South Eastern Europe (Trauner 2009) and the normative and strategic dimensions of EU external power (Noutcheva 2009, 2012). Recently more attention has been paid to domestic factors which affect Europeanisation in the region, such as the lack of 'stateness' (Elbasani 2013), and human rights and corruption (Glüpker 2013).

Within the framework of Europeanisation, census-taking is under-researched. The EU developed the EU census regulations to harmonise statistical data in all (potential) member states and uses this data for 'evidence based decision making' (Everaers 2015: 185). Thereby, census data becomes crucial for policymaking and the distribution of, for example, subsidies. What differentiates censuses in the Western Balkans from most European countries is that the distribution of rights (such as minority rights) and political power can depend on the population data (Keil 2015). In most Western European countries, census-taking is primarily a technical statistical exercise, however in the Balkan

countries, the census is a tool to know the numbers of the different population groups present (Interview 1: Eurostat official; Interview 2: EU delegation Sarajevo official).

After Yugoslavia dissolved, issues of ethnicity and ethnic group size, as well as geography, were important tools used in the conflicts for bargaining new borders, rights and representation schemes in the newly established states in the Western Balkans (Visoka & Gjevori 2013: 6). Bieber (2015) has shown that the census constitutes a site to negotiate national identities, to represent majority and minority groups. Since rights and the representation of power in the cases under investigation depend on the census results of ethnic groups, the process of census-taking is highly political (Kertzer & Arel 2002: 36). Particularly political are the census questions on ethnicity, language and religion, place of usual residence and whether or not to include the diaspora in the census. These aspects have been identified as the most contested issues in the Western Balkans (Everaers 2015: 192) because these questions can be used and manipulated potentially to increase ethnic numbers. 1 Even though it is important in the Western Balkan countries, the EU does not require collecting data on the sensitive ethno-cultural characteristics (ethnicity, language and religion). Also in the Conference of European Statisticians Recommendations for the 2010 Censuses of Population and Housing (CES recommendations)² these aspects are only part of the non-core categories (United Nations Economic Commission for Europe 2006: 162). Nonetheless, in the 2010 census round, all Western Balkan countries included these topics in their census questionnaires (Eurostat 2014b).³

The EU has high stakes in the stability of the region and wants to develop reliable statistics in its potential member states (Bieber 2015: 11). Almost all the Western Balkan countries were financially and/or technically supported by Eurostat, the statistical office of the EU. Even though highly recommended to follow the EU census regulations, candidate countries are not legally obliged to comply with these. However, if compliant, countries increase their chances of EU membership.

EUROPEANISATION OF CENSUS-TAKING: CONCEPTUAL FRAMEWORK

Earlier research on the transformative power of the EU has shown that EU conditionality can explain patterns of EU rule transfer to candidate countries in Central and Eastern Europe (Schimmelfennig & Sedelmeier 2004). However, in the Western Balkans, Noutcheva (2009) has shown that the lack of perceived legitimacy of the EU rules leads to different outcomes in compliance with EU conditions. While the aspect of conditionality looks at the (dis-)incentives the EU offers in light of a cost-benefit calculation, the aspect of legitimacy will be analysed by looking at the implementation of the EU census rules in addition to the nature of the debates and contestations surrounding the censuses.

CONDITIONALITY

Schimmelfennig and Sedelmeier (2004: 662) describe conditionality as 'a bargaining strategy of reinforcement by reward, under which the EU provides external incentives for a target government to comply with its conditions'. The EU rewards accession countries that comply with its conditions and withholds rewards in the case of noncompliance. Within the literature, a differentiation is made within the democratic and *acquis* conditionality of the EU, stating that the domestic political costs are more important for democratic conditionality, which is connected to compliance with the Copenhagen Criteria (Schimmelfennig & Sedelmeier 2007: 91-92). In the case of census-taking, which is part of the *acquis* conditionality, however, the aspect of domestic adoption costs is also of importance. Since the census data is used to establish numerical thresholds, for example, for minority rights, as well as political representation, it can affect the adoption costs for the domestic

political elite. Therefore, the EU rewards for having a census need to be stronger than the potential losses of the domestic political elite. In order to tip the balance towards compliance, the EU can also pressure candidates by withdrawing pre-accession funds or setting short term conditions within the accession process, through, for example, the Stabilisation and Association Agreements.

Conditionality will be assessed by looking at the cost-benefit calculation of EU rewards/pressure versus domestic adoption costs. The EU rewards will be assessed by looking at the material and social rewards the accession countries receive or lose in case of compliance or non-compliance and the pressure the EU puts on its enlargement countries for them to comply with the EU census regulation. The domestic adoption costs will be assessed by looking at the potential gains/losses of rights for the domestic political elite, such as numerical thresholds connected to the census results. Following the logic of consequences, it is expected that the credibility of threats and promises from the EU, as well as EU pressure, can make a difference with regard to the successful implementation of conditions for the population and housing censuses if they outweigh the domestic adoption costs.

LEGITIMACY

Numerous authors have shown that in the Western Balkan countries compliance with the EU conditions cannot be fully explained when only taking into account the rational choice idea of conditionality (Bieber 2011; Freyburg & Richter 2010; Noutcheva 2009). Therefore, the aspect of the perceived legitimacy of the EU conditions will also be taken into account. This mechanism is based on the acceptance of norms, values and identities and follows the logic of appropriateness, which assumes that actors choose the most appropriate (legitimate) course of action (Schimmelfennig & Sedelmeier 2004: 667; March & Olsen 1989). If external actors accept the authority of the EU and are convinced of the legitimacy and appropriateness of EU rules, they adopt and comply with them (Schimmelfennig 2014: 20). In respect of census-taking, the acceptance of the EU census regulations, as well as the contestation surrounding the census, will be used as indicators for legitimacy. To be perceived as fully legitimate, the EU conditions need not only be accepted by the Statistical National Institute of the accession country but also by its political elite because domestic actors can have a crucial role as, for example, veto players in post-communist countries (Mendelski 2013). Conversely, if there is contestation and opposition against the appropriateness of the EU census regulations, the country is likely not to comply with the EU conditions for census-taking. The contestation of the censuses will be taken into account because this will show whether and to what extent the EU census regulations are accepted by the public/political elite. It is expected that if the EU census regulations are accepted as legitimate, there will be no contestation of the census process and there will be full compliance with the EU census regulations.

To measure the effect of legitimacy on compliance with the EU census regulations, it will be assessed whether the National Statistical Institutes of the case countries, as well as their political elites, accept and implement the EU census regulations and whether or not there is public/political contestation of the census. The latter will be assessed by looking at public/political debates and their outcomes surrounding the censuses. If the census is highly contested (strongly debated) it is expected that compliance with the EU census regulations is not due to the mechanism of legitimacy. If there is no/little debate and the EU census regulations are accepted and implemented, the mechanism of legitimacy is regarded as strong. However, the nature of the debate also matters, for example, if the outcome of the debate is to comply with the EU census regulations and this is implemented and accepted, compliance is also expected to be due to legitimacy.

METHOD, CASE SELECTION AND DATA

To compare the mechanisms of EU conditionality and legitimacy, congruence analysis will be used. This method is a small-N research design which uses case studies to contrast and compare the explanatory relevance of theoretical approaches (Blatter & Haverland 2012: 144). This approach is also known as systematic process analysis (Hall 2006). To compare the mechanisms of Europeanisation, empirical data collected via semi-structured interviews, conducted with people at the National Statistical Institutes, international census experts and EU officials, and the census laws, questionnaires and methodologies of the case countries will be analysed and compared with the EU regulations on census-taking (European Parliament & Council of the European Union 2008). These documents will be complemented with data from the EU progress reports and newspaper articles.

The countries have been chosen because although they have to comply with the same EU conditions, they show a variation with regard to census operations and outcomes. Croatia, by now an EU member, has conducted two censuses since independence from Yugoslavia, in 2001 and in 2011 respectively. The last census in 2011 was conducted after the chapter of statistics was already closed but before the accession date of July 2013. FYROM, an EU candidate country since 2005, however without opening membership negotiations, has also conducted two censuses since independence, one in 1994 and one in 2002. Another was planned for 2011, but aborted after a few days of enumeration due to unequal implementation of the methodology. BiH submitted its application for EU membership in 2016 and is considered a potential candidate country. BiH conducted its first census since 1991 in October 2013 and the results were published, after a long delay, in June 2016.

The article will focus foremost on the 2010 census round, which following the international definition includes all censuses conducted in the time period from 2005 up to 2014 (United Nations Statistics Division 2013). This selection has been made as throughout the census round of 2000 (from 1995 to 2004), there were no EU conditions yet with regard to census-taking. Since then, attention for the collection, harmonisation and dissemination of population data has increased; in the enlargement package of 2015 the chapter of statistics even made it into the list of aspects which are part of strengthened reporting (European Commission 2015a).

WHEN COUNTING COUNTS: CASE ANALYSIS

Bosnia and Herzegovina

In October 2013, BiH conducted its first census since independence from the former Yugoslavia. This census was long expected as the preparations had already started in 2008. As it was the first census since independence from Yugoslavia and the armed conflict (1992-1995), there was an urgent need for reliable population data. The census law was adopted in February 2012. The Agency for Statistics is officially responsible for the census but cooperates with the Statistical Institutes of the Entities: Republika Srpska (RS) and the Federation of Bosnia and Herzegovina (Director of the Agency for Statistics of Bosnia and Herzegovina, nd: 13). Since shortly after the adaptation of the census law, there was an International Monitoring Operation (IMO), led by Eurostat, which started in April 2012 and which has by now conducted more than 20 missions. From the beginning of the census project, there was a strong commitment from the EU towards this census. Without EU help and guidance it would have been very difficult to carry it out (Interview 3: DG NEAR official). Of the approximately 23 million EUR census costs (Eurostat 2014b), more than 13 million was paid for by the EU (Interview 2: EU Delegation Sarajevo official). Next to this, the Swedish International Development Cooperation

contributed about 1.85 million EUR to the census exercise via the Instrument for Pre-Accession Assistance (Eurostat 2014b; AAM Consulting 2013). The enumeration process took place in October 2013 and was in line with international standards (Durr, Bianchini, Demirci, Kostadinova-Daslakovska, & Pieraccini 2013). There were some reports on irregularities (Perry 2013), however, most of them, related to diaspora enumeration, can probably be sorted out during the data processing (Durr et al. 2013: 12). The data processing had been on hold for about a year and a half since February 2015 (Interview 6: Statistical Agency official) due to a missing agreement on the definition of 'place of usual residence' (Interview 4: Statistical Agency official). The EU urged BiH to publish the population data by July 2016 (Toe 2016c). Even though the IMO estimated that BiH was not likely to meet this deadline (Durr & Demirci 2016: 8), the data was finally published on 30 June 2016. However, debates continued after the publication of the data, as RS still does not accept the definition of 'place of usual residence' (Toe 2016b).

Regarding the Europeanisation mechanism of conditionality, the rewards and the pressure for complying with the EU conditions are high. Particularly since BiH submitted its membership application in February 2016, the publication of the census data was made a condition for Bosnia's EU accession process (Anon 2016b). This was emphasised in April 2016, when the European Parliament called 'for the results of the population and housing census to be published without further delay' (European Parliament 2016). The successful completion of the census has been emphasised in the proposed Reform Agenda for 2015 to 2018 by the European Commission (European Commissions 2015c) and the importance of the chapter of statistics has been mentioned in the Stabilisation and Association Agreement (SAA), in force since July 2015 (Official Journal of the European Union 2015). The publication of the census data could furthermore attract international funding and support (interview 5: Eurostat official). The reward of the EU would be acceptance of the Bosnian membership application; this, however, also gave the EU an additional opportunity to press for the publication of the census results. The SAA as well as the Reform Agenda and the membership application can be considered as both rewards as well as instruments to pressure BiH to comply with EU conditions for census-taking.

The domestic adoption costs for complying with EU census regulations are high as well, since the census results can be used to certify the death toll and ethnic cleansing during the war (1992-1995) (Interview 2: EU delegation Sarajevo official). It was expected that the census outcome might affect the political system, which distributes power among the three constituent ethnic groups, Bosniaks, Croats and Serbs (Armakolas & Maksimovic 2014; Bieber 2004). The government and the parliament are constituted of the three ethnic groups and within the parliament there is parity at the state level, based on the 1991 population distribution (Bieber 2004: 6). If the census of 2013 would have strongly diverged from the 1991 population numbers, this could have sparked debate about the current constitutional design based on the constituent ethnic groups. This increased the political and domestic adoption cost for Croatian politicians especially, as it was expected that their numbers would have decreased and they might lose the legitimacy of basing their power on the constituent group structure. In the end, the overall census numbers did not differ much from the 1991 population but still caused debates (Recknagel 2016). In addition to this, there are concerns that the aspect of 'entity citizenship', which was included in the census questionnaire, could pave the way for a referendum of independence in the RS (Perry 2015; Armakolas & Maksimovic 2014; Popis 2013). The RS 'hopes to 'ratify' ethnic cleansing through the census and to confirm that the RS is a protonation state [however] a larger share of non-Serbs would challenge this ambition' (Bieber 2013). By now a referendum for a Serb national holiday has taken place, which is seen as a test run for secession of RS from BiH (Anon 2016a). Overall, there are concerns that the new population data will not only be used for socio-economic purposes but misused for political purposes (Interview 2: EU delegation Sarajevo official; Interview 4: Statistical Agency official; Interview 6: Statistical Agency official). When the Director of the Agency, Velimir Jukic, announced in May 2016 that the Statistical Agency would publish the census results before the deadline on 1 July 2016, following the EU regulations without consensus among the statistical institutes, the President of the RS, Milorad Dodik, declared that he would refuse to accept the results (Toe 2016a). Given that BiH published the data one day before the deadline of July 1, the balance of the cost-benefit calculation tipped in favour of compliance with the EU census regulations, meaning the pressure and rewards of the EU outweighed the domestic adoption costs.

The debate between the RS and the Statistical Agency is also important when looking at the impact of legitimacy. This debate caused the delay of data processing, which is about the definition of 'place of usual residence' (Interview 2: EU delegation Sarajevo official). Although clearly defined in the EU regulations, RS would like to include an additional question, the aspect of place of work/education, to control the question of 'place of usual residence', to check whether people actually reside in Bosnian territory (Interview 2: EU delegation Sarajevo official; Interview 4: Statistical Agency official; Interview 3: DG NEAR official). The adjusted definition shows the intent of the RS to "legalise the ethnic cleansings from the 1990s" and create conditions for its separation from the Bosnian state' (Armakolas & Maksimovic 2014: 86). Until now, the data processing has been fully in line with the IMO recommendations (Interview 8: International Census Consultant), but was on hold for more than two years as the statistical institute of the RS does not support the definition of the resident population provided by the EU (Interview 4: Statistical Agency official). The debate also shows that the census in Bosnia is contested. Even though in the end the Statistical Agency implemented the EU census regulations, the ongoing contestation of the census definitions (Toe 2016b) suggests that the instrument of legitimacy is not very strong in Bosnia and, as such, cannot be considered an important factor that contributes to the publication of the census data.

The Former Yugoslav Republic of Macedonia

FYROM had already gathered population data in 1994 and in 2002. The 1994 census was 'hotly contested' (Daskalovski 2013: 8) and observers were surprised when they discovered how political the census operation was (Friedman 2002). This was the first census conducted after independence from Yugoslavia in 1991. A year before the second census, an armed ethnic conflict between ethnic Albanian and ethnic Macedonians broke out. This was stopped with the Ohrid Framework Agreement in August 2001. The 2002 census was also disputed by Macedonians, Albanians and other ethnic groups, but assessed as fair and accurate by the international community (Vrgova 2015: 116). The 2011 census was planned for April, then delayed to October (Marusic 2011c). After the EU delegation in Macedonia had warned Eurostat of difficulties with the preparations for the census (Interview 9: EU Delegation Skopje official), Eurostat set up a light International Monitoring Operation (IMO) after an official request from the FYROM (Everaers 2015: 185). The IMO started in October 2010 (Interview 7: International Census Consultant). Following the advice of the IMO, the census enumeration was delayed but a green light was given for the census data collection in October 2011 (Interview 10: Eurostat official). Nonetheless, the census was stopped due to an increase of unreliable census forms, signed by only one of the two enumerators, whereas, according to the census law, both had to sign, and which applied different methodologies (Interview 11: State Statistical Office official). Although the 2011 census in the FYROM was observed by the IMO, there was no guarantee of reliable population data. The census was officially stopped because of the unequal implementation of census methodologies and disagreements about counting the diaspora population (Eurostat 2014b: 21; DG Enlargement 2013: 13).

With regard to conditionality, there are no concrete EU rewards, nor strong EU pressure for complying with the regulations of census-taking and in the overall accession process, FYROM is 'at an impasse' (European Commission 2015b: 2). Even though FYROM is already an EU candidate country, there are currently no significant developments regarding EU accession. The European Commission first recommended opening membership negotiations in 2009 but they still have not been opened. In 2015, this was only extended under the condition that the 'urgent reform priorities' and the political agreement to overcome the current political crisis, following a huge wire-tapping scandal, would be implemented (Marusic 2016; Balkans in Europe Policy Group 2015; European Commission 2015b: 14). Therefore, there are neither reliable EU rewards, nor pressure from the EU to push for a census complying with the EU census regulations.

In addition to the lack of EU rewards/pressure, the domestic adoption costs for having a census are high, since, as in BiH, in FYROM the political system has institutionalised ethnicity. According to the Ohrid Framework Agreement (OFA), if minorities make up more than 20 per cent of the population, language rights as well as the 'equitable representation of persons [...] in public bodies at all levels and in other areas of public life' (Anon 2001) depend on the population numbers. Following the 2002 census, the only minority making up more than 20 per cent of the population are ethnic Albanians (Vrgova 2015: 116). Throughout the census process, ethnic Albanians wanted to increase their numbers and ethnic Macedonians wanted to decrease the numbers of the ethnic Albanians (Marusic 2011b). In the end, the enumeration process was problematic, as different methodologies on how to count the resident population circulated and a lot of census questionnaires were signed by only one of the two enumerators (Interview 11: State Statistical Office official). These aspects made it impossible to guarantee reliable data and when the State Census Commission resigned four days before the enumeration was finished, the census operation was cancelled (Jordanovski & Dimevski 2011; Marusic 2011a). The whole census operation was highly politicised and political representation depended on the census outcomes. Therewith, the domestic adoption costs clearly outweighed the non-existent EU rewards/pressure for complying with the EU census regulations. This indicates that conditionality may have had a strong negative impact on compliance with the EU census regulations.

When looking at the mechanism of legitimacy, this seems to have only limited influence on compliance with the EU rules. The EU census regulations were only partially accepted and the reasons for having a census are partly due to political rather than socio-economic reasons. As described above, the OFA clearly outlines the threshold of 20 per cent for the official use of other languages, but also proportional representation in the public bodies depends on the population numbers (Vasilev 2013; Brunnbauer 2002: 5; Anon 2001). In 2010, a year before the census enumeration started, politicians proclaimed that they would not accept the census methodology (Interview 12: OSCE official). This debate was also visible when the State Census Commission, which consisted of 25 members 'appointed by the Government of the Republic of Macedonia' (Republic of Macedonia - State Statistical Office 2010: 15), influenced the census operation, to such an extent that they tried to impose different methodologies on how to count the diaspora population. The State Census Commission was responsible for appointing half the regional instructors, the other half would be appointed by public announcement (Republic of Macedonia - State Statistical Office 2010: 17). This arrangement led to difficulties and delays in hiring sufficient enumerators; when the enumeration started, in some areas there was a lack of well-trained enumerators and staff, which delayed the enumeration (Interview 11: State Statistical Office official). Three days before the enumeration started, the representative of the Albanian Party Democratic Union for Integration still wanted to include the diaspora population in the population count. When this request was not accepted, since it is not in line with the Eurostat recommendations, he and another Albanian representative resigned from the State Census Commission (Jordanovski & Dimevski 2011; Marusic 2011b). Despite recurring disputes about the census methodology and difficulties with hiring staff, Eurostat confirmed that the State Statistical Office was technically ready for the census operation (Interview 10: Eurostat official). Overall, the methodology and the questionnaire were described as being in line with the EU census regulations (Interview 11: State Statistical Office official). Nonetheless, the census was captured by political forces trying to influence the population count to increase ethnic numbers (Interview 9: EU Delegation Skopje official; Interview 12: OSCE official). Even though the EU census regulations were accepted by the State Statistical Office, there was a strong contestation of the 2011 census, which shows a level of low legitimacy.

Croatia

Croatia separated from Yugoslavia in 1991, which was followed by violent conflict (1991-1995). As a result of this conflict, the country is ethnically relatively homogeneous, with Serbs as the biggest ethnic group (with 186.633 people, which is about 4 per cent of the population (Hoh 2015: 78). The census in 2011 was Croatia's second census since independence, and was conducted without any major problems (Hoh 2015). The 2001 census, according to the European Commission, was 'in line with the UNECE/Eurostat recommendations for the 2000 censuses of population and housing in the ECE region' (European Commission 2006: 9). The costs for the census were calculated up front and addressed in the census law. The census budget of 21 million EUR was calculated, but in the end the approximate costs were only about 16 million EUR (Eurostat 2014b). Unlike in BiH, the costs were all covered by the Croatian government. Only one small part of the Post Enumeration Survey was covered by the EU through the Instrument for Pre-Accession Assistance (Eurostat 2014b: 10). There was a delay concerning the publication of the census data (Pavelic 2012), which was caused due to difficulties in hiring staff. The government did not allow the Statistical Office to hire the best census enumerators for the data processing phase; instead the Statistical Office had to hire people who had been unemployed for a long period (Interview 13: Croatian Bureau of Statistics official). The census results were finally published on 8 November 2013 (Croatian Bureau of Statistics 2013). Today, the census data of Croatia is part of the Eurostat census hub, which can be considered as a sign of the high quality of the data.

With regard to conditionality, back in 2007, the Croatian population statistics were regarded as being compliant with the *acquis* (DG Enlargement 2007: 5). In the year of the 2011 census, Croatia also concluded its accession negotiations (Elbasani 2013: 5). Actually, the chapter on statistics had already been closed in October 2009, before the census law was finalised. Therefore the 2011 census was not followed as closely by the EU as, for example, the Bosnian census (Interview 14: DG NEAR official). Since Croatia had already demonstrated that they can conduct a census, it was expected that they could do it again (Interview 14: DG NEAR official). In the end, the 2011 census was described as 'harmonised with international standards [...] in order to provide the international comparability of data' (Croatian Bureau of Statistics 2011: 8). Bearing in mind that by the time of the census the *acquis* chapter on statistics was already closed, it was expected that Croatia would comply with the EU census regulations. Thus the census did not form a subject of the accession negotiations and because of this EU rewards and pressure are considered low.

As political representation in Croatia depends to a lesser extent on the census outcomes, the domestic adoption costs for complying with the EU census regulations were not as high as in BiH or FYROM. Even though rights for minorities in Croatia also depend on the population numbers, the numerical threshold of 1.5 per cent to guarantee representative seats for minorities (Tatalović 2006: 55; Petričušić 2002) is much lower than the 20 per cent threshold in FYROM. In addition, in between 1991 and 2001, the share of ethnic minorities decreased by 50 per cent (Tatalović, 2006), with the

result that Croatia is ethnically more homogeneous than BiH or FYROM. Therefore, the domestic adoption costs were low and even though the rewards for complying with the EU conditions were low as well, Croatia was compliant. Conditionality therefore does not provide a firm explanation for Croatia's full compliance with the EU census regulations.

The impact of legitimacy was very high: despite the lack of EU rewards, Croatia implemented the EU census regulations before it was a member of the European Union. The EU census regulation (European Parliament & Council of the European Union 2008), together with the CES recommendations, are mentioned as two of the most important documents for international standards on the website of the Croatian Bureau of Statistics (Croatian Bureau of Statistics 2011: 9). The enumeration process was 'carried out successfully and according to international standards in April 2011' (European Commission 2011: 40). Since Croatia had already demonstrated that they could conduct a census, it was expected that they could do it again (Interview 14: DG NEAR official). The CBS was very firm on using the international definitions, for example for the category of 'place of usual residence', in spite of concern by demographers and politicians, who wanted to keep the former definitions in order to compare the data over time or wanted to include the diaspora (Interview 13: Croatian Bureau of Statistics official). There was no public/political debate on the census and thus the Croatian census is regarded as not contested. After the results were published, the potential introduction of the Cyrillic script, used by the Serb minority, in about 20 municipalities sparked protests (Pavelic 2013; 2014). However, the census itself was not contested and there were no big gains or losses for political parties with regard to ethnic proportional representation after the census. The lack of contestation and the acceptance of the CBS of the EU census regulations show that in the case of Croatia the impact of legitimacy is much stronger than the impact of conditionality.

CONCLUSION

This article assessed the effectiveness of the Europeanisation mechanisms of conditionality and legitimacy on the compliance of Croatia, BiH and the FYROM with the EU census regulations. The cases of BiH and FYROM show that the effect of the domestic adoption costs for the mechanism of conditionality should be taken seriously and can even influence the mechanism of legitimacy. High domestic adoption costs in BiH and the FYROM contributed to debates and contestation of the EU census regulations and resulted in low level of legitimacy in these cases. In BiH, EU rewards and pressure were much higher than for FYROM and this tipped the balance of the cost-benefit calculation in the case of BiH in favour of complying with the EU census regulations. Whereas in the case of BiH the empirical findings suggest a strong influence of the mechanism of conditionality on compliance with the EU census regulation, legitimacy can provide a further explanation for the delay of the census operation. In Croatia, the mechanism of conditionality cannot explain compliance with the EU census regulations, as - although the domestic costs were rather limited - Croatia did not benefit from EU rewards. In the case of Croatia, however, the empirical findings show that legitimacy can have a strong positive impact on compliance with the EU regulations. The non-compliance of the FYROM, as evidence shows, can be explained by either conditionality, as domestic adoption costs outweighed EU rewards and pressure, or legitimacy, since there was strong contestation of the EU census regulation. The mechanism of legitimacy can explain the cases of Croatia and the FYROM. It might not provide strong explanations in BiH, but even in this case it provides insights as to why the census process was delayed. Therefore, this research confirms earlier studies which concluded that conditionality alone cannot fully explain compliance with the EU rules. In order to understand fully the influence of the EU on its enlargement countries, both mechanisms need to be considered. Due to the variation these cases show, it is not possible to generalise how these would affect the other

countries in the Western Balkans. This article focuses on the Europeanisation mechanisms, further research into, for example, the role of other domestic factors, such as domestic veto players, and the inclusion of sensitive data on ethnicity, language and religion in the census questionnaire is recommended.

Nonetheless, this analysis does demonstrate that when the political representation and/or rights depend on the population numbers, census-taking is connected to the Copenhagen Criteria, in particular minority rights, and democratic conditionality. This is not only important for the Western Balkans but can be crucial in other countries where aspects of ethnicity/identity are connected to census data (see also Simon 2011), such as Spain (Urla 1993). This research has shown that *acquis* conditionality is not only a technical exercise, but in fact highly political, and, especially with regard to census-taking, this should not be underestimated.

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ENDNOTES

¹ This is not only important in the case countries but is also an issue in Montenegro (see Vuković 2015), Serbia (see Nikolić & Trimajova 2015), Slovenia (see Josipovič 2015) and Kosovo (see Musaj 2015).

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² The CES recommendations form the international guidelines for census-taking. These are formulated by the United Nations Economic Commission for Europe in collaboration with Eurostat.

³ Earlier research has shown that this is also important for cultural politics in Spain (Urla 1993) and used for ethnic exclusion in Israel (Leibler & Breslau 2005).

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