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3. Implementation and Enforcement of EU Rules in South East Europe

The problem of implementation of EU rules in new EU member states and candidate countries, including Western Balkan (WB) countries, has been increasingly recognised by researchers and policy makers. Following empirical evidence, some scholars in recent years raised the question whether the formal transposition of EU rules also leads to their institutionalization, or alternatively, whether the imported rules tend to remain “empty shells”. The current study focuses on the effects of the adopted EU rules on domestic production and consumption of food, specifically in the area of pig and sheep home slaughter (hereafter HS) in three WB countries (Bosnia and Herzegovina, Kosovo and Macedonia) and in two EU member states (Croatia and Slovenia). The practice of HS is a good example of many areas of everyday life, which are on the one hand subject to the newly imposed EU rules, and on the other, strongly connected to local traditions and ordinary people’s everyday economic self-subsistence.

Keywords: implementation of EU rules, Western Balkan, pig and sheep home slaughter, “gold-plating”, institutional capacity and resources, policy implications and recommendations

Introduction

The problem of implementation of EU rules in new EU member states and candidate countries, including Western Balkan (WB) countries has been increasingly recognised by researchers and policy makers. Following empirical evidence, some scholars in recent years raised the question whether the formal transposition of EU rules also leads to their institutionalization, or alternatively, whether the imported rules tend to remain “empty shells” (e.g. Dimitrova, 2010; Kmezić, 2014). Dimitrova stresses that studies dealing with the issue of Europeanisation through the implementation of the EU rules focus mostly on the formal transposition of EU rules into domestic legislation, but tend not to deal with actual effects of these rules “on the ground”, i.e., whether if and how these rules function (if at all) in people’s everyday life.

The wider and crucial question in this regard is to what extent and under which conditions formal rule adoption leads to the institutionalization of these rules, and consequently, to behavioural changes (Schimmelfennig and Sedelmeier, 2005). In a review paper, based on a wide literature review, Trieb (2006) urged that more energy needs to be devoted to systematic research on the phase of practical implementation of EU rules. Soon after, Falkner and Trieb (2008) indicated that many adopted EU rules in the new member states indeed exist largely as “dead letters” since they do not get to be implemented in practice.

One of the most obvious solutions to this problem lies in stronger law enforcement capacities of states. Kmezić stresses that “even the best laws make little sense if law enforcement bodies are not objective and competent” (2015: 19). Similarly, Dimitrova (2010) notes that the implementation literature stresses the importance of domestic administrative traditions and capacities as crucial for the implementation of EU rules. In addition, she also observes that domestic administrations in former state socialist countries tend to be weak and “in flux” (e.g., lack of/low motivation, high staff turnover etc.). The crucial role of administrative power was also indicated in another study, based on analysis of the transposition of EU directives in 15 member states (Falkner et al., 2005: 319). In addition, this study concluded that the national cultures, responding to adaptation requirements, create different, country specific patterns of implementation.

Based on the described insights and also on decades of relatively slow and uneven process of “Europeanisation” of Western Balkans countries, scholars increasingly agree that the old “conditionality approach”, which rests on the “logic of consequentiality” might not be as successful as previously thought. It seems that this approach should be complemented with what is commonly called “constructivist institutionalism”, which is based on the “logic of appropriateness” and deals predominantly with the process of “norm socialization”. It involves asking questions like “to what extent, when and why are (sets of) EU rules regarded as legitimate”. Namely, an important part of a successful rule implementation (i.e., being internalized by the domestic elites and populations) is that those rules have to be (perceived as) legitimate. Following this logic, rule transfer can be effective only if domestic elites and populations identify with the new rules and are thus open to “norm socialization” (Kmezić, 2014: 20–21).

This chapter draws on these insights while presenting a case study on the effects of the adopted EU rules on domestic production and consumption of food, specifically in the area of pig and sheep home slaughter (hereafter HS) in three WB countries (Bosnia and Herzegovina, Kosovo and Macedonia) and in two EU member states (Croatia and Slovenia). The practice of HS is chosen, being a good example of many areas of everyday life, which are on the one hand subjected to the newly imposed EU rules, and on the other, strongly connected to local traditions and ordinary people's everyday economic self-subsistence (such as home brandy production, selling of homemade cheese and sour cream, or sowing of old and locally specific varieties of vegetables).

Qualitative research was deemed suitable for this research project, following legal documents' and related media content analysis. In addition, gathered qualitative research was further illuminated by quantitative research drawing from the survey data. The results are presented in accordance with research procedure, providing evidence for policy implications and, in the end, policy recommendations.

Implementation of EU Rules in the Area of Pig and Sheep Home Slaughter

Many studies have been done on the consequences of EU membership on the performance of the agricultural sector in various countries, ranging from statistics that show changes in performance of the agricultural sector after entry into the EU, to implications of a UK exit from the EU for British agriculture (Van Berkum et al., 2016). A number of studies deal with producing and processing pork meat in part-time family farms, where the proprietor is a family which cannot earn their livelihood exclusively through farming but depends on off-farm income sources, and who keeps pigs for their own consumption. One of the examples is a study based on fieldwork carried out by national teams in 10 European countries as a part of the CORASON (A cognitive approach to rural sustainable development: the dynamics of expert and lay knowledge) work package on the dynamics of knowledge in the valorisation of local food) (Fonte, 2008). In many regions, as is shown, local lay knowledge, often exchanged and circulated through

informal social networks, is the dominant form of knowledge used. Spanish and Portuguese fieldwork, for example, showed that HS was an important cultural, social and economic event for families and communities, a cultural and anthropological component of social life, involving shared effort and fostering solidarity in the community. The authors of the study thus concluded that it is clear that scientific, general and theoretical perspectives are not the most relevant to these experiences: the best experts are not scientists from universities or bureaucratic-managerial experts from government development agencies. Scientific knowledge may only be a starting point but it needs to be integrated, adapted and mediated by those with expertise and training in specific traditional and artisan modes of food production, and by those who know the “place” (ibid: 221–222).

Some of the studies were also concerned with implementing the rules on animal welfare. Although the traditional system of raising animals outdoors surely contributes to their welfare (Cerjak et al., 2011), it is often stated that in old EU member states animal welfare directives developed through a “step-by-step process”, while for the new member states it appeared to be a “time-lapsed process” (Wellbrock, 2008: 26). Also, for the new member states new rules are sometimes difficult to comply with. As is shown in the Polish case (Dunn, 2003), standards often create barriers because they are embedded in specific geographies. On the one hand, many harmonized standards favour large-scale multinational capital and discourage local small-scale producers. On the other hand, the social legacies of previous economic systems—in this case, state socialism—give small-scale producers “tools” (e.g. informal markets, personal social ties, and political organizing skills) that can be used to create barriers for large multinational competitors.

However, it seems that much of local traditional practices recede. As is shown in the case of Hungary, HS, which was a family fiesta and a popular way of supplying fresh meat, bacon and sausage, is currently very rarely performed (Kovach, 2014). In the research done on Romanian farms and farmers facing the EU regulations it is shown that there was no consent about the attitudes towards EU regulations concerning agriculture: while some of them were welcomed by the population, others were strongly rejected. However, the most unpopular regulation, as stated by the authors, was exactly about HS.

Related research was also done in Slovenia and Croatia, predominantly addressing disease prevention and production yields. However, in

2009 results from an extensive fieldwork with 42 farm households during the two-year period and comprised of detailed interviews with farmers and other local and national stakeholders, participant observation and documentary analysis, were published. Results indicated that much of the agricultural production in these households was primarily oriented toward subsistence use, while part of it was used for exchange, or sold informally. In addition, the study indicated that biosecurity, as part of a broader shift in agri-food governance stemming from Slovenia's entry to the European Union, has dramatically reshaped the playing field for semi-subsistence producers, driving agricultural restructuring and diminishing farmers' strategies of subsistence HS and informal marketing (Freljh Larsen, 2009). As for Croatia, in 2008 a master's thesis entitled "Pig welfare in Croatia: A critical reflection on the EU pig welfare directives" was defended at the Wageningen University in Netherlands, a university that focusses specifically on the theme of healthy food and living environment. Efforts to terminate or intensify family farms, the author concluded, could lead to welfare impairment – both for pigs and for humans – instead of welfare improvement. For example, the author stated, neglect of part-time family farms could increase informal market activities (Wellbrock, 2008).

Thus, it is not surprising that during the EU accession process, the WB countries met the news about what is to be changed in respect to HS practices, with varying responses. While some of them raised no public debate on the issue, and welcomed the changes, in some countries, like Croatia, and to some extent Bosnia and Herzegovina and Macedonia, concerns were raised about survival of traditional practices of production and processing of food and beverages, but also about consequences for small family, especially peasant economies. Specifically, in Croatia, where these practices were represented as endangered by new legislation, reactions in public space were set between existential threat and Euroscepticism. It could be argued that the varieties of these public discourses may be partly due to the differences in openness of the accession processes. In Croatia, for example, the accession process was almost completely closed to the public (cf. Grubiša, 2012; Ivanović, 2011; Jović, 2012b). Still, in spite of such observed varieties, responses and corresponding discourse confirm what was identified by the past research. Namely, research done on how people perceive EU rules that regulate, or would regulate HS practices point at encroaching a complex field of the so-called ordinary everydayness, including culturally rooted and socially functioning practices (e.g. Grandin and Regenstein,

1994; Fonte, 2008; Roseman, 2010; Zoethout, 2013; Bergeaud-Blackler et al., 2015; Dorondel, 2016). This makes the question a ready-made weapon in hands of those who have publicly been advocating their disapproval of common European policy. A deliberate suppression of food production is in question, as is often stated, so people would be dependent on “imported agricultural products that often look and taste suspicious” (Zobel, 2011). At the other side of this apparently political spectrum, evidence was raised in defence of the changes, oftentimes by lessening the negative effects that EU regulations (would) produce in actual and local-specific surroundings. All in all, due to its deeply-rooted traditional aspects, HS seems more than an appropriate research area that enables a more nuanced perspective on perceived differences in meeting the new regulations in the WB area.

Data and Methodology

In order to study partial implementation of EU rules effectively, the research team, as indicated, decided to choose one specific field of practices where partial enforcement can be expected and which could be studied in a comparative manner. After considering different options, the team opted for legislation and practices regarding HS as widely present practice in the Western Balkans region societies.

The sample of countries for our investigation involved five countries of the former Yugoslavia with significant differences in their level of integration with the EU. Two of them are member states of the EU; Slovenia since 2004 and Croatia since 2013. Macedonia is considered as an official candidate, while BiH has submitted a membership application in 2016 and is currently considered a potential candidate for the membership in the EU. Kosovo is another step further from the EU since it has not yet submitted a membership application.

The methodological approach was grounded in the model of Europeanisation, whereby initial research questions were structured according to the basic stages of the process (EU rules → Adoption of EU rules → Implementation/enforcement of EU rules → Behavioural change).

Our initial research questions were:

- i. What is basic content of the EU regulations?
- ii. Which EU rules were adopted and what were related public discourses?
- iii. What kind of attitudes toward the legislation and the EU prevail in countries observed?
- iv. To what extent are the most important regulations enforced in countries observed?
- v. What are reasons and motives for partial enforcement?
- vi. What was the impact of adopted EU rules on practices on the ground?
- vii. What formal and informal constraints were most important in regulating practices?

We first studied the existing literature dealing with the enforcement of EU rules in the area of agriculture in several European countries. Within the empirical work, we analysed related legal documents and media texts, conducted interviews with relevant public servants and HS meat producers and consumers and, finally, supplemented our results with INFORM's targeted survey data.

In applying the method of legal documents analysis, we first searched texts of EU directives and regulations which are relevant to HS. In the next step we analysed these legal contents in view of the theoretically and legally most relevant issues (e.g. regulations on selling/donating meat, or regulations on stunning animals before slaughter) and derived basic legal frames that were used for further analyses. In the third step, we analysed relevant legal documents at the national level and compared national regulations with EU directives and regulations.

Analysis of related media content available online was used as supplementary tool in order to assess national public discourses in relation to the adoption of the EU rules. Researchers searched the internet in their local languages searching for possible media content on this issue.

We conducted 17 interviews with relevant public servants, thus being able to collect valuable data in relation to practically all research questions. In BiH we conducted four expert interviews. Two of them were with veterinarians (one from the Veterinary Office of BiH and one from Inspections), one with a Muslim religious authority, one with a certified butcher and one with a controller of halal slaughter. In Croatia we interviewed the Head of the Veterinary Inspection Service, an employee of the Institute for Judicial and Administrative Veterinary Medicine and an employee at

one of the local veterinary stations. In Kosovo interviews were conducted with one veterinarian, one expert on EU law harmonization working in public administration, and a director of unit at the Food and Veterinary Agency. In Macedonia four interviews with experts/public servants from the Agency for Food and Veterinary were conducted: one interview was conducted with the head of the inspection unit, one with the head of the sector for legal affairs and two more were conducted with other civil servants within the Agency. In Slovenia, we interviewed three public servants, all employed at the Administration of Republic of Slovenia for food safety, veterinary and plant protection: one senior official from headquarters in Ljubljana, one specialized official for disposal of SRMs from headquarters in Ljubljana, and a higher official from a local branch of this institution.

In order to effectively identify practices on the ground and identify gaps between formal institutions and practices we conducted 33 interviews with farmers and 25 interviews with consumers of meat originating from HS. We set a minimum of six interviews per country for both categories of respondents together. The number of interviews varied from six in Kosovo to twenty-two in Slovenia. All interviews were conducted between November 2016 and February 2017.

INFORM's survey of perceptions and experiences of informality was conducted in three countries analysed in this report (BiH, Kosovo, and Macedonia) and also in Serbia, Montenegro and Albania. The entire sample consisted of 6.040 respondents aged 18 years or more among which 1.246 were from BiH, 930 from Kosovo, and 1.015 from Macedonia. The relevant variables from the acquired dataset were statistically analysed in accordance with the research goals.

Most Relevant Results of Empirical Investigations

The results of the applied methods can be summarised in points, presented below.

Firstly, with some variation, the Western Balkan countries included in our research have a good track record in alignment of their domestic legislation with the relevant EU rules. Our research indicates quite strongly that the countries observed have fully complied with the EU standards in terms

of adopting appropriate formal laws and rules. The only slight exception we identify for Kosovo, where the stunning obligations provisioned by Council Regulation (EC) No 1099/2009 on the protection of animals at the time of killing have been adopted with the Law on Food. However, their application is limited only to licensed slaughter houses and it does not apply to production of meat for private home consumption, meaning that HS without stunning can be practiced without legal restrictions.

Secondly, *with a notable exception of Croatia, the public media discourse did not draw much attention to EU regulation of HS.* In Croatia some of the related media articles are characterized with sensationalist titles such as “The EU prohibits pig home slaughtering”, or “We should save pig home slaughtering” (Ivanuš, 2003). In Croatia, and to a much lesser extent also in BiH and Macedonia, broader concerns were also raised about the survival of traditional practices of production and processing of food and beverages, but also about consequences for (mostly rural) families. It should be noted that the varieties of these public discourses may be partly due to the differences in openness of the accession processes. In Croatia, for example, the accession process was almost completely closed to the public (Grubiša, 2012; Ivanović, 2011; Jović, 2012b).

Thirdly, meat from HS plays an important role in traditionally rooted exchange in community and is generally perceived as of substantially higher quality as compared to meat that is offered by retailers in the formal market. Our respondents expressed positive attitudes towards HS and highlighted quality of meat from home grown animals. Thus, the EU inspired rules in this case interfered with deeply entrenched traditional practices of not only consuming meat and meat products (bacon, sausages, pork cracklings etc.) within the household, but also of sharing them with relatives, friends and neighbours or even selling them on the black market.

Fourthly, although EU directives limit the use of meat from HS to private consumption, the definition of private consumption is open to different interpretations. The EU legislation does not provide clear guidelines as to what private consumption entails or who exactly is allowed to be given meat from HS. Our investigation suggests, however, that several official state agencies in EU member states limit private consumption to the members of the “immediate family”, whereby they interpret the term immediate family as the members of the family who reside in the household, i.e. the people that live permanently in the property (Food Standard Agency, 2013). We found that such an interpretation is also officially adopted in

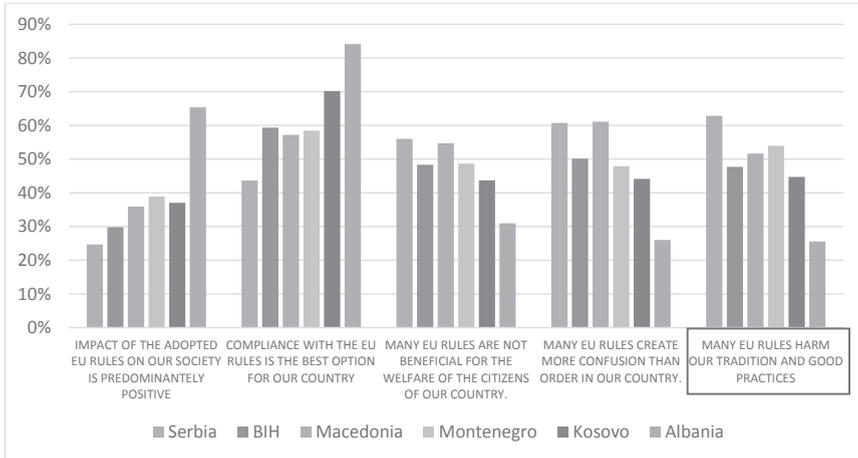
Croatia and Macedonia, where therefore any transfer of HS meat outside the household, even gifts to immediate family members who do not reside at the owner's household, can be considered as illegal. It is thus not surprising that some governments in the region have chosen to make the rules more stringent than they need to be. In Croatia, Kosovo and Macedonia, private consumption is restricted only to the household members of the owner of animals. In Slovenia, however, private consumption is defined as 'consumption of family members living in the household, including relatives and hired workforce'. The addition of 'relatives and hired workforce' significantly broadens the range of eligible parties. Importantly, according to a representative of Slovenian authorities who was directly involved in the transposition of the respective legal act, there was practically no pressure from the EU to make the definition of private consumption any more restrictive. Thus, our findings suggest that national political elites in Croatia, Kosovo and Macedonia, perhaps together with the EU, could do much more in terms of adjusting the related rules. In other words, the described situation in these countries resembles what is commonly called 'gold-plating'. The European Commission defines 'gold-plating' as the "... transposition of EU legislation, which goes beyond what is required by that legislation, while staying within legality" (Cited in Boci, De Vet and Pauer, 2014: 27).

Next, findings indicated that the relative restrictiveness of the adopted EU rules is in some cases incompatible with the extent of national public discourses. As indicated, there was a strong public debate in relation to the adoption of EU rules regarding HS in Croatia, while there was virtually no such debate in Slovenia. Nevertheless, Croatia accepted a much more restrictive definition of private consumption than Slovenia. Thus, the wide public discontent in Croatia did not result in less restrictive regulations, as one would expect.

Further, *large shares of population of Bosnia and Herzegovina, Kosovo and Macedonia express concerns regarding gold-plating practices*. Results from INFORM's survey data suggest that in Macedonia around 54 % of adults agree with the statement 'Our bureaucracy often introduces even stricter rules than the EU expects'. In Kosovo, this share amounts to 41 % and in BiH to 39 % (Slovenia and Croatia were not included in the survey). Thus, general public is relatively aware of the 'gold-plating problem' and would probably support stronger role of the EU in terms of preventing such practices by domestic elites.

Our survey data also suggest that *around half of the citizens of WB countries perceive the EU rules as potentially harmful for their tradition and good practices*. We find that the highest share of agreement with this statement was found in Serbia (63%), Montenegro (54%), Macedonia (52 %), followed by BiH (48 %) and Kosovo (45 %; see Figure 3.1).

Figure 3.1. Attitudes of citizens of the WB6 countries about the EU rules



Note: Percentages of those who fully or predominantly agree with individual statement are presented.

Interestingly, agreement with this statement is very strongly ($r = 0,408$, $p < 0,01$) correlated to agreement with the statement on gold-plating. This means that people who perceive EU rules as threatening to local traditional practices tend to see at least part of the responsibility for this situation in their national governments and state institutions. This means that people who perceive EU rules as threatening to local traditional practices tend to see at least part of the responsibility for this situation in their national governments and state institutions.

According to our next finding, *some adopted formal rules seem to remain "empty shells"*. Based on our data, this is especially true for Croatia, Kosovo and Macedonia. Our interviews with public servants, farmers and consumers of HS meat suggest that these actors do not take the limitation of HS meat distribution seriously. Transfer of HS meat within informal social networks (relatives, neighbours and acquaintances) is taking place on a regular basis and tends to be considered, even by state authorities, as

something acceptable. According to our respondents, including competent public servants, these practices pose a negligible threat in terms of public health and we found no reported serious sanitary problems related to regular traffic of HS meat through social networks or to HS practices in general. Furthermore, the transfer of HS meat within informal social networks is often seen as having important positive effects in terms of solidarity and social integration at the local level.

Our data also suggest that *the most frequently expressed reason for the weak implementation of rules relating to HS was the lack of capacity of the state*. State authorities in most cases complained that the limited number of veterinarians and inspectors prevents them from implementing rules effectively. However, this finding needs to be understood in the context of what has been said about the attitudes of public servants towards such rules (and their enforcement). Namely, at least in case of sharing HS meat outside the animal owner's household, such enforcement is generally not seen as necessary or functional for the society.

We further found that *the available resources of farmers are often problematic in relation to the rule on obligatory stunning*. Farmers are, apart from religion-related sheep slaughter in BiH, in favour of proper stunning of animals if not for anything else than because of the fact that this makes slaughter much easier. However, our data suggest that in many cases, especially in Kosovo and Macedonia, pig home slaughterers find it hard to afford the proper equipment and for this reason choose to apply traditional practices of stunning and slaughter.

The problem of capacity (i.e., the problem of weak institutions) and resources was also something that was raised during INFORM meetings with national and European officials responsible for enlargement process (in respectful countries and at the EU level). While all officials, national and European (DGNEAR) indicated that state/public administration is often too weak to effectively implement and/or negotiate the adoption of EU rules (also in terms of accommodating them to domestic values and norms), their emphasis was different. Specifically, while national officials stressed the problem of high rate of staff turnover, low awareness, low motivation and especially low resources, the EU officials (DGNEAR representatives) highlighted the importance of negative selection in public administration employment procedures, lack of planning (i.e., time is needed to address laws properly, but due to time constraints, often put by the countries themselves, this time is not available) and lack of "service

mentality” (i.e., public officials are not serving their “clients”/public but their political “godfathers”, controlling/monitoring mechanisms are not implemented, which then causes problems in establishing responsibility). In addition, DGNEAR representatives also indicated that the problem of institutional weaknesses is further exacerbated by the fact that EU delegations in the area are often significantly overstretched. However, both expressed strong sentiment that state officials need support from research which should be operationalized in concrete policy recommendations.

Within our analyses, also a socially dysfunctional potential overlap between interests of national governments and interests of their implementing agencies has been identified. While national governments may benefit from adopting relatively more restrictive legislation because they can present it as an achievement on the path of ‘Europeanisation’, implementing agencies may attempt at seeking rent from a situation where virtually ‘everyone is guilty’. In such a situation, the law can be turned against an individual small farmer at almost any time and it is ‘the good will of the inspector’ that keeps the small farmer functioning without a penalty. Such a situation creates perfect grounds for administrative corruption.

Finally, based on some of the above findings it can be concluded that, at least in the case of HS, *the partial implementation of EU rules can be best understood as spontaneous indigenization of formal rules*. Spontaneous indigenization of formal rules is a process where actors of implementation of rules apply such rules in an indigenized manner. This process probably occurs mainly because these actors are members of local societies themselves and therefore predominantly spontaneously and well-intentionally adjust the implementation of rules to local informal institutions and practices. Our data confirm this notion through the main reasons that were stated by the public servants for the weak/partial implementation of the observed formal rule limiting HS meat to private consumption. First, public servants took into consideration the economic implications for the farmers engaged in HS. Second, the HS was not considered problematic due to its very limited spread (quantity) and regulators were said to be focused primarily on the control of registered facilities. And third, traditional values and ways of life which are still functional were also considered as something that should be preserved.

Conclusions and Policy Implications

The results of this study suggest that, at least in cases of deeply entrenched traditional practices such as pig and sheep home slaughter, implementation of the EU rules is often indigenised, i.e. adopted to local cultural context. This is largely due to a considerable gap between formal rules and traditionally entrenched informal practices. This gap, however, does not ensue only from the lack of flexibility of the EU rules. According to our results, some governments in the region have chosen to make the rules more stringent than they need to be. Such ‘gold-plating’ practices have also been noticed by the general public and are one of the crucial reasons why some adopted formal rules seem to remain “empty shells”. Such excessively stringent rules are not being implemented largely due to the lack of resources, both on the side of the state administration being unable to monitor the situation in the country and on the side of farmers being economically not able to meet all the prescribed requirements. Such a situation is very likely to lead to spontaneous indigenization of the imported formal rules. The problem of capacity, including the problem of weak institutions only further exacerbates here identified gaps.

Based on these findings, we developed four policy recommendations than can hopefully address some of the issues related to the problem of slow and partial implementation of EU rules in Western Balkan countries.

Firstly, the governments in the Western Balkans and representatives of the EU should actively participate in the process of adjusting formal rules to local cultural values, norms and practices. Almost half of the population of WB countries see EU rules as threatening to their traditional practices. Such perceptions undoubtedly substantially harm the process of rapprochement with the EU. Furthermore, insufficient “indigenization” of the EU rules tends to result in partial enforcement of these rules, which can have detrimental social effects (e.g. lower effectiveness of public institutions, higher frequency of corruptive practices, widespread pessimism, etc). Actors involved in the enlargement process should therefore more actively support indigenization of the imported rules, both administratively and financially. Such EU-supported indigenization, which should take into account both existing formal and informal institutions, should provide a relatively efficient tool for finding and implementing sufficient functional adjustment of EU regulations to domestic values, norms and practices. Probably, the most straightforward

way of seeking for appropriate patterns of indigenization is through identification of actually followed rules. In cases of partial implementation, these rules are often just modifications of formal rules.

Secondly, the governments in the Western Balkans and representatives of the EU should identify and minimize practices that resemble “gold-plating”. Adopting excessively restrictive rules demonstrably has harmful consequences for both, implementation of EU rules and Europeanisation of Western Balkans in general. “Gold-plating” usually leads to partial (or even absence of) implementation of the adopted rules, which, among other things, erodes the principles of rule of law as laws are applied selectively. Excessively restrictive laws also tend to turn public against the EU as such regulations can be perceived as an attack on local identity and common traditions. Therefore, there is a need of proactive role of the EU in shaping the national and local public discourses on issues related to transposition of EU rules. For instance, EU should address the potential public fears over “loss of national identity and traditions” that may endanger the process of Europeanisation by taking more active role in terms of following local public/media discourses and intervening in cases when needed. In the case of the distribution of meat from HS, it would be quite easy to show that the pressure from the EU is substantially lower than often publicly presented. Consequently, the problem of poor implementation public is also related to a rather poor image of EU rules. Education/raising awareness in this regard is very important, together with efforts to shape the formal rules in line with the one and only legitimate political goal – to provide citizens with physical, economic, social and legal security.

Thirdly, *the EU should actively participate in the process of adjusting formal rules to local cultural values, norms and practices.* The EU should also take a more active role in making sure that countries transposing certain EU legislation have the capacities to implement them in practice in a reasonable time. In our study, it has been shown that some countries simply lack administrative power to effectively implement certain rules. If the transposed rules do not take such issues into consideration this will inevitably lead to them being only partially implemented. Public servants dealing with law implementation in a particular field may be a good source of information about reasons for such modifications. Based on such information it should be possible to find effective ways for implementation of (accordingly adjusted) formal rules.

Finally, *the EU should follow and influence public discourse dictated by local elites and veto groups*. The EU should make more efforts to ensure that national publics get a realistic picture about the introduced legal framework and the rationale behind it. Our literature review and media content analyses revealed that, at least in Croatia, harmonization of rules on domestic production including pig slaughter led to a controversial public discourse of Europeanisation as a process endangering some deeply rooted traditional practices. Keeping in mind that Croatia is also one of the countries which adopted unnecessarily stringent rules regarding the distribution of meat from HS, it becomes clear that national political elites can play a kind of a double game. They, or parts of them, can by their own will introduce disproportionately strict rules and at the same time publicly present the EU as the one pushing for such rules and thus endangering local traditions. Obviously, such a situation can cause huge damage to the process of rapprochement and Europeanisation in general. Much of such damage can be prevented if the EU takes a more active role in terms of following local public/media discourses and intervening in cases when needed. In the case of the distribution of meat from HS, it would be quite easy to show that the pressure from the EU is substantially lower than often publicly presented.

Although here presented chapters focus on policy recommendations for the EU, it should be added that local actors such as political elites, governments and NGOs, of course should play central role in improving the implementation of EU rules, especially in regard to efforts that would strengthen institutional framework (of, for example, implementation and enforcement). It is crucial that these actors engage actively in the processes of transposition and adoption of EU rules.

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