



BULLETIN

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Prospects for Serbia's integration with the EU

by Tomasz Żornaczuk

*Serbia applied for EU membership in December 2009. The prospect of its integration with the EU was confirmed by member states' adoption of an interim trade agreement and removal of visa requirement for Serbian citizens. However, progress on the road to accession will be linked not only to how effectively Serbia adopts the *acquis communautaire*, but also to whether General Ratko Mladić and Goran Hadžić are captured and brought before the International Criminal Tribunal for the former Yugoslavia (ICTY). With a passive policy towards the Western Balkans, Poland passes up chances to strengthen its position in the EU in future.*

EU Membership Application. Serbia submitted its application for EU membership on 22 December 2009. An announcement to this effect was made last spring by President Boris Tadić, but the final decision was anything but certain, with Serbia seeking first to secure the broadest possible support among member states. Among the longstanding members, the most ardent advocates of integration proved to be Italy, Greece and Spain. Particularly valuable for Serbia was backing from the last mentioned country, which had not recognized the independence of Kosovo and which holds the current rotating presidency (from 1 January 2010). Spain not only promised Serbia to use every possible instrument to obtain the approval of the Stabilization and Association Agreement (SAA), but it also donated €180,000 to the development of a National Centre for Forensic Technology at the Serbian interior ministry. Among the new member states, Serbia may count on a strong support of Slovakia, Slovenia and, importantly, Hungary which will hold the EU rotating presidency in the first half of 2011, and whose list of priorities will include deepening the Western Balkans' integration with the EU.

Importantly for Serbia, a goodwill for the country's integration with the EU has been confirmed by France, the UK and Germany, countries where the public is largely skeptical of plans for the Union's enlargement. Last spring Chancellor Merkel actually spoke about the need for a temporary discontinuation of EU enlargement after Croatia's accession. Prior to submitting the application, Serbia also won support from the Enlargement Commissioner Ollie Rehn, and from the then EU presidency, Sweden.

Serbia's progress along the road to EU accession would not have been possible without home-affairs reforms, which received a positive assessment in the Commission's annual report of October 2009. In the same month, in a state-wide operation codenamed Morava 2009, the Serbian interior ministry detained some 500 people accused of participation in organized crime, drug trafficking, and illegal possession of arms, munitions and counterfeit money. The European Commission appreciated also the country's economic reforms and proposed to grant it €200 million worth loans to fight the crisis' consequences. The integration cause is popular among the Serbian public, scoring 71% in an opinion poll conducted several weeks prior to the application.

Agreements with EU, ICTY Cooperation. Key to Serbia's accession is the position of the Netherlands, the country which has been blocking the EU's adoption of the SAA agreement of April 2008, and which until recently thwarted the approval of the interim trade agreement. And yet the SAA, with its provisions on home affairs reforms, must come into force prior to the launch of accession negotiations. The Netherlands complains of the Serbian authorities' inadequate cooperation with the ICTY, and it makes its consent dependent on the arrest of General Ratko Mladić, the

Bosnian Serb leader accused of genocide, and Goran Hadžić, the former president of the Republic of Serbian Krajina, who it wants to be brought to the Hague Tribunal. Recently, the Netherlands has relaxed its position and gave the nod to the interim trade agreement (which came into force on 1 January 2010), influenced by the December 2009 report from ICTY chief prosecutor, Serge Brammertz, who once again wrote about Serbia's improving cooperation with the Tribunal. Yet despite those positive opinions, no member state has ratified the SAA so far, in a situation where Mladić remains at large.

Visa Waiver. From 19 December 2009, citizens of Serbia, Macedonia and Montenegro can travel to the Schengen zone without visas. Apart from the freedom of movement, this circumstance carries also a major psychological importance for the Serbs. Foreign Minister Vuk Jeremić took part in a symbolic crossing of the border with Hungary right after midnight of 19 December. The visa requirement was imposed for 17 years on Serbia's inhabitants, who previously, as Yugoslav citizens, had no such constraint on travel to Western Europe.

The visa waiver process for Western Balkan countries (other than Croatia) began in spring 2008, with the Union's presentation of a road map for requisite reforms, mostly in home affairs and the judiciary. The strings attached included the introduction of biometric passports, more effective border control, fight against corruption and organized crime, and a more effective cooperation in law enforcement. From this perspective, the visa waiver also came as a perceptible result of the reforms carried out as part of Serbia's preparations for EU accession.

Prospects. The major condition for further progress on Serbia's integration with the EU is capturing of Mladić and Hadžić and bringing them before the Hague Tribunal. It is unlikely that the Netherlands could drop its insistence on this as a prerequisite to Serbia's getting the candidate status. Nonetheless, reaching that goal in 2010, which is the Belgrade government's priority, will be difficult, remembering that the procedures involved routinely take more than a year to complete.

The government will have to go continue reforms and effectively fight organized crime and corruption. After the disappointing experiences with Bulgaria, the EU will pay careful attention to these issues in any future negotiations. Another obstacle for Serbia may be posed by Croatia, which will join the EU before Serbia. Both countries are involved in a litigation before the International Court of Justice (ICJ)—accusing one another of war crimes—and also in a border dispute over two Danube islands.

The process of Serbia's integration with the EU may also be influenced by an ICJ ruling in case it confirms the compliance of Kosovo independence with international law. Serbia has repeatedly declared that keeping Kosovo as its integral part is more important than EU membership, but if the independence is recognized by other member states, the Belgrade government may be inclined to adopt a pragmatic stand and go on with the integration process. As an EU member state, Serbia would have more effective instruments to pressure the Pristina authorities towards preserving the observance of the Serb minority's rights and cultural heritage in Kosovo. If Kosovo's independence is recognized by all member states, the pace of Serbia's integration with the EU will depend on the public mood in the country.

Conclusions for Poland. Serbia's stabilization and integration with the EU are of great importance for Western Balkan security. Poland has many times declared its support for these processes, even though in practice its political engagement in the region is at a low level, especially when compared with the Visegrad partners. There have been no Polish political investments calculated to strengthen the country's position in the EU after the bloc's enlargement to include Western Balkan countries. And yet an intensification of Poland's activities in the region would add to its credibility as the promoter of an open character of European integration, and would be conducive to its efforts for the Union's involvement in Eastern Europe. A challenge for Polish politics will be posed by the Hungarian presidency. Consideration should therefore be given to, e.g., restoring the level of Polish assistance to the Western Balkans, which dropped from 2 million zloty in 2008 to 200,000 zloty in 2010. The present resources will not even suffice to share with Balkan countries the Polish experiences with pre-accession fund absorption, to which Poland committed itself under the Regional Partnership. Poland could also acquaint Serbia with its experiences in combating organized crime.