

THE EUROPEAN UNION – WESTERN BALKANS RELATIONS

WITH THE SPECIAL EMPHASIS ON THE CASE OF SERBIA

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The distinctive relationship of the European Union towards countries of the region of South East Europe can be seen, among other things, through the special term the EU uses for denoting these countries- Western Balkans (WB). This is not only a geopolitical term but also a name constructed to label countries whose accession is pending- former republics of the Socialist Federal Republic of Yugoslavia (SFRY), with the exception of Slovenia which became a Member State in the “Big bang” accession in 2004, and Albania. Since Croatia acceded to European Union in 2013, it is no longer included in this term, either. That is why the term Western Balkans Six (WB6) is also used in official documents alongside with the term Western Balkans.

The relationship of the European Union towards Western Balkan countries is shaped according to the geopolitical reasons and social situation of the region. It is greatly influenced by the process of disintegration of the SFRY, which was a consequence of the bloody civil wars in the period between 1992 and 1995. This unfortunate situation led not only to a special stance toward this region but it also influenced the accession process of Central and Eastern European (CEE) countries and it made the EU realize the shortcomings of its Common Foreign and Security Policy.

Stabilisation and Association Partnership

Considering the dissolution of the SFRY and the internal problems in the Former Yugoslav Republic of Macedonia (FYROM) and Albania, the EU adopted a new political approach with a goal of contributing to the economic development, stabilisation and reconciliation of the region. Having this in mind, the Commission proposed a new relationship model in 1999: Stabilisation and Association Process (SAP), which was approved by the Council of Ministers of the EU. The initial discussion on the SAP was conducted at the summit in Santa Maria de Feira, held in June 2000, when the EU granted the status of potential candidates to countries of Western Balkans (with the exception of the Federal Republic of Yugoslavia, whose participation was conditioned).¹ The decision was also taken to institute a political forum which would consist of periodical high level meetings between the head of states and governments of the EU member states and the countries of the Western Balkans.

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¹As it was stated in the Conclusions of Santa Maria de Feira Summit: “A democratic, cooperative FRY living in peace with its neighbours will be a welcome member of the European family of democratic nations. The European Council supports the civil society initiatives as well as the democratic forces in Serbia in their struggle to achieve this goal and urges them to stay united and reinforce their cooperation. The Union looks forward to the time when the FRY will be able to participate fully in the Stabilisation and Association process.”

http://www.europarl.europa.eu/summits/fei1_en.htm 23 August 2015



The first such summit was held in Zagreb in 2000, which marks the beginning of SAP for the Western Balkans. The Zagreb Summit resulted in the adoption of a Declaration which reaffirmed the European perspective of the Western Balkan countries and confirmed the status of potential candidate countries for the Western Balkans.² This process was strengthened at the second EU-WB Summit in Thessaloniki in 2003, where the *Thessaloniki Agenda for the Western Balkans: Moving towards European integration* was adopted.³ This Agenda, inspired by the Accession Partnerships in CEE countries, introduces European Partnership for each country of this region, taking the specificities of the SAP⁴ into account. It consisted of short and long-term priorities for economic, institutional, political and other reforms, which were then transposed into Action plans with concrete measures and time frameworks for their realization.⁵ Besides the adoption of the Agenda, the Thessaloniki summit also expanded the EU-WB political forum through the introduction of the annual meetings of ministers of foreign affairs, ministers of internal affairs and ministers in charge of the judiciary of EU member states and WB countries. Furthermore, it envisaged the introduction of technical assistance to WB countries, mainly through the twinning programme (direct professional assistance provided by the administrative officers of the Member States) and TAIEX- Technical Assistance Information Exchange Office, in order to ensure the transposition of the EU *acquis* into the legal systems of Western Balkan countries.⁶

The SAP rests on several instruments: bilateral Stabilisation and Association Agreements, autonomous trade measures (implemented only until the entry into force of the Interim Agreement),⁷ financial assistance, regional cooperation and good neighbourly relations.⁸

Stabilisation and Association Agreement

The most important SAP instrument is the Stabilisation and Association Agreement (SAA), the improved Europe Agreement (the Association Agreement of CEE countries). The difference is that SAA contains novel chapters on mandatory regional cooperation, judiciary and internal affairs and conditions which are consequences of the previous association experience.⁹ It consists of a preamble and nine chapters- Political dialogue; Regional cooperation; Free movement of goods; Free movement of workers,

² *Vodič kroz pristupanje Srbije Evropskoj uniji* [Guide through the Accession of Serbia to the European Union], International and Security Affairs Center, Belgrade. 2015, p. 19.

³ http://europa.eu/rapid/press-release_PRES-03-163_en.htm, 28 April 2015

⁴ http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressdata/en/gena/76201.pdf 23 August 2015

⁵ Mišćević, Tanja, *Pridruživanje Evropskoj uniji* [EU Association]. Službeni Glasnik, Belgrade, 2009. p. 165.

⁶ Mišćević, Tanja, *Pridruživanje Evropskoj uniji* [EU Association]. Službeni Glasnik, Belgrade, 2009. p. 165.

⁷ Autonomous trade measures, introduced through EU unilateral action, provide customs free export into the EU market. Todorović, Bojana, Davidović, Milanka, Sretić, Zoran, *Ekonomsko-privredni vodič kroz Sporazum o stabilizaciji i pridruživanju* [Economic guide through the Stabilisation and Association Agreement], ISAC Fond, Belgrade 2008. P.12

⁸ http://ec.europa.eu/enlargement/policy/glossary/terms/sap_en.htm, 28 April 2015

⁹ Mišćević, Tanja, *Pridruživanje Evropskoj uniji* [EU Association]. Službeni Glasnik, Belgrade, 2009. p. 152

services, capital, business establishment; Law harmonisation, application of competition regulations; Justice, freedom, security; Cooperation policies; Financial cooperation; Association institutions, basic and final provisions. In addition, a significant number of annexes and declarations are adopted for the refinement of certain provisions. The SAA is basically an agreement for the gradual establishment of a free trade area between the EU and associated countries. Likewise, the SAA fosters law harmonisation, regional cooperation and establishment of a framework for the deepening of relations in various fields.

What is very interesting with regard to the SAA is the fact that the basic principles of this agreement, e.g. rule of law, democracy, human and minority rights, market economy, etc. are legally binding.¹⁰ Additionally, in case of infringement of these principles, the SAA can be suspended, and even terminated through the activation of the cancellation clause (this, however, has not been applied so far). Another distinctive feature of the SAA is that regional cooperation was made mandatory and one of the preconditions for the continuation of cooperation with the EU.

Considering the fact that the SAA is a “mixed agreement”, i.e. it has to be ratified not only by the EU and the country party to the agreement but also by every Member State of the EU, it takes a long time for this agreement to enter into force. Because of this complex and lengthy ratification process, until the SAA comes into force, the relationship between the EU and the aspirant country is regulated by the Interim Agreement, which is concluded between the EU and the country in question. This kind of an agreement only covers those policies within the exclusive competences of the EU- mostly trade issues.

The process of signing of the SAA in Western Balkan countries went as follows: the first country to sign the SAA was the Former Yugoslav Republic of Macedonia in 2001, Croatia followed shortly afterwards just a few months later in the same year; Albania concluded the agreement in 2006, Montenegro in 2007, and Serbia and Bosnia and Herzegovina in 2008. It took a few years to ratify these agreements and till this date, the SAA with Bosnia and Herzegovina has yet not entered into force. For the rest of the countries the SAAs entered into force in the following order: FYR of Macedonia in 2004, Croatia 2005, Albania 2009, Montenegro 2010 and Serbia in 2013. Here it can also be mentioned, that the EU started negotiations for the conclusion of the SAA with Kosovo in 2013.

Financial assistance

Regarding financial assistance, the framework for this SAP instrument was established in 2000. The single framework for assistance to the countries of Western Balkans-CARDS programme (Community assistance for reconstruction, development and stabilisation)- was set up for the period of 2000-2006. It combined the existing PHARE programme for non-accession candidates and OBNOVA to thereby create greater transparency and efficiency.¹¹ Resources contained in these programmes amounted to

¹⁰ With regard to the human rights, since 1995 the EU in all its agreements with non-Member states includes human rights clause which enables it to impose sanctions or to suspend trade concessions in case of human rights violations. Craig, Paul, de Burca, Grainne, *EU Law: Text, Cases and Materials*, Oxford University Press, Oxford 2011. p.392

¹¹ <http://www.unece.org/fileadmin/DAM/ead/misc/ffd2000/Financial.pdf>, 28 April 2015

4.65 billion Euros and were intended for economic and social development, building up of public institutions and administration, better living standards, education, improvement of environmental conditions and transnational cooperation. The aid was made available not only for the central government but also for local level governments and civil society organisations. The CARDS programme was replaced with Instrument for Pre-accession Assistance (IPA). What is specific for this programme is that it is unique for all candidate and potential candidate countries to the EU and its procedures are uniform, which helps the Commission in the allocation of resources.¹² It is also important to stress that the amount of financial aid is in accordance with the level of progress in relations with the EU. IPA is divided into 5 different components: Assistance for transition and institution building; Cross-border and regional cooperation (with EU Member States and other countries eligible for IPA); Regional development (transport, environment, regional and economic development); Human resource development (strengthening human capital and combating exclusion); and finally, Rural development.¹³ It is important to emphasize that for potential candidate countries only the first two components are available and for candidate countries all components. IPA was firstly implemented in the period of 2007-2013, with the total budget of 11.5 billion Euros. Now, IPA II is in force, for the period of 2014-2020. Its budget is equal to 14.1 billion Euros, which is an increase compared to the budget for the first IPA. Instead of 5 components, IPA II introduced the following policy areas: Reforms as a part of EU accession preparations and institutional and capacity building; Socio-economic and regional development; Employment, social policies, education, improvement of gender equality and human resources development; Agriculture and rural development; Regional and territorial cooperation.¹⁴ It should be noted that all of these policy areas are available for candidate countries, as well for potential candidate countries.

Regional cooperation and good neighbourly relations

The SAP component regarding regional cooperation and good neighbourly relations is realized through the network of bilateral agreements on the free trade of goods (in the framework of Stability Pact for South Eastern Europe), which in 2006 culminated in signing the multilateral Agreement on Amendment of and Accession to the Central European Free Trade Agreement that is, the so called new CEFTA- CEFTA 2006. The CEFTA was originally signed by the Visegrád Group countries (Czech Republic, Hungary, Poland and Slovakia) but it gradually included other countries seeking EU membership as well, and excluded countries that have already joined the EU. Now, contracting parties are Western Balkan countries that have not joined the EU yet, plus the Republic of Moldova.

¹² Mišćević, Tanja, *Pridruživanje Evropskoj uniji* [EU Association]. Službeni Glasnik, Belgrade, 2009. p. 163.

¹³ http://ec.europa.eu/regional_policy/index.cfm/en/funding/ipa/, 28 April 2015

¹⁴ Pejović, Andrija, et al, *Vodič kroz IPA II: Instrument za pretprišupnu pomoć 2014-2020* [Guide through IPA II: Instrument for Pre-accession Assistance 2014-2020]. European Movement in Serbia, Belgrade, 2014. p. 10.

Accession process

In the context of accession to the European Union, the SAA serves as the basis for implementation of the accession process.¹⁵ Therefore, after the signing of the SAA, the next step in the accession process is to apply for EU membership. Croatia was the first country to start the negotiations and so far it has also been the only WB country to accede to the EU. It became the 28th Member State in July 2013, after six years of negotiation. Other WB countries which acquired candidate status are FRY Macedonia, Serbia, Albania and Montenegro. Among these countries only Serbia and Montenegro have commenced with the negotiations. The reason why the other two countries are still waiting for the EU to approve the start of their accession negotiation is that they have not complied with all the necessary criteria, alongside other issues particular to Albania and Macedonia respectively- political instability and the conflict with Greece regarding the official name of Macedonia. One of the reasons for the slow pace of progress of WB countries on their road towards EU membership is the fact that these countries face a triple level of conditions: first, Copenhagen and Madrid criteria; second, obligations from the Stabilisation and Association Process (regional stabilisation and cooperation, cooperation with the International Criminal Tribunal for the former Yugoslavia (ICTY), etc.); and third, individual obligations- enumerated in the European Partnership.¹⁶

After being granted a candidate country status, the negotiations can only start upon the unanimous decision of the European Council. Negotiations take place between ministers and ambassadors of the EU governments and the candidate country in what is called an intergovernmental conference.¹⁷ The different areas of negotiations are classified into 35 chapters, in comparison with 31 chapters in SEE countries' accession negotiation. This is due to the fact that EU law has further developed in the meantime.

Considering the different paces of the European integration of these countries, some argue that this time there would not be a "big" accession, i.e. that countries of this region will join the EU each in its own time. In this manner Marko Babić and Jacek Wojnicki argue that: The European Union does not treat the Western Balkan in its totality and will not accept it as totality but rather on the individual performance of each country of the region.¹⁸ The Croatian accession is in accordance with this stance. On the other hand, there is also a question of EU Member States' willingness to accept countries of this region, especially having the low economic and social standards in mind, not to mention the very difficult political situation and an ever growing need for the reconciliation among these countries, as well as a number of unresolved problems.

¹⁵ http://ec.europa.eu/enlargement/policy/glossary/terms/saa_en.htm, 28 April 2015

¹⁶ Mišćević, Tanja, *Pridruživanje Evropskoj uniji* [EU Association]. Službeni Glasnik, Belgrade, 2009. p. 168.

¹⁷ http://ec.europa.eu/enlargement/policy/steps-towards-joining/index_en.htm, 28 April 2015

¹⁸ Babić, Marko, Wojnicki, Jacek: The Political Reconstruction of the Western Balkans. Challenges for the European Union. *The Challenges of Modern Democracy and European Integration*, Vol. 1 (2012), p. 180.

Case of Serbia

It is important to mention that Serbia was one of the constituent republics of SFRY. After the dissolution of SFRY in the beginning of the 90s, Serbia and Montenegro proclaimed a new Constitution in 1994 and thus formed the Federal Republic of Yugoslavia (FRY). The relations between Serbia and Montenegro were, especially after the change of political regime in 2000, burdened by political problems, so, with the help of the EU, FRY transformed into the State Union of Serbia and Montenegro in 2003. This state union was just an interim solution and in 2006 Montenegro proclaimed its independence. From this time on, Republic of Serbia continued its European integration process alone. Here it can also be mentioned that in 2008 Serbia's province, Kosovo declared its independence without Serbia's acceptance and recognition. The EU is highly involved in the facilitation of the Dialogue between Belgrade and Prishtina. High Representative of the European Union for Foreign Affairs and Security Policy is personally involved in this High-Level Dialogue. Since 2012 this position was held by Catherine Ashton and as of 2015, by Federica Mogherini. So far, the most important agreement reached is the First agreement of principles governing the normalisation of relations in 2013. Progress in the area of normalisation of relations between Belgrade and Prishtina is essential for advancing the European future for both of them.¹⁹ This "condition" is to be monitored through the 35th Chapter of Serbia- EU accession negotiations.

After the outburst of Civil war in SFRY, the European Community introduced sanctions towards SFRY and cancelled the Cooperation Agreement with SFRY, which had been in force since 1980. Suspension of this agreement was shortly afterwards abolished for all newly independent republics, except for Serbia and Montenegro. After the signing of Dayton Peace Agreement in 1995, the EU decided to suspend the sanctions against FRY. The visit of the EU representatives followed, which, along with the government's adoption of the Programme for harmonisation of Yugoslavian judicial system with the EU *acquis*, showed willingness of both sides to make steps towards good relations. Unfortunately, this did not lead to any concrete decision, mostly due to the fact that the Serbian government did not regard EU integration as a desirable goal.²⁰ The turbulent political and social situation led to another explosion of violence, this time on its own territory, in Serbia's province of Kosovo, which occurred in 1997 and 1998. Because of this conflict, the EU enforced sanctions upon FRY again. NATO forces bombed FRY in 1999 because of the Kosovo civil war. These air strikes lasted for 3 months. During this period, FRY did not have any formal relation with the EU. This is also a year when, on the EU initiative, the Stability Pact for South Eastern Europe was created, with the aim of stabilizing the region and preventing conflicts. Representatives of the FRY government were not present at the inaugural conference of this pact. It was only after the 2000 change of regime in FRY when relations with the EU moved from this zero point. The new democratic government from the very beginning showed willingness to be included in the European integration process, i.e. in the Stabilisation and Accession Process. The EU recognised the democratic

¹⁹ European Commission, Progress Report: Serbia, 2014. p. 6.

²⁰ Mišćević, Tanja, *Pridruživanje Evropskoj uniji* [EU Association]. Službeni Glasnik, Belgrade, 2009. p. 176.

government's aspirations and within the month of political changes, the Framework Agreement FRY- EU, was signed. FRY was now ready to participate in SAP, which meant the following: access to the trade preferences, liberalisation of trade relations with other WB countries, inclusion into the CARDS programme and work on the preparation for the signing of SAA.²¹ The effect of the autonomous trade measures was significant, since it enabled FRY to export a number of industrial and agricultural products to the EU without customs and other restrictions. FRY also engaged in CEFTA 2006. Regarding the financial aid, FRY received 960 billion Euros through the CARDS programme, plus, 31 billion Euros from the regional component of CARDS programme. The decision on the inclusion of the FRY into the SAP was adopted at the Zagreb summit, with the establishment of Joint Consultative Task Force- CTF. The results of this group were joint recommendations on further actions and existing problems in transition process. Along with these, the Commission gave its recommendations on SAP for each country. After the Thessaloniki summit, Enhanced Permanent Dialogue- EPD was introduced in a form of direct dialogue between representatives of FRY and representatives of the European Commission. Through EPD the Commission gave a number of recommendations on adjustment of FRY policies with EU acquis.

Upon the adoption of Starting Points for the Reconstruction of Serbia Montenegro Relations known as Belgrade agreement, the Constitutional Charter and the law on its implementation was adopted in 2003, thus creating State Union of Serbia and Montenegro. Jurisdiction was divided between two countries, with 5 fields of jurisdiction in the hands of the state union government- including international relations. Thus, relationship with the EU was entrusted to state union institutions. However, although the State union was in charge of negotiating and concluding international agreements and arrangements, after the consultation with state union member countries, the question of implementation of such agreement remained. Division of jurisdiction created problems in the fulfilment of the obligation in SAP. Due to these problems and the failure to establish full cooperation with ICTY, the Commission's Feasibility study for the commencement of SAA negotiations was delayed several times. To overcome this standstill, the Council adopted a new approach towards Serbia and Montenegro, called the twin-track approach. This meant that the SAA would be consisted of a main text and two annexes on deadline, a tempo of market liberalisation, and each with concomitant protocols, joint and individual declarations. Also, the twin-track approach meant that negotiations were to be realized on two levels: state union and individual country level. This led to a very complex negotiation situation. In accordance with this new approach and after the positive report of the Chief prosecutor of the ICTY, Carla Del Ponte, The European Commission adopted the Feasibility study, thus enabling the start of the negotiations for the conclusion of SAA in 2005. The complicated negotiations were accompanied with internal problems. In addition to this, the European Commission decided to call off the negotiations due to the lack of cooperation with the ICTY. "Calling off" meant that the EC postponed the continuation of negotiations. This decision was in force for 13 months. During this period, Montenegro declared independence and the

²¹ Mišćević, Tanja, *Pridruživanje Evropskoj uniji* [EU Association]. Službeni Glasnik, Belgrade, 2009. p. 177-178.

Commission resumed negotiation with this country. The resumption of negotiations with Serbia happened in June 2007, after the improvement of the cooperation with the ICTY, with the arrest of two generals, after which the new Serbian government was appointed. Finally, in April 2008, the SAA was signed. However, due to the fact that some EU Member States (mainly the Netherlands) thought that Serbia wasn't fully committed to the cooperation with the ICTY, the decision to postpone the implementation of Interim agreement and the process of SAA ratification was made. Not wanting to wait any longer, Serbia decided to unilaterally implement the Interim Agreement in 2009. After the positive mark from the ICTY Chief prosecutor Serge Brammertz, the Council decided to start the process of ratification in 2010. The first country to ratify SAA was Spain and the last was Lithuania. There have been some issues with certain countries- property dispute with Poland, rights of the Romanian minority with Romania, cooperation with the ICTY with the Netherlands and, especially, tensions with Lithuania regarding the presidency of the UN General Assembly, as well as disputes about Lithuanian investments in Serbia. After three years, the SAA finally entered into force in September 2013.

Accession negotiations

Serbia officially applied for EU membership in 2009 and was granted the candidate status in 2012. The first Intergovernmental Conference between Serbia and the EU was held in January 2014, thus formally launching the accession negotiations. The decision of the European Council to open negotiations was reached due to Serbia's progress in the reforms and its continued commitment to the normalisation of its relations with Prishtina.²² The first phase of the accession negotiation was the screening process, i.e. the analytical examination of the compliance of the Serbian legal system with the EU *acquis*. This phase ended in March 2015. Now, the next phase has to be the opening of chapters. In comparison with the Croatian negotiations where the negotiation team first opened the most undemanding chapters i.e. those in which the EU *acquis* is of small scale and easily achieved, in the case of the other WB countries, the EU decided to first open the most demanding chapters i.e. Chapter 23- Judiciary and Fundamental Rights and Chapter 24- Justice, Freedom and Security. In Serbia's case, apart from these Chapters, one of the most challenging ones will also be Chapter 35- Other issues concerning primarily the relations with Prishtina, which will also have to be opened at the very beginning. The peculiar thing about chapters 23 and 24 is that they do not have benchmarks, they are opened and negotiated according to action plans of the government, approved by the Commission and they cannot be closed until all the other chapters are finished (negotiating of these chapters is conducted parallel to the negotiation of all other chapters).

Chapter 23 covers judiciary and fundamental rights. According to the Progress Report of 2014, Serbia has a long way ahead of it. Although some progress has been made regarding judiciary and fundamental rights, e.g. the adoption of new laws and action plans, appraisal rules for judges and prosecutors, etc. Serbia is still at the very beginning of the process of improving and strengthening its judicial system and has a difficult task of establishing a genuine rule of law. The main progress to be made under this Chapter is judicial reform, with a special emphasize on making the judiciary more

²² European Commission, Progress Report: Serbia, 2014. p. 2.

efficient, accountable, impartial and independent, the reduction or abolishment of corruption, and the improvement of human and minority rights. Some of the main problems in Serbia with regard to the judicial system are political influence on judges, unclear appointment criteria for the post of judges and prosecutors, a backlog of cases, inconsistency of case law, the high average duration of proceedings, etc. Regarding the fight against corruption, there is a strong impetus in Serbian society, especially having the scale of corruption and its presence in every sphere of the society in mind, but little has been and is being done. The Anti-Corruption Agency lacks resources, the ability of adopting enforceable decisions; its recommendations are not properly dealt with by the government, just to mention some of the problems. Also, there is no full transparency of political parties' funding, no effective protection of the whistle blowers, nor are many high-profile cases before the courts concerning corruption activities. The condition of respect and protection of human rights and fundamental freedoms needs to be improved. The issues that need addressing are minority rights, especially regarding Roma, who are subject to a high level discrimination in access to social protection, health, labour market and good living conditions. Concerning other minority groups, improvement has to be made regarding their representation in public administration, especially at local level and in the area of education and usage of language. Groups that also need special attention due to the fact that they cannot fully exercise their rights and/or are a subject of discrimination are lesbian, gay, bisexual, transgender and intersex (LGBTI) people, people with disabilities, refugees and internally displaced people, women in terms of gender equality, Roma children and children with disabilities. The deterioration of condition for the full exercise of freedom of expression is especially worrisome, which is the consequence of the state ownership of certain media, great political influence on information spread through the media and the raising trend of censorship and self-censorship in the media. The package of three laws on media is adopted but still needs to be fully implemented.

Chapter 24 covers the Area of Justice, Freedom and Security, as it addresses the following issues: migration, asylum, visa policy, judicial cooperation in civil and criminal matters, police cooperation and the fight against organised crime, cooperation in the field of drug and fight against terrorism. As from 2009, the visa-free regime with the EU has been in force, meaning that Serbian citizens do not need to acquire visa to travel to Schengen countries. Serbian nationals are also one of the largest groups of applicants that seek asylum in the EU, with the large ratio of these applications being dismissed. Regarding Serbia's asylum policy, progress has been made by establishing a unified national database for checking personal data and fingerprints of foreigners, as well as opening accommodation centres. However, a comprehensive reform of asylum policy is required.²³ Serbia has to step up its activities in the fight against organised crime. The major problems, in this regard, are rare convictions of organised criminal groups, weak protection of witnesses and victims, especially victims of human trafficking need to be better protected and assisted. Overall, further efforts in strengthening, managing, specializing, modernizing and controlling of policies and procedures in the area of justice, freedom and security are necessary.

As it was already mentioned, Charter 35, which comprises of various issues that are not covered by any other negotiation chapter, will be challenging for Serbia as it also

²³ European Commission, Progress Report: Serbia. 2014, p. 52.

covers the relations between Belgrade and Prishtina. Other chapters are more or less difficult and Serbia is actively preparing for their negotiation. The negotiation policies in which Serbia needs to make considerable efforts to align with the EU *acquis* are, besides Chapter 23 and 24, agriculture and rural development (Chapter 11) and environment and climate change (Chapter 27).

Serbia established three levels of negotiators for the conduction of negotiations. The first one is the State delegation participating at the Intergovernmental conferences led by the Minister for European Integration or Minister of Foreign Affairs, the second one is a core negotiating team comprised of 15 to 20 people led by the Chief negotiator Tanja Mišćević, and the third one is a wider negotiation team comprised of members of 35 negotiation groups, led by state secretaries and institution directors, which include around 600 people.

Financial support

With the aim of facilitating Serbia's efforts in taking over and efficiently fulfilling all of its obligations, the European Union and its Member States are providing financial support.²⁴ Serbia is receiving approximately 200 million euros *per annum* through IPA programme. This makes Serbia the biggest recipient of pre-accession assistance among Western Balkan countries, and the EU represents Serbia's biggest donor. With the aim of effective conduction of pre-accession assistance programming on the national level and, accordingly, more effective usage of available funds, the government of Serbia adopts the annual Action Plan for Programming and Reporting on EU Funds and Development Assistance to the Republic of Serbia.²⁵ There are as many as 600 projects in Serbia that are financed by the EU through the IPA programme. As of June 2014, Serbia has taken over the management of a number of EU projects for the first time. Most projects since 2000 are conducted in the fields of traffic infrastructure, health care, air and water quality, treatment of solid waste and judiciary and state administration reform.²⁶ Serbia is also the biggest user of European Investment Bank loans, which it mainly uses for investments in traffic sector. The country also receives funds from the European Bank for Reconstruction and Development since 2009- these loans amount to 3.5 billion Euros.

EU programmes

Serbia participates in several EU programmes such as Progress, Culture, Europe for Citizens, Safer Internet, the Competitiveness and Innovation Framework Programme. Also, Serbia has recently concluded or is in the process of concluding new agreements for a number of programmes, including: Horizon 2020, Competitiveness and Enterprises and Small and Medium-sized Enterprises, Erasmus +, Creative Europe, and Employment and Social Innovation.²⁷

²⁴ *Pregovaračka Poglavlja: 35 koraka ka Evropskoj uniji* [Negotiating Chapters: 35 Steps towards the European Union], EU Info Centre, Belgrade, 2014. p. 2.

²⁵ *Vodič kroz pristupanje Srbije Evropskoj uniji* [Guide through the Accession of Serbia to the European Union], International and Security Affairs Center, Belgrade, 2015. p. 37.

²⁶ *Rastemo zajedno: Najuspešniji projekti koje EU finansira u Srbiji* [Growing Together: Most Successful EU Projects in Serbia], EU Info Centre, Belgrade, 2015. p. 4.

²⁷ European Commission, Progress Report: Serbia, 2014. p. 5.

Conclusion

In conclusion, there is a long way in front of Serbia as there are so many problems to be tackled and reforms to be conducted. The process of negotiation and the alignment with the EU *acquis* is at the beginning. Although politicians like to make predictions on the exact date of Serbia's accession, it cannot be that easily predicted. The tempo of negotiations is in the hands of Serbia, i.e. its devotion to the much needed reforms and political will to make the right decisions. It can be said that there is a strong political support of Serbia's accession to the EU, as only pro-European political parties passed the threshold at the national elections and are represented at the National Parliament. But, on the other hand, it seems that the adoption of some important decisions which would fasten the reforms are delayed or not properly addressed. Regarding the public opinion on the European integration process, it can be noticed that there is a sense of fatigue, mainly due to the media representation of the whole process as a never ending conditioning. The process of EU accession cannot be truly accomplished only by the country's legal alignment and harmonisation with the EU *acquis*, but also through promoting and adopting the European values in the candidate states.