

MONITORING THE BiH INTEGRATION PROCESSES

A comparative report for 2009

The 'Monitoring of the BiH European Integration Processes' project started in November 2008 and it will last until June 2012. In the framework of this project so far, we have published one preliminary and two semi-annual reports on the progress that Bosnia and Herzegovina (BiH) has achieved in the process of European integration.

This report is a comparative analysis of the progress that was achieved in each of the countries in the region in the first year after the signing of the Stabilisation and Association Agreement (SAA). In order to point out the shortcomings affecting specific countries in relation to the European integration process, we should recall that Croatia and the Former Yugoslav Republic of Macedonia signed the SAA in 2001, Albania in 2006, and Serbia and BiH in 2008. During the second year after the signing of the SAA, Croatia had already applied for candidate status in the EU, which was approved the following year, in 2004. The estimates are that Croatia could become a full member of the EU in 2013, 12 years after the signing of the SAA.

BiH is currently in its second year after having signed the SAA. Hypothetically speaking, if BiH were to emulate the progress and the pace achieved by Croatia, it would be possible for it to accede to membership of the EU around the year 2020. However, BiH has encountered delays during the first year of implementation of the SAA, which are too extensive in comparison to other countries of the region for it to be realistic to even speak of the possibility of catching up with them, or of BiH matching their pace in terms

of speed of progress. These are just a few examples. During the first year of the implementation of the SAA, in the area of free movement of goods, the greatest progress was achieved by Serbia, while in comparison BiH adopted only a quarter of the number of laws enacted by Serbia in this context. Also, the number of accredited institutions in Serbia in comparison to that in BiH is eight times higher, although Montenegro and Albania show even poorer results than BiH. In the interest of fairness, it should be pointed out that there are a few positive examples of progress in BiH, like the reforms necessary for the liberalisation of the visa regime, as well as the adoption of the EN standards, where both BiH and Albania are showing far greater progress than Serbia, and even Croatia at the same stage of the implementation of the SAA.

The publication of this report coincides with the attempt of the European Union to, at least symbolically, breathe life into the process of integration of the region into the EU. While marking the tenth anniversary of the Summit in Zagreb, held on 24 November 2000, the European Union held a ministerial conference on 2 June 2010 in Sarajevo.

However, since the time when the Zagreb Summit was held, some important changes have taken place in the region. Two new states were born, some of the countries have made remarkable progress in the European integration process, while others are trailing behind significantly in comparison with their neighbours, as is clearly indicated in our report. One of the most important changes we wish to point out, in the light of the

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anniversary of the Zagreb Summit, is the current lack of spirit of regional cooperation, which was one of the main characteristics of the Zagreb Summit.

Some historic changes in Croatia and Serbia had preceded the Zagreb Summit; changes that had brought pro-democratic forces into government, which represented the main precondition for the opening of formal regional dialogue under EU sponsorship. In the Declaration of the Zagreb Summit, an emphasis was placed on reconciliation and cooperation in the region, as well as stability and peace in Europe. The Declaration of the Zagreb Summit had opened the door for a more serious and formal regional cooperation process through a number of bilateral and multi-lateral agreements.

However, the greatest importance of the Zagreb Summit was in the fact that it opened the way for the Western Balkan countries to approximate to EU standards through the Stabilisation and Association Process.

The Sarajevo Conference, in contrast, did not take place in such a positive atmosphere. On the contrary, it was held because of the need to try to overcome the current evident tensions and lack of dialogue between specific countries, as well as in an attempt to revive faltering regional cooperation.

The Sarajevo Conference was preceded by very tense relations between Serbia and BiH, reflected in the four-year long absence of dialogue and exacerbated by a number of deplorable events such as the arrest of BiH citizens through warrants issued by Serbia, interstate visit refusals, withholding approval for candidates for BiH Ambassadors in Serbia on several occasions, not maintaining the Interstate Cooperation Council, and vocal public accusations, etc. However, over the past six months an improvement in bilateral relations has been observed, as demonstrated in the fact that the candidate for the post of BiH Ambassador in Serbia was approved, followed by the meeting in Mostar and declaration from Istanbul.

The Kosovo declaration of independence also shifted attention from essential issues of regional cooperation to the protocolar and formal acrobatics required in order to bring the representatives of Serbia and Kosovo to the regional negotiating table. That is why it is considered a success that the representatives of both of these delegations agreed to the offered conditions and seating arrangements at the Sarajevo Conference. The integration of the Former Yugoslav

Republic of Macedonia in the EU remains a hostage of the absence of compromise with Greece regarding the name of the state, while BiH remains a hostage of its own Constitutional structure and four years of stagnation in reforms.

In this context it is difficult to avoid the pervasive cynicism regarding the purpose and effectiveness of the Stabilisation and Association Process which, for the countries in the region, was initiated in Zagreb. The fact is that, to ensure transparency in the process and equality of criteria for all of the countries in the region, the individual approach in evaluating the progress regarding the fulfilment of the Copenhagen criteria was the only approach possible. This, however, does not mean that it was sufficient. The disparities with regard to criteria fulfilment and the progress achieved by specific countries, which we have registered in this report, indicate that, apart from the individualised guidance for each of the countries in the region towards the EU, there had to have been a process that would, at the same time, guide the whole region as well. Here we do not wish to diminish the significance of regional initiatives like The Stability Pact, or its successor, the Regional Cooperation Council.

Nevertheless, it turns out that these are technical mechanisms for cooperation, while the political dimension has completely faded during the ten year period between the meetings in Zagreb and Sarajevo.

The Comparative Report for 2010 registers uneven progress in the first year of the implementation of the SAA, and the main findings are outlined below:

- ◆ The greatest progress was achieved in the countries that had stable government, a stable majority in the Parliament and a functional political system.
- ◆ The biggest problems for all countries including Croatia have been accepting the political criteria and general EU principles.
- ◆ The common weaknesses that apply to all countries concern respect for human rights, the fight against corruption, the functionality of the respective legal systems and bilateral cooperation.
- ◆ All of the countries, with the exception of Bosnia and Herzegovina, have made significant amendments to their Constitution.
- ◆ The entire region failed to improve the legal framework in the fight against money laundering.

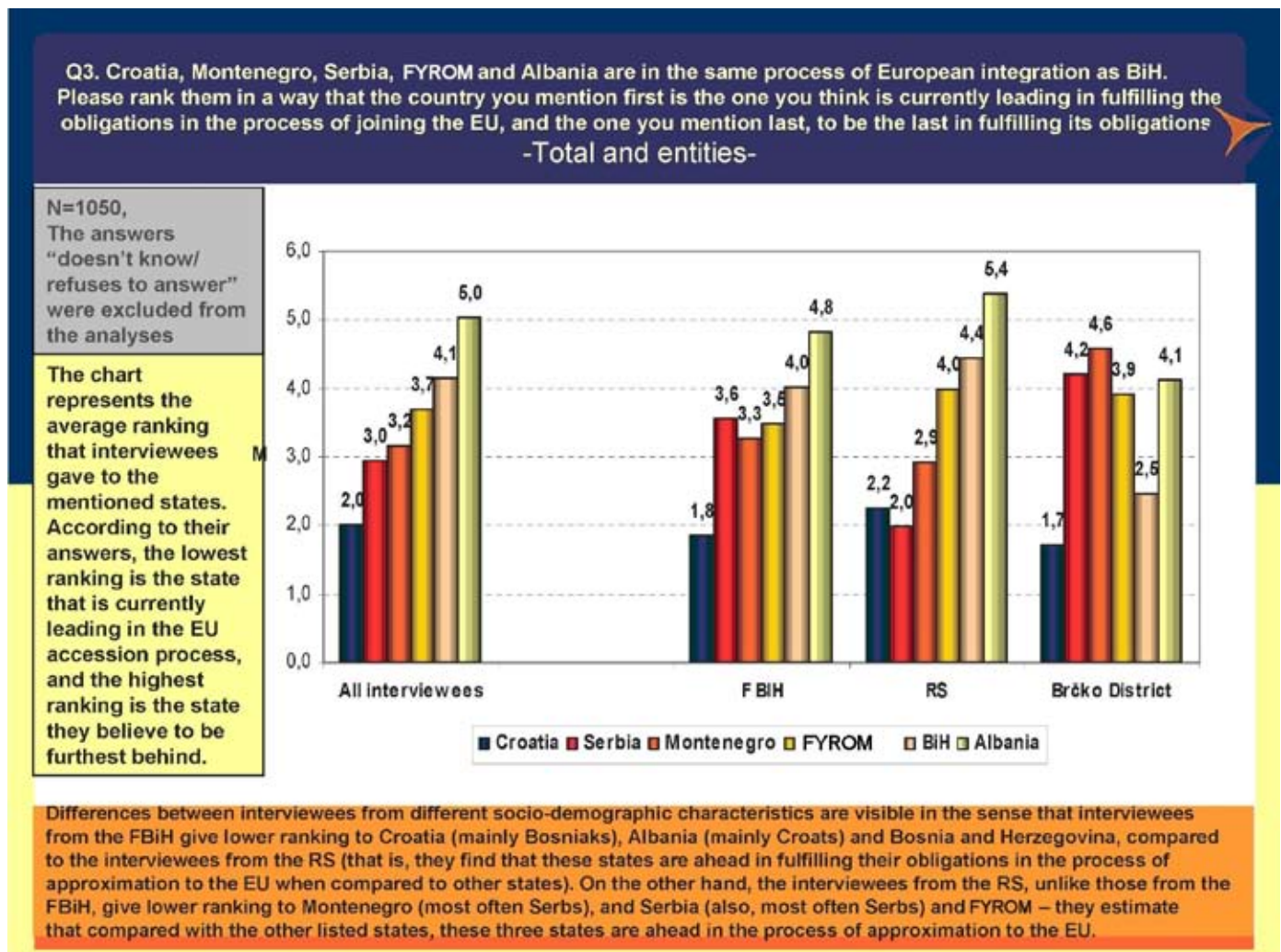
- ◆ Croatia is an absolute champion in the number of achieved reforms in the domain of movement of capital, and together with Serbia it leads in the area of transport and communications.
- ◆ Almost all of the Western Balkan countries, including Croatia, suffer from an insufficiently reformed and independent justice system, corruption at all levels and inefficient public administration.
- ◆ Bosnia and Herzegovina is falling far behind all the rest with regard to the fulfilment of the assumed obligations in the area of Cooperation Policies.
- ◆ In the area of free movement of goods, the greatest progress was achieved by Serbia, while BiH adopted only a quarter of the number of laws enacted by Serbia in this regard.
- ◆ The number of accredited institutions in Serbia in

comparison to that in BiH is eight times higher, although Montenegro and Albania show even poorer results than BiH.

- ◆ Some positive examples in BiH are reforms geared towards the liberalisation of the visa regime, as well as the adoption of the EN standards, where BiH and Albania are showing far greater progress than Serbia, and even Croatia at the same stage of the implementation of the SAA.

The public opinion survey, which was carried out as a part of this report, shows that there is clear public understanding that the conditions of European integration are technical and are equal for all of the countries. Despite the strong media campaign claiming that the extension of the visa-free regime to other countries before BiH is an injustice, the citizens are aware that it is a process where decisions are made based on the criteria that their country (i.e. BiH) failed to meet in time.

Outlined below are some of the findings of the public opinion survey.



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