

Serbia / European Union: new stage in accession negotiations

Description

After two years of status quo, Serbia has finally opened a new cluster in its EU accession negotiations. This is a solid and encouraging political signal for the authorities and the citizens. But is this progress justified?

The fall of Slobodan Milošević's regime in 2000 allowed the Federal Republic of Yugoslavia (FRY, which became Serbia in 2006) to end an authoritarian and populist regime, which had trapped it in a decade of international sanctions and deep economic recession. The Serbian people saw Serbia's plan to join the European Union (EU) as a new chapter in the country's long-sought peace and economic stability since 1991. To understand the complexity of Serbia's accession process, one must first understand the European procrastination regarding this candidacy and the conditions set by the EU.

On the tightrope

Any country applying for European membership must follow the Copenhagen criteria, formalized in the *acquis communautaire*. The specificity of the Serbian case lies in the aftermath of the Yugoslav war, during which war crimes and crimes against humanity were committed, making the EU/Serbia relationship conditional on sustained cooperation with the International Criminal Tribunal for the former Yugoslavia (ICTY). Indeed, specific criteria were put in place, including "compliance with peace agreements, return and integration of refugees; full cooperation with the ICTY, development of good neighborly relations and regional cooperation in Southeast Europe and normalization of relations between Belgrade and Pristina for Serbia and Kosovo" (S. Gajić, 2020, p. 26). Thus, it is clear that a particular approach has been adopted towards Serbia in addition to the previously mentioned criteria.



The first milestones in EU-Serbia relations were set at the EU-Western Balkans Summit in Zagreb on November 24, 2000. At the end of the summit, a joint declaration between the EU and Western Balkan countries was adopted, hammering home “the European perspective of this region” (S. Gaji?, 2020, p. 48). This affirmation reinforced the Serbian government’s European ambitions: first, Serbia is a European country from a geographical point of view; second, it is surrounded by EU member countries (Greece, Croatia, Hungary, Romania, Bulgaria); third, it is of strategic geopolitical interest to the EU, as it is located at the crossroads between West and East, North and South (a fact confirmed by the migrant crisis of 2015 (S. Gaji?, 2020, p. 55). The will to maintain peace and stabilize the Balkans was concretized via the creation of the Stabilization and Association Process (SAP) at the Zagreb Summit in November 2000. The main instrument of the SAP is the Stabilization and Association Agreement (SAA), which entered into force on September 1, 2013.

A complex and erratic path

Just as Serbia’s economic transition was subject to exogenous and endogenous disruptions, its European trajectory remains erratic. Since 2013, new challenges have indeed appeared on the European and international scene, delaying its accession process: first, Belgrade had to negotiate with 28 member states, unlike Slovenia or Poland; second, the Brexit shook up the European political spectrum and the priorities of the European institutions; and third, the Covid-19 crisis pushed the accession processes to the back burner, as member states had to deal with urgent health and humanitarian imperatives (S. Gaji?, 2020, p. 72). Moreover, the old accession methodology (2014-2020) has been abandoned in favor of a new approach, driven by France and implemented in July 2020: instead of the 31 chapters previously identified, there are now 35 chapters to which the candidate must now align. The EU has discretionary power over chapter 35, the content of which is adapted according to each country. In the case of Serbia, it is a chapter devoted “to the normalization of relations between Serbia and Kosovo” (S. Gaji?, 2020, p. 78).

The benchmark principle is used to open or close a chapter. Tools for reporting and assessing the progress/regression of a candidate country are published every year in a Country Individualized Report. For Serbia, 18 chapters were opened in 2014, two of which have since been provisionally closed (chap. 25 dedicated to science and research and 26 devoted to education and culture). In addition, a new element was introduced in July 2020 for Serbia and Montenegro, under the name of “disequilibrium clause,” allowing to temporarily suspend negotiations if the EU considers that the candidate country is stagnating or regressing in the implementation of reforms: this clause applies in particular to chapters 25, 26 and 35, which are considered critical areas in the Serbian case (S. Gaji?, 2020, pp. 81-82).

This new methodology has not fundamentally revolutionized the approach or the accession process. The core values and principles of political, economic, and social convergence remain the centerpiece of the process. However, it highlights the carrot-and-stick principle – rewarding the most advanced states and punishing those lagging in reforms. In addition, the possibility of reopening a closed chapter ensures a real commitment from the candidate state and guarantees that the reforms will be implemented. Where are we in 2022?

The opening of cluster 4: carrot or stick?

At the ministerial level’s last accession conference with Serbia held on December 15, 2021, in

Brussels, the EU gave its green light for opening Cluster 4, entitled “Green Agenda and Connectivity.” Stalled since 2019, the EU/Serbia negotiations have seen a strong rebound with this new step taken under the Slovenian Presidency.

Cluster 4 is composed of several chapters, namely transport policy (chapter 14), energy (chapter 15), trans-European networks (chapter 21), and environment and climate change (chapter 27). However, this announcement came shortly after large-scale environmental protests (more than 50) shook Serbia in late 2021 due to a controversial draft law on the expropriation of property and future mining projects.

The population blocked roads, highways, bridges, and intersections in protest against the arrival of the Rio Tinto group, which has a lithium extraction project considered highly polluting. More generally, local environmental NGOs such as “Coalition 27” have pointed the finger at the high levels of pollution in Serbia in all areas (water, air, soil). The large-scale mobilization of citizens put the executive in a bind: on December 8, the bill was abandoned. But the process was launched: environmental issues made the headlines in Serbian newspapers for several weeks because of disturbing revelations linked in particular to the activities of foreign investors. MEPs have also recently expressed concern about significant Chinese investments and the operation of factories that do not comply with health and environmental standards. They have also demanded a detailed investigation by the executive following allegations of human trafficking at a Chinese tire factory in Zrenjanin (northeast Serbia), where 500 Vietnamese workers are employed in suspicious conditions.

The EU has given the green light to the opening of this cluster, which puts the environment and the climate at the heart of the project, in a turbulent context (and just a few months before the Serbian presidential election, which is due to take place on April 3, 2022). Under pressure from civil society, the Serbian government officially announced on January 20, 2022, the definitive abandonment of the controversial “Jadar” project, including the lithium extraction project by Rio Tinto in Serbia.

A short-lived victory?

The latest EU report on Serbia, published in October 2021, highlighted Serbia’s progress in legislative adaptation to the *acquis communautaire* in rail, maritime and air transport, waste management, energy, and climate change. But many aspects remain problematic: we can mention the air pollution of 13 Serbian cities – including Belgrade – or the activity of the thermal power plant in Kostolac considered the most polluting in Europe because of its sulfur dioxide emissions, but also the lack of selective sorting, awareness campaigns for waste management, poor management of water treatment and unauthorized construction...

Therefore, it is legitimate to question the strategy pursued by the EU with the opening of this cluster 4. Should we see it as a “stick,” inviting Serbia to comply more quickly with European environmental standards and legislation, to reduce the presence or activity of certain foreign companies (notably Chinese), and to begin its transition to carbon neutrality, notably thanks to the funds made available through the Economic and Investment Plan for the Western Balkans?

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Thumbnail: Fortress of Kalemegdan (© Jelena Jokic).

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