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Policy

## **Debate on EU Enlargement in the Dutch Parliament**

Check Against Delivery  
Seul le texte prononcé fait foi  
Es gilt das gesprochene Wort

European Affairs Commission National Parliament

**The Hague, 6 October 2010**

Honourable Members of Parliament,

Thank you for this opportunity to discuss the current Enlargement philosophy and prospects for Serbia's European integration.

Let me first speak about Enlargement in general as it is important to set the context of our work.

The Enlargement process has clearly brought benefits to the European Union as a whole (both new and old members) in terms of stability of the continent and in terms of trade and economic growth;

The power of the enlargement process has proven to be the strongest of our tools for engendering profound and peaceful democratic changes. In central Europe, and I speak from experience, we embarked on painful, unpopular and lengthy reform processes with the vision of rejoining the European family that we were dragged from after the Second World War.

Of course, all countries are different, as is their historical baggage, and so are the different waves of enlargement.

There are three important points I want to make about the nature of the accession process before I speak about Serbia:

- First – the process of European integration is not primarily in the hands of the Commission. It is in the hands of the candidate countries. Their progress decides the pace of the process. Countries need to meet our standards, political, economic and legislative, before they are invited to become one of us.
- Second – enlargement implies strict conditionality and political guidance. These are two sides of the same coin.
- And third – and this is where you as parliamentarians have a significant role: in the European Union the negotiations are fully in the hands of the Member States. The Commission does the day-to-day, technical, arduous work, and is the guardian who ensures agreed standards are fulfilled. However, the actual decision on accepting countries for membership is yours.

Let me turn to Serbia now.

The Belgian Presidency has announced its intention to put Serbia's membership application on the agenda of the next General Affairs Council, on 25 October. I strongly believe it will actually increase the EU leverage on conditionality, in particular with regard to cooperation with ICTY, if Serbia receives a positive message at this very Council.

Serbia celebrated yesterday the 10th anniversary of Milošević's ousting from power. 10 years ago, Serbia made a clear choice. It has moved forward a long way since.

In recent years, Serbia has had a leadership committed to Europe, stepping up its European integration capacities despite a context of severe economic crisis.

One major step was visa liberalisation. Serbia has shown itself a reliable interlocutor and Member States as a result lifted the visa obligation, freeing the younger generation to see for themselves the countries of the European Union. There is no better promotion of European values than actually experiencing them.

While the Council only unblocked the entry into force of the Interim Agreement last December, Serbia, for its part, started to abide by its obligations already 18 months ago. It is implementing its obligations in a way we consider compliant with the Agreement.

Consolidation of the rule of law is a key factor for the credibility of Serbia's efforts towards bringing ICTY fugitives to justice and making some peace with the victims of its criminal past. Serbia has made progress in the fight against organised crime: we see significant crackdowns on mafias, and huge drug seizures. It is not easy, and it indicates a substantial increase of political will and operational capacity. Extradition agreements have also been concluded with Croatia and are being finalised with Montenegro.

Serbia has also been increasingly active on reconciliation and addressing war crimes. It has demonstrated a readiness to confront its own past: relations with Croatia and BiH intensified; the Srebrenica declaration was adopted by the Serbian Parliament, and President Tadić attended the 15th Srebrenica massacre commemoration this year. Exhumations of war crime victims are taking place.

Serbia is moving in the right direction, and does so willingly. But obviously, much more needs to be done.

ICTY is the cornerstone of our discussion today. It is clear that for many years Serbian governments paid the minimum lip service necessary to ICTY co-operation. However, the track record of the current President and government is real and sincere: delivery of Karadžić in July 2008; transmission of General Mladić's war notebooks earlier this year. Serbia has so far cooperated on the arrest and transfer to The Hague of 44 out of 46 indictees. But 44 is not 46: Mladic and Hadzic are still fugitives, indicted for horrific crimes and we expect that every effort will be made to deliver them to the ICTY. Without this, justice will not be fully done.

Let me now also turn to the stalemate over Kosovo. This is part of the whole picture. The position of Serbia has had an impact and disrupted important regional co-operation. The protracted conflict has however now some prospect of a solution. The compromise on the UN General Assembly resolution, the fact that it was tabled by 28 European nations, has opened the way for concrete dialogue between Serbia and Kosovo, in the European spirit and hopefully in an atmosphere of gradually growing confidence.

We now have a real opportunity to support further positive changes and to deliver a sustained new dynamic in Serbia as well as in the EU – Serbia relations.

Let me turn to the Serbian application for membership and the role it plays in our strategy.

Our objectives are clear:

The Commission is fully committed to asking for full cooperation with ICTY as an essential condition for Serbia's EU integration. We have the same interest. I support those who are sincere about change. We now need to combine conditionality with political guidance. We have an important opportunity to support a Serbia that wants to change. Capitalising on this change is as important as it is not to relax the conditions we have set.

The ICTY prosecutor does not question the will and potential of Serbian authorities. His assessments do not describe a perfect situation, but they are improving, as the cooperation of Serbia has improved. This is an assessment which I understand to be shared by those foreign experts working in Belgrade with the Serb team.

Preparing an opinion on Serbia's application does not give the country a free gift. Conditionality including on ICTY will be an essential dimension;

There will be the continuous stick of this sine qua non; and the carrot of a real European future at the same time.

This view is reinforced by the situation in the country and by the incentive to make further progress which would be given by launching the Opinion.

Timing actually matters: Serbia's decision to tackle a number of difficult issues would be boosted by an October decision on forwarding of the application. Democratic forces in Serbia are united around one objective namely Serbia's European future, i.e. sharing our standards and values. If the nation sees this is real, the government is much better placed to keep tackling difficult issues – not only ICTY and Kosovo, but also number of domestic structural reforms.

The Council's decision in October is only about whether or not to ask the Commission to prepare its opinion on Serbia's membership application.

Substantial examination of the merits of Serbia's application takes place only after the Commission delivers its opinion, in all likelihood in the second half of 2011. The process typically takes around one year.

The opinion analyses in depth the extent of compliance of the applicant with all three Copenhagen criteria for accession.

The Opinion is accompanied with a recommendation as to

- whether candidate status should be granted;
- whether or under which conditions accession negotiations should be opened. On both accounts, consensus in the Council will be necessary.

And an Opinion, when it comes, is only the first of a long list of unanimous decisions (in total I have counted 116) up to the ultimate accession of a country to the EU, including the adoption of the negotiation framework, opening and closing benchmarks for all chapters etc.

Let me turn finally to processing the application and ICTY conditionality

With all these steps in mind, the decision to forward the application does not imply that the EU is relaxing the conditionality applied to Serbia. It should rather provide decisive encouragement to cover the extra mile in cooperation with ICTY.

The political criteria will have to be essentially met before opening of negotiations can be considered and I am certain that the Netherlands will not be alone in the coming year to make clear that for a positive opinion and a positive decision in the Council following the opinion, full and continued cooperation with ICTY will be an absolute priority.

Honourable Members of Parliament,

This brings me to the end of my address to you before our discussion starts.

In my view, you and I are equally attached to the conditionality of Serbia's European integration, both as a moral obligation and as a way to ensure decisive progress in the search of the two fugitives. We need to apply this conditionality forcefully but also effectively, so that it yields expected results. We also need to be willing to act in good faith and deliver when Serbia does.

You retain the key to the unlocking of the ratification of the Stabilisation and Association Agreement, even if Council decided to proceed with it last June. You more generally will retain full control on the pace and extent of Serbia's European integration. As I mentioned already, the Council has to decide by consensus on more than a hundred occasions before an aspiring country can actually join the EU. This puts into perspective the decision to be taken next 25 October.

Thank you for your attention and patience. I am looking forward to our detailed discussion.