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MASTER'S THESIS

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Zagreb

September 2024

I confirm that I have written my master's thesis *Negotiating European Integration: An Analysis of Serbia's Accession Process (2012-2022)* that I have submitted to my mentor Professor Hrvoje Špehar for evaluation, independently and that it is entirely in my authorship. I also declare that the paper in question has not been published or used to fulfil teaching obligations at this or any other institution of higher learning, and that I did not obtain ECTS credits based on it. Furthermore, I declare that I have respected the ethical rules of scientific and academic work, particularly Articles 16-19 of the Code of Ethics of the University of Zagreb.

Luka Bugarski

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1. INTRODUCTION

The complex subject of European integration has been widely and extensively researched, both in general, and specifically in the cases of countries in the region of Western Balkans. Theories, concepts and ideas related to and about the European Union and its integration are well documented in the fields of political and European studies. The idea behind this master's thesis is to provide an overview of these subjects, through a case study of one of the candidates to join the EU, Serbia, in a specific period of time, from 2012 and its candidature status, until 2022, which was roughly chosen as this year was marked by two significant world events, the Covid-19 pandemic and the start of Russia's aggression in Ukraine.

The research in the area of European integration in the Balkan's is important for several reasons. One, it contributes to the overall knowledge of enlargement processes and mechanisms the European Union has developed. It also helps understand and potentially better the processes, especially in the Western Balkans, where, we will see later, special rules and circumstances apply. Finally, this paper in particular serves as a general overview and a case study of Serbia's accession talks.

For the purpose of writing this master's thesis, a number of sources and literature was researched. The sections were organized so that the reader is provided with all the necessary tools for understanding the complexity of the subject. In the first section, the main work used to showcase the theories and concepts of European integration was Sabine Saurugger's *Théories et concepts de l'intégration européenne*, where the author masterfully describes the schools of thought behind the idea of European integration. To understand the issue of sovereignty in the modern world, the main source of knowledge was Tina Oršolić Dalessio and her paper *The Issue Of Sovereignty in an Ever-Closer Union*, while integration capacity was explained by going to its original place of creation, the first *MAXCAP Working Paper*. Various web pages found on the official websites of the European Parliament and European Commission were used as a short guide on how countries join the EU. A comparison with the case of Croatia and its EU accession talks was made through a chapter in a book by Damir Grubiša, *The History of European Unification*. To capture the timeline and the complexity of Serbia and EU negotiations, a number of articles and scientific studies have been researched. News articles from official web pages of European institutions were used, as well as from

some other new outlets. Survey results from Eurobarometer and Ministry of European integration of Government of the Republic of Serbia were also used to display the public opinion.

Through analysis of a decade of accession negotiations, this paper will attempt to explore the reasons why countries integrate and how the process works and can be further built upon.

2. DYNAMICS OF EUROPEAN INTEGRATION: THEORIES AND PROCESSES

It is crucial to understand some key concepts and aspects of European integration in order to comprehend how member states join the EU. This section will explore a number of concepts, including Europeanization, regionalization, policy transfer, sovereignty and integration capacity of the EU. In order to understand the issue surrounding Serbia's accession talks with EU institutions, it is intended to provide an explanation of the aforementioned EU processes and mechanisms.

2.1 European Integration and Europeanization

In theory, the European Union combines aspects of a state, an international organization, and even a federation of states, making it impossible for an observer to categorize it and its processes under just one of these terms. Giving the reader the resources they need to understand the European integration procedures is the aim of this subsection.

Early conceptions of European integration focused on the development of a supranational political system, which was seen as possessing the attributes of national political systems and ultimately supplanting them. Neil Fligstein and Alec Stone Sweet (2001) describe European integration as “the process by which certain rules and procedures establish, organize, and stabilize the horizontal and vertical interconnectedness of political, economic, and social entities.” Vertical relations, in this context, refer to the structured interactions between entities within individual member states. Thus, European integration involves establishing a network of interactions that interlink previously autonomous units.

Most questions concern the forms that European integration takes. Today, the results and normative frameworks of this integration are being explored. Although these definitions of European integration enable the understanding of most conceptual frameworks and theoretical approaches to this process, they remain too restrictive to include those approaches

referred to as "standardization." In this context, European integration does not only imply the construction of new institutions and the transfer of loyalty to the supranational level but also the transformation of national structures, which thereby participate in the creation of a much more extensive entity - the European Union (Saurugger, 2009).

The theory of international relations essentially addresses the question of why states, as the main actors in the interstate system, choose to unite and form regional organizations in order to construct an integrated political system. In the era of globalization, it is striking how much the world remains organized along regional lines. Trade, direct investments, and the activities of international organizations are more regionally concentrated than globally dispersed. Regional integration, a common phenomenon, can be defined as the institutionally formalized association of multiple states within a specific geographical area for the purpose of sustained economic and/or political cooperation (Saurugger, 2009).

Within a certain geographical organization, functionalists and neofunctionalists try to explain why states decide to interconnect with one another. Neofunctionalist theory adopts a primarily analytical stance, attempting to comprehend the causes and effects of integration processes, and occasionally even forecasting their conclusion. In contrast, functionalism is still firmly grounded in normative considerations, elaborating on the circumstances that ought to result in the creation of a more peaceful and just world. According to the founder of functionalism, David Mitrany, the starting point should not be to determine what the ideal form of international society would be, but rather what essential functions that system should provide (Saurugger, 2009). According to neofunctionalists, European integration is a decisive process in which "a specific action related to a particular goal creates a situation where the original goal can only be achieved by resorting to additional actions, which successively create the future condition and need for other actions, and so on." The central interest of this approach lies in studying the conditions and likelihood of a particular interstate system evolving into a supranational organization (Lindberg, 1963).

The realist perspective of international relations theory, which begins with the premise that actors (individuals, member state governments, and supranational institutions) act rationally and according to fixed preferences, is where intergovernmentalism gets its foundation. At the heart of intergovernmentalism, as the name suggests, is the focus on state action in intergovernmental relations. Its goal is to explain why states, as rational actors primarily driven by their interests, accept the pooling of sovereignty. The concept of "supranational

intergovernmentalism" emerges primarily in European foreign policy, emphasizing that diplomats from individual countries, by working together almost daily at the European level, share a common understanding of the European Union's foreign policy goals, while at the same time defending specific national positions (Saurugger, 2009).

The last theory that attempts to explain the reasons why states integrate at the regional level is federalism. Federalists, in contrast to neofunctionalists, reject the notion of automatic spillover between sectors, arguing that an economic and monetary union does not inevitably lead to a political union. While they agree with intergovernmentalists that states remain central to regional integration, they contend that states transfer some sovereignty to new supranational centers. Unlike intergovernmentalists, federalists believe that true power is established above the state level, forming a kind of supranational government. Federalism is a political system that consists of an alliance of independent and, most importantly, equal political communities that were founded to work together but maintain their independence from one another. Federalism relies on a particular contradiction: within it, the characteristics of the state simultaneously belong to the whole society and the different parts that make it up. Both the state as a whole and its constituent portions retain their characteristics (Saurugger, 2009).

Finally, when it comes to theories regarding what the European Union is (or is not) we can find some scholars who see it as a consociation. The theory underlying the conceptualization of the European Union as a consociational democracy is that wide coalition governments, which grant veto power to every elite within, are far more stable in fragmented societies than majority-based ones. Depending on the size of the populations that the elites represent, power must be divided among them proportionally. Three things, in summary, characterize this model: first, vertical community segmentation needs to be hermetic; second, effective internal communication is necessary for the legitimacy of each community's elites; and third, elite negotiations and decision-making processes must be grounded in either the principle of proportionality or unanimity. The European Union is characterized by multiple "demoi," that is, sovereign peoples, each possessing its own national identity, political traditions, social structure, and civic culture (Chrysochoou, 2008).

Another key concept that shouldn't be omitted is Europeanization. The concept of Europeanization emerged in European studies during the 1990s. Works based on this concept aim to understand the impact of the European Union on political, economic, and social

changes within member states. In its primary meaning, Europeanization refers to the transformations at the national level that can be attributed to the processes of European integration (Saurugger, 2009). One of the earliest definitions of Europeanization was provided by Robert Ladrech (1994), who describes Europeanization as a "gradual process that redirects and reshapes policies to the extent that the political and economic dynamics of the European Union become part of the organizational logic of national politics and their management." This definition is also known as *downloading*.

It is important to note though that European integration and Europeanization are distinct concepts. European integration serves as the driving force behind changes in national public policies, functioning as an independent variable. In contrast, political Europeanization is the outcome of this integration, acting as a dependent variable shaped by the integration process (Saurugger, 2009).

The motivations behind actors' Europeanization and its outcomes have been thoroughly categorized, with four primary results identified: absorption, adaptation, transformation, and inertia. In absorption, member states adopt European policies and align their institutions accordingly. Adaptation involves adjusting national policies and institutions while maintaining their core traits. Transformation occurs when national policies and institutions are replaced with fundamentally different ones. Inertia, where no change happens, is paradoxically the least studied, despite its importance given the growing public resistance to deeper integration (Saurugger, 2009).

2.2 Policy Transfer and Sovereignty Shift

The idea and meaning of Europeanization is closely tied, and an important introduction to the concept of policy transfer, which, along with the principle of sovereignty, will be the subject of the next subsection.

2.2.1 Policy Transfer

The most basic definition of EU policy transfer can be taken from Dolowitz and Marsh (1996) and is as follows: a process by which ideas, policy, administrative arrangements or institutions in one political setting influence policy development in another political setting, mediated by the institutional system of the EU.

The European Union's multi-level governance system, which permits the movement of policies across supra-national, national, and sub-national levels, is widely regarded as an

important platform for policy exchange among member states. Different kinds of policy transfers are encouraged by the diversity of governing arrangements. Three types of EU governance are highlighted by Bulmer and Padgett (2005): negotiated governance, where common rules are agreed upon and frequently modelled after member states; hierarchical governance, where supranational authority enforces policy transfer; and facilitated unilateralism, where member states voluntarily coordinate policies while maintaining sovereignty. Bulmer and Padgett (2005) offer an institutionalist view, emphasizing that institutions play a crucial role in shaping actor preferences and structuring both policymaking processes and outcomes. A key distinction in understanding the link between institutional arrangements and policy transfer is between coercive and voluntary transfer. Coercive transfer occurs when states are compelled to adopt policies as a condition of membership in an international organization, often within the EU's hierarchical governance where supranational institutions exert control. This typically manifests through European Court of Justice (ECJ) rulings or Commission directives that reshape domestic policies. On the other hand, negotiation is central to multi-national organizations like the EU, where common policy norms are agreed upon through various forms of negotiation, from binding legal rules to informal agreements. The prevalence of this negotiated approach has led some to describe the EU as a "negotiated order."

The analysis of policy transfer is particularly justified in an era marked by globalization, increased interdependence of national economies, and the growing role of supranational organizations and institutions. These dynamics seem to be explained by the idea of policy transfer, which focusses on the process through which knowledge related to policies, administrative structures, institutions, and ideas within one (past or present) political system is utilized to develop policies, administrative structures, institutions, and ideas within another political system. Based on this, the concept of policy transfer can be broken down into several main dimensions subject to analysis through the following questions: Why do actors decide to engage in policy transfer? Which actors are involved in this process? What are the subjects of the transfer? Which actors facilitate or constrain the transfer? And more recently, questions have been added regarding whether the observed transfers have ended in success or failure. The question of transfer sources involves two key dimensions: whether the European Union is genuinely the driver of observed changes, and whether we should distinguish between different EU initiatives, from binding decisions that mandate adjustments to informal and indirect influences. Transfers can occur within a single national context, such as

between the state and local or regional entities, or at a transnational level, involving states and international organizations. Global pressures, often viewed as essential for achieving international compromises, also play a role in shaping these transfers (Saurugger, 2009).

Distinguishing between different EU governance modes provides a more nuanced understanding of how policy transfer occurs and the relationship between institutional structures and transfer outcomes. Bulmer and Padgett (2005) argue that EU policy transfer extends beyond the Open Method of Coordination (OMC), with the strongest transfers occurring under long-established negotiated and hierarchical governance. Limiting research to OMC overlooks the broader impact of policy transfer within the EU. Contrary to some views, EU institutions play a significant role in shaping transfer processes and outcomes, particularly in more institutionalized governance forms where transfer fidelity is higher. Qualified Majority Voting (QMV), for instance, enhances the EU's capacity for negotiated transfer, with most emulative transfers occurring under this decision-making mode. In contrast, the softer mechanisms of facilitated unilateralism have weaker transfer potential. Overall, the success of policy transfer is closely tied to institutional factors, emphasizing the need to consider the institutional context, especially the relationship between the policy 'lender' and 'borrower' (Bulmer and Padgett, 2005).

2.2.2 Sovereignty Shift

Ever since the beginning of European integration, there have been intense discussions about sovereignty and how to protect it. It has been used by some to argue for the quantitative and qualitative expansion of the European Union, by others to argue against it, and by yet others to write off sovereignty as an outdated legal concept. This has led to misunderstandings about how the notion of sovereignty is understood in the modern European legal system (Oršolić Dalessio, 2014).

The concept of sovereignty is riddled with disagreement and ambiguity, both in law and in practice. Rejecting the conventional understanding of sovereignty as absolute and indivisible power is the one area where there is unambiguous agreement. Scholars and practitioners generally agree about what sovereignty does not include, but they cannot agree on what sovereignty does include. As a result, arguments based on sovereignty need to be handled carefully, especially in light of European integration. Due to the concept's inherent ambiguity, different interpretations may result in opposing legal conclusions (Oršolić Dalessio, 2014).

Jean Bodin first articulated the concept of sovereignty in his 1576 work, *Les Six livres de la République*. He defined sovereignty as an absolute, indivisible, and perpetual power to legislate and command without requiring the consent of others. However, most contemporary scholars agree that Bodin's theory is fundamentally flawed. As Eleftheriadis (2009) points out, Bodin's view fails to account for the fluid and elusive nature of political power.

The devastating effects of World Wars I and II had a significant role in changing how people conceptualised sovereignty. These conflicts showed that peace and prosperity could not be guaranteed by separate sovereign dominions alone. This insight prompted the development of international legal frameworks intended to uphold humanitarian law, defend human rights, and promote intergovernmental cooperation. Additionally, it signalled the start of the European integration project, which would fundamentally alter the continent (Oršolić Dalessio, 2014).

There will inevitably be a greater transfer of powers from the state to the supranational levels as the Union gradually becomes closer. The legal framework of this expanding Community was initially characterised by the European Court of Justice as "a new legal order of international law for the benefit of which the states have limited their sovereign rights, albeit within limited fields." (Case 26/62 *Van Gend en Loos*) But there's a lot of worry these days that these limitations are gaining ground.

Despite its benefits, the growth of the European integration project has presented significant obstacles to those who support and believe in the concept of independent European nation-states. It has shown that the political and legal framework of the European Union completely lacks absolute or undivisible sovereignty. More precisely, it has demonstrated that no EU Member State has complete sovereignty outside of its borders or ultimate political or legal authority over its domestic affairs. And neither does the European Union (Oršolić Dalessio, 2014).

While some reject or downplay the idea of sovereignty, others still believe it is important. Concepts like pooled, mixed, divided, shared, split or partial sovereignty have been interpreted in a variety of ways. According to these viewpoints, EU member state sovereignty is not lost but rather divided and merged in new ways. Nonetheless, others have argued that the concepts of mixity, alienability, compossibility and divisibility are at odds with the fundamental idea of sovereignty. Scholars have presented substitute frameworks such as cooperative sovereignty, competitive sovereignty and late sovereignty in response to these

criticisms. These strategies emphasize the necessity of bilateral interaction and the adaptation of sovereign powers across various levels of government in an effort to reconcile sovereignty with the constitutional pluralism of Europe (Walker, 2003).

The only clear consensus regarding the modern interpretation of sovereignty is that it should no longer be seen in traditional, rigid, or absolute terms, as this would be incompatible with the current European legal and political landscape. While there is agreement on what sovereignty does not entail, there is no consensus on its positive definition. Consequently, sovereignty remains an elusive concept that straddles both legal doctrine and constitutional practice. Although this ambiguity does not inherently make it problematic, it does cast doubt on the role, strength, and credibility of sovereignty as a concept, as well as the effectiveness of arguments that rely on it. Due to its ambiguous and contested nature, references to sovereignty often complicate and weaken legal reasoning rather than clarify or support it, especially in discussions of moral legitimacy. This diluted and disputed concept also raises concerns about its adequacy as a legal standard for shaping the future of European integration. The ambiguity surrounding sovereignty allows for its divergent interpretations to be used in generating conflicting legal claims, depending on the context and the interests at play. As a result, sovereignty can become a tool for arbitrary, inconsistent, and opaque policymaking under the guise of legal neutrality. Some scholars have observed that sovereignty is not only too vague to serve as an effective decision-making tool for addressing specific issues, but it is also vulnerable to political manipulation and is often exploited for that purpose (Oršolić Dalessio, 2014).

Despite the positive aspects of European integration, its development has posed significant challenges for those who advocate for sovereign European nation-states. The process has demonstrated that absolute or unitary sovereignty no longer exists within the political and legal framework of the European Union. It has become evident that no EU Member State holds ultimate control over its internal affairs or maintains full external sovereignty. Additionally, the European Union itself does not possess full sovereignty (Oršolić Dalessio, 2014).

2.3 Integration Capacity

Finally, we will present a quick overview of the concept of integration capacity, by taking a look at the first working paper of MAXCAP, a project whose goal is to explain the outcomes of the EU's enlargement process – and to assess conditions and mechanisms for improving

those outcomes. MAXCAP investigates how a multiplicity of factors affect enlargement in combinations and how the EU might maximize its integration capacity for current and future enlargements. The main focus of MAXCAP is integration capacity, with each work package dedicated to exploring specific dimensions and determinants of this capacity and their connection to EU enlargement. Through their research, all projects aim to provide a descriptive analysis of the EU's integration capacity within their area of study, along with tested insights into what has or hasn't been effective in enhancing this capacity. Additionally, they investigate how integration capacity has influenced and been influenced by enlargement (Schimmelfennig, 2014).

The concept of "integration capacity" emerged from EU policy rather than academic discussion, reflecting the EU's ongoing concern about the potential negative impacts of enlargement on its functioning and future integration. While the Copenhagen Criteria from June 1993 are primarily recognized for outlining the conditions candidates must meet before accession, they also include a key statement emphasizing that the "Union's capacity to absorb new members, while maintaining the momentum of European integration, is an important consideration in the general interest of both the Union and the candidate countries" (European Council 1993).

The policy debate following the EU's 2004 "big bang" enlargement, the failure of the Constitutional Treaty in 2005, and the contentious admission of Bulgaria and Romania (Emerson et al. 2006) led the European Council at its June 2006 meeting to stress the importance of ensuring that the Union can function effectively—politically, financially, and institutionally—as it expands, while continuing to deepen Europe's common project. The European Council decided to discuss all aspects of further enlargements, including the Union's capacity to absorb new members, at its next meeting. It also joined the European Parliament in requesting a special report from the Commission on all relevant aspects of the Union's absorption capacity, including the public's perception of enlargement (European Council 2006).

The European Commission renamed the controversial and possibly derogatory phrase "absorption capacity" to "integration capacity" in its expansion policy for the years 2006-2007. Additionally, it attempted to make the term more procedural and "functional", as opposed to "political", rather than creating additional requirements for admission. The EU's integration capacity is shaped by the evolution of its policies and institutions, as well as by

the readiness of applicant countries to become well-prepared Member States. The European Commission rigorously evaluates the ability of prospective members to join the Union, based on strict conditionality. Integration capacity focuses on whether the EU can admit new members at a specific time or within a certain period without compromising the political and policy objectives set by the Treaties. As a functional concept, it emphasizes the practical implications of enlargement. Moving forward, the Commission will conduct impact assessments at all critical stages of the accession process, considering the unique characteristics of each candidate country. The Commission identifies three main components of integration capacity: institutions, common policies, and budget (Schimmelfennig, 2014).

Since the mid-2000s, internal integration capacity has dominated the policy discussions. Internal integration can be interpreted to be the side that includes public support for enlargement and the EU more broadly, institutional reform (i.e., “maintaining the momentum of European integration,” as formulated in the Copenhagen criteria), and policymaking, largely in line with the Commission’s definition of integration capacity. The term “policymaking” relates to the three primary aspects of integration capacity as defined by the Commission: financial/budgetary stability, decision-making competence, and implementation capacity, including effective compliance and enforcement (Schimmelfennig, 2014).

Public support plays a vital role in the EU's internal integration capacity and has increasingly influenced the enlargement process. While new member states often hold referendums on accession, older member states have generally relied on parliamentary ratification, limiting direct public involvement. However, the dynamic is shifting from a "permissive consensus" to a "constraining dissensus" (Hooghe and Marks 2008), where negative public sentiment has begun to impact significant decisions, such as the rejection of the Constitutional Treaty in France and the Netherlands. Political parties, including those not typically Euro-skeptic, have leveraged public concerns about enlargement to garner voter support. As a result, national debates about candidate desirability and enlargement have become more prominent during parliamentary ratification processes. These discussions are further heightened by the prospect of referendums, such as those that have been suggested in Austria and France on Turkey’s accession. There are particularly heated domestic debates about EU membership in nations like Iceland and Turkey. It is essential to look at citizens’ opinions about the EU and enlargement, as well as the political narratives that influence them, in order to assess internal capacity. Comprehending these variables is imperative in evaluating the stances of member

states about upcoming expansions and the EU's legitimacy in expanding membership proposals (Schimmelfennig, 2014).

In contrast to internal integration capacity, external integration capacity refers to how prepared nonmember states are for EU enlargement. This concept was primarily outlined in the "Copenhagen Criteria" established in 1993. Key attributes include democratic consolidation, which encompasses the rule of law, human rights, minority rights, and broader political reforms. Beyond institutional frameworks, the focus extends to organized actors and intermediate entities like civil society, interest groups, the public sphere, political parties, and political culture. Another crucial dimension is the governance capacity of nonmember and new member states, involving their administrative efficiency, quality of public services, regulatory standards, and levels of corruption. Economically, external integration capacity requires candidate countries to have functioning market economies capable of participating in the EU's internal market. This capacity can be assessed through indicators like economic growth, wealth distribution, equality, and economic interconnectedness, including trade and investment ties. Additionally, the stability and integration of these economies can be measured using indicators applicable to both the EU and nonmember states. Institutional assessment focuses on the regulatory and welfare systems in these countries, utilizing various quantitative data sets. For example, Polity IV and Freedom House ratings assess democracy, the World Bank's World Governance Indicators and the Bertelsmann Transformation Index evaluate governance quality, and economic development is measured using data from the World Bank, Eurostat, and the OECD. External integration capacity also reflects the degree to which nonmember states align with or adopt the EU's *acquis communautaire* (Schimmelfennig, 2014).

External integration capacity also hinges on public support within nonmember states. During the Eastern enlargement of 2004 and 2007, it was generally assumed that positive attitudes toward European integration and EU membership were secure. However, the process of EU enlargement has clearly influenced public sentiment. Support in candidate countries has often declined as the realities of conditionality and the costs of membership became apparent. This trend was particularly evident in Turkey, where initial enthusiasm for EU membership waned by the mid-2000s as many citizens began to feel that Turkey was not genuinely welcomed and was being treated unfairly. Therefore, a crucial aspect of the EU's external integration capacity is its ability to cultivate and sustain public support in nonmember states throughout the enlargement process (Schimmelfennig, 2014).

When considering a nonmember state's integration capacity, its domestic preferences, internal power dynamics, and capabilities play a crucial role. Obstacles to enhancing integration capacity and advancing integration often arise at the level of veto players and the structural capabilities of the nonmember state. Veto points refer to institutional or factual positions of power that allow certain actors to block decisions. These veto points become particularly relevant for enlargement if the actors who hold them are opposed to both the enlargement itself and the policies necessary to increase integration capacity. While a higher number of veto points generally raises the likelihood of obstructing the process, more accurate predictions require a detailed understanding of the actors' preferences. In many cases, heterogeneous governing coalitions that include parties opposed to EU conditions have led to significant domestic political costs and slowed the enlargement process (Tsebelis 2002).

In summary, the potential for external integration is bolstered by the ability of non-member and newly joined nations to consolidate and govern democratically, by their economic and legal congruence with the EU, and by the public's support for European integration. These characteristics are thought to be necessary or desirable for nations looking to integrate more closely with the EU. Assessing these variables is a first step towards determining if a non-member nation's ability for external integration is a cause or an effect of expansion. It also helps determine the level of preparedness for enlargement. In summary, the internal and external integration capacity dimensions provide a thorough framework for characterizing and evaluating integration capacity in a variety of ways. This framework serves in identifying strengths, weaknesses, and imbalances even though it might not permit the use of a single aggregated measure of integration capacity (Schimmelfennig, 2014).

3. FRAMEWORK OF EU ACCESSION NEGOTIATIONS

The goal of this section is to show how accession negotiations work. First, by taking a look how enlargement works in general, and then by providing a (very) short overview of how Croatia, as another country in the Western Balkans, negotiated its membership in the EU. Then, we will make an overview of the timeline of Serbia's talks with EU and finally, we attempt to pinpoint the main points of conflict that resulted in Serbia still being only a candidate to become a member of the European Union.

3.1 From Candidature to Membership

In order to understand the steps a country needs to complete in order to become a full member of the EU, we used the official verbiage and definitions found on websites of the European Commission and European Parliament. Then, in the second part, we have followed the path Croatia crossed to become first an acceding country, and then a member of the European Union, as documented by Damir Grubiša (2023).

3.1.1 How countries join the EU?

Before going in depth on the process of negotiations, it is important to understand some prerequisites that potential candidates must meet. A nation must respect the democratic values of the EU and be European in order to apply for membership. It also requires a market economy that is operating, stable institutions that uphold democracy and the rule of law, and the capacity to accept and fulfil the responsibilities of EU membership. The EU provides funding, comprehensive policy advice, and Association Agreements that grant extensive access to the EU internal market to candidate and prospective candidate nations. Once a nation satisfies basic requirements related to politics, economy, and reforms, it can officially become a candidate. After that, it can begin formal negotiations with the EU on 35 chapters encompassing a wide range of policy topics (European Parliament).

There are now three primary membership grades that may be distinguished: "member," "associated country," and "non-associated country," each of which has a few sub-types. Non-associated nations may have other contractual ties, such as preferential or non-preferential trade agreements, but they do not have a macro-institutional arrangement with the EU that governs negotiation, decision-making, or compliance procedures across policies. *Neighbors* are those countries that participate in the European Neighborhood Policy (ENP). In contrast to candidates and quasi-members, they do not have an explicit membership perspective, although membership has not been ruled out explicitly either. *Candidates* are those countries with a membership perspective. The EU sorts candidates into different sub-groups. Those countries that obtain a general accession perspective are referred to as "potential candidates". Once countries have made sufficient progress in meeting EU conditions, they receive official candidate status. The next step is the start of accession negotiations. *Quasi-members* have a membership perspective but no interest in membership. They seek selective integration without membership as in the European Economic Area (EEA) (Schimmelfennig, 2014).

The process of joining the EU broadly consists of three stages: first, when a country is ready, it becomes an official candidate, however, this does not imply that official talks have started; the candidate then proceeds to formal membership negotiations, which entail adopting established EU law, making the necessary arrangements to be able to apply and enforce it, and putting into practice the judicial, administrative, economic, and other reforms required in order for the nation to meet the requirements for joining, also known as the accession criteria; finally, the country can become a member of the EU once the negotiations and related changes are finished to the satisfaction of all parties (European Commission).

Every EU country must be content with the candidate's progress in that policy area, as determined by the Commission, before any individual chapter's discussions may be closed. Only then is the negotiation process as a whole, considered completed. Each candidate country's accession negotiations are based on the 35 chapters that currently make up the *acquis*. They are in line with the several areas of the *acquis* that require revisions in order to satisfy the requirements for entrance. The applicant nations must align their national laws with EU regulations in these areas and modify their institutional and administrative frameworks. The various chapters are examined in the course of the *acquis* screening and are continually assessed until the point at which each chapter is closed (European Commission).

Accession treaty formalizes a country's membership in the EU, detailing the terms and conditions of accession, including transitional arrangements, deadlines, financial arrangements, and safeguard clauses. However, it is not considered final and binding until it has received approval from the EU Council, the Commission, and the European Parliament, been signed by the candidate country and representatives of all existing EU member states; and been ratified by the candidate country and each EU member state according to their respective constitutional procedures, such as parliamentary votes or referendums (European Commission).

3.1.2 Croatian Case

Croatia's path EU membership began with its accession to the Council of Europe on November 6, 1996, a milestone achieved after extensive negotiations. The Council of Europe, established in 1949, is dedicated to promoting democracy, human rights, and the rule of law among its member states. Croatia's membership required it to adopt necessary standards and fulfill its accession obligations. In 1998, Croatia established the Office for European Integration, followed by the adoption of an Integration Activities Plan in 1999, emphasizing

the strategic importance of EU integration. In 2000, Croatia's efforts intensified with the establishment of the Committee for European Integration and preparatory activities for joining the EU's Stabilization and Association Process (SAP), a project aimed to stabilize the region politically and economically. The EU-Croatia Joint Consultative Group was established to aid Croatia in this process, and the European Commission's positive feasibility study in May 2000 set the stage for negotiations (Grubiša, 2023).

Negotiations culminated in the signing of the Stabilization and Association Agreement (SAA) on October 29, 2001, granting Croatia potential candidate status for EU membership. On December 18, 2002, the Croatian Parliament adopted a resolution affirming Croatia's European identity and its commitment to resolving regional issues. Croatia's official EU membership application was submitted in February 2003, with the Thessaloniki Agenda confirming a clear EU membership perspective for the Western Balkans. Croatia received and responded to an extensive questionnaire from the European Commission, leading to a positive opinion on its membership application in April 2004. As a direct consequence, Croatia was granted candidate status in June 2004, with negotiations set to begin in March 2005 (Grubiša, 2023).

However, negotiations were delayed due to concerns about Croatia's cooperation with the Hague Tribunal, particularly regarding the fugitive status of General Ante Gotovina. Once Croatia's full cooperation was confirmed, membership negotiations officially began on October 3, 2005, starting with the screening process to align Croatian legislation with EU law. The European Commission published a series of Progress Reports between 2005 and 2010, assessing Croatia's progress in various areas, including economic reforms, anti-corruption efforts, and the return of refugees. While progress was noted, challenges remained, particularly in the judiciary, competition policy, and the rights of national minorities (Grubiša, 2023).

The sixth and final Progress Report in 2010 marked a turning point, with EU Commissioner Olli Rehn describing it as the best in Croatia's application history. This paved the way for the final phase of negotiations. In June 2011, the European Commission recommended closing the remaining negotiation chapters, and the European Council proposed Croatia's accession for July 1, 2013. Croatia closed the last negotiation chapters on June 30, 2011, and on December 9, 2011, President Ivo Josipović and Prime Minister Jadranka Kosor signed

Croatia's Accession Treaty to the European Union in Brussels, marking the culmination of Croatia's long journey towards EU membership (Grubiša, 2023).

3.2 Timeline of Serbia-EU Accession Talks

Serbia embarked on its journey to join the European Union in 2000 following the fall of Slobodan Milošević's authoritarian regime. After the political shift, Serbia prioritized the development of democratic institutions, the advancement of human rights, and the establishment of the rule of law. These initiatives were crucial for meeting EU standards and principles. As mentioned in the short overview of the Croatian case, at this time, the EU launched the Stabilization and Association Process for the Western Balkans, including Serbia. The SAP was not only aimed to stabilize the region but also to prepare its countries for eventual EU membership. Serbia began negotiations on a Stabilization and Association Agreement (SAA) as part of this process. One of the key events in the beginning of Serbia's accession path was Thessaloniki European Council summit (Žakowska, 2016).

At the 2003 European Council meeting in Thessaloniki, Serbia and five other Western Balkan nations were named potential candidates for EU admission. The Summit was held from June 19 to 20, 2003. It was a significant event in the European Union's history, focusing on several key areas related to EU enlargement, constitutional reforms, and foreign policy. During the summit one of discussions was the subject of EU Enlargement with focus on western Balkans. The summit reaffirmed the EU's commitment to the integration of the Western Balkans, emphasizing that these countries have a clear European perspective and will be part of the EU once they meet the established criteria. This was known as the "Thessaloniki Agenda for the Western Balkans." The "Thessaloniki Agenda" included measures to assist these countries in meeting the criteria for membership, including financial aid, institutional support, and integration of their economies with the EU (European Commission, 2003).

Some of challenges Serbia faced in early journey were internal political Instability and dealing with organized crime. A great example of these challenges was the 2003 Assassination of Prime Minister Zoran Đinđić. The assassination was a significant setback. Đinđić was a pro-reform leader who had been instrumental in pushing Serbia towards EU integration. His death highlighted the challenges Serbia faced. As well Serbia had challenges when it came to cooperation with the International Criminal Tribunal for the former Yugoslavia (ICTY). Serbia faced pressure from the EU to cooperate fully with the ICTY, particularly in apprehending and extraditing war criminals. This cooperation was a

contentious issue domestically but was essential for progress in EU integration (Glenny, 2012). In 2008 the parliamentary elections resulted in a pro-European coalition government led by President Boris Tadić. This government committed to pursuing EU integration as a central policy goal. Under Tadić's leadership, Serbia took several significant steps towards EU integration. The first one of which is the signing of the already mentioned Stabilization and Association Agreement in 2008. This agreement was a crucial milestone in Serbia's EU accession process (Ministry of European Integration). Next, on December 22, 2009, Serbia formally applied for EU membership, indicating a clear commitment to joining the EU (European Commission, 2009). Finally, there was the Visa Liberalization in 2009: the achievement of visa-free travel for Serbian citizens in the Schengen Area was a significant step towards European integration (European Commission, 2009).

Between 2012 and 2022, Serbia's dynamic relationship with the European Union underwent a significant transformation, marked by a series of nuanced events that unfolded against the backdrop of complex political and regional challenges. During this decade, Serbia followed a defined path of gradual progression towards eventual EU membership, demonstrating a persistent commitment to aligning its policies and institutions with EU standards and regulations. Despite facing multiple obstacles and complex geopolitical dynamics, Serbia's strategic engagement with the EU reflects a dedicated drive to foster closer ties and enhance cooperation on various fronts, from economic reforms to improved governance. Through a delicate balancing act of domestic reforms and foreign diplomacy, Serbia's journey towards EU integration has captured the intricacies of modern statecraft and the evolving nature of transnational relations in a rapidly changing global landscape.

In March 2012, Serbia received EU candidate status, an important step towards eventual European integration (European Commission). In April 2013, Serbia and Kosovo signed the Brussels Agreement, marking a significant step towards normalizing their relations. This agreement was a crucial milestone that paved the way for the commencement of EU accession talks with Serbia (Government of the Republic of Serbia). The first intergovernmental conference was held on January 21, 2014, which marked the official beginning of Serbia's accession negotiations. Unsurprisingly, the first two chapters that were opened, on December 14, 2015, are chapter 32 "financial control" and chapter 35 "other issues" with item 1 being the normalization of relations between Serbia and Kosovo. Up to date of writing of this thesis, out of the 35 chapters, 22 have been opened (all of the chapters

under cluster 1 on the process's foundations and cluster 4 on the green agenda and sustainable connectivity), the remaining two are temporarily closed (European Commission).

In February 2018, the European Commission adopted its strategy for ‘A credible enlargement perspective for and enhanced EU engagement with the Western Balkans’. The Western Balkans Strategy outlines the EU's exceptional support for the region's transformation through six flagship initiatives, focusing on key areas of mutual interest for both the EU and the Western Balkans nations. These include strengthening the rule of law, reinforcing engagement on security and migration, enhancing the support for socio-economic development, increasing transport and energy connectivity, initiative for a digital agenda, and finally, initiative to support reconciliation and good neighborly relations (European Commission, 2018).

In February 2020, a new, revised methodology, presented by the Commission, is created to drive forward the enlargement process with a stronger political steer and in a more credible, predictable, dynamic way. Commissioner for Neighborhood and Enlargement, Olivér Várhelyi commented that the revised EU enlargement methodology introduces significant changes aimed at making the accession process more credible, predictable, dynamic, and politically driven. For Serbia, this new methodology means that the process will be more rigorous, with a strong emphasis on the rule of law and a merit-based assessment of progress. Accession chapters will be grouped into clusters, starting and ending with the rule of law, which will be continuously monitored. This clustering allows for a faster negotiation process if reforms are implemented promptly, but it also introduces the possibility of reversing progress if reforms stall or regress. The methodology emphasizes clearer conditions and increased involvement of EU member states in monitoring Serbia's progress, ensuring that Serbia remains committed to its reform agenda throughout the accession process (European Commission, 2020).

The year 2020 was the most challenging for Serbia's EU integration since negotiations began, marking the first time no negotiating chapters were opened or closed. Significant concerns arose due to issues with electoral conditions, a lack of political pluralism, and rule of law deficiencies, leading to questions about Serbia's democratic status from international bodies and the European Parliament. The European Commission's 2020 report on Serbia highlighted the lack of progress in key areas such as judicial reform, media freedom, and the political environment, which was marred by the absence of political opposition in both parliament and

the media. In 2020, the Serbian government commenced negotiations under a revised EU enlargement methodology aimed at enhancing credibility, predictability, and dynamism, with stronger political oversight. By December 2021, EU member states approved the opening of Cluster 4, focusing on the Green Agenda and Sustainable Connectivity, largely as a response to Serbia's judicial reforms and the planned constitutional referendum in early 2022. Over an 18-month period, Serbia formally advanced in its EU accession by opening four chapters within Cluster 4, a development praised by both Serbian and EU officials. However, this progress, while notable, was considered modest for a country seen as a frontrunner in EU accession (Burazer et al, 2022).

3.3 Breakdown of Negotiations: Key Conflict Points

Serbia's path toward EU membership has been fraught with a variety of challenges that have significantly hindered its accession process. These obstacles are complex and multifaceted, involving political, legal, economic, and regional factors that have collectively impacted Serbia's efforts to integrate into the EU framework.

Politically, Serbia has had to deal with issues such as domestic governance, the rule of law, and political stability. These factors play a crucial role in the EU's evaluation of a candidate country's readiness for membership. Additionally, Serbia's relations with Kosovo remain the most significant and persistent challenge for Serbia. Kosovo declared independence from Serbia in 2008 (Bilefsky, 2008), a move that Serbia has never recognized. The EU has made it clear that the normalization of relations with Kosovo is a crucial condition for Serbia's accession to the EU (Żakowska, 2016). This requirement was formalized in the Brussels Agreement of 2013, which aimed to resolve practical issues between Serbia and Kosovo, particularly regarding governance in northern Kosovo. While this agreement allowed Serbia to begin formal EU accession talks, ongoing tensions and the lack of a comprehensive, legally binding agreement have continued to hinder progress. The European Parliament and EU officials have repeatedly emphasized that resolving this issue is a priority for Serbia's EU integration (Stojanović, 2023).

Legally, Serbia has faced the daunting task of aligning its national laws and regulations with EU standards. The EU has consistently stressed the importance of judicial independence, the fight against corruption, and the protection of fundamental rights as core criteria for membership. In Serbia, these areas have been identified as needing significant improvement. The European Commission and the European Parliament have criticized Serbia for the slow

pace of reforms in these sectors. Concerns include political influence over the judiciary and limited progress in prosecuting high-level corruption. Serbia was over four years behind in enacting the legislative changes required for constitutional amendments related to Chapter 23 on the judiciary. Originally due by the end of 2017, the deadline was extended to the end of 2021, with the amendments finally approved in late 2021 and confirmed by a referendum on January 16, 2022. However, the necessary legislative changes to implement these amendments are still in progress. While the goal is to enhance judicial independence by reducing the parliament's role in appointing judges and prosecutors, protections against political influence on the judiciary remain inadequate. Additionally, the ineffective prosecution of corruption cases, often poorly reported in the media, contributes to the public's distrust of institutions. Police statistics show that many arrests for corruption do not correlate with prosecution outcomes, and corruption types remain indistinct. For example, "grand corruption," relating to major infrastructure and urbanization projects, is not legislatively differentiated from petty corruption (Juzová et al, 2022). While the Agency for Prevention of Corruption has acted on GRECO recommendations and new legal amendments were passed in September 2021, Serbia still needs to create a comprehensive Anti-Corruption Strategy, an action plan, and effective coordination mechanisms to tackle corruption adequately. GRECO has also requested that Serbia's head of delegation provide further information on the partially implemented recommendations by March 31, 2023, as noted in its latest compliance report (GRECO, 2022). Recently, the Regulatory Body for Electronic Media (REM) renewed national broadcast licenses for four pro-government TV channels—B92, Happy, Pink, and Prva—despite evidence that they had not met their obligations in the previous period. This decision came after an open call with 14 applicants but ultimately favored the same channels, leading to a lawsuit by the Slavko Ćuruvija Foundation and CRTA (FoNet, 2022). Additionally, the state-owned Telekom Srbija has been attempting to dominate the media and cable markets, particularly targeting United Group, which broadcasts critical news channels N1 and Nova S. The dominance of government-aligned media, including major TV channels and newspapers, raises concerns about media pluralism and independence. As a result, reports from the European University Institute and other organizations have categorized Serbian media as "medium risk" for fundamental protections and political independence, while market plurality and social inclusiveness are rated as "high risk." These issues have been a significant stumbling block in Serbia's negotiations, particularly under Chapters 23 (Judiciary and Fundamental Rights) and 24 (Justice, Freedom, and Security) (Milutinovic, 2021).

Economically, Serbia's trade deficit has been a consistent issue, with imports regularly outpacing exports. However, the country has also been successful in attracting foreign direct investment (FDI), particularly in sectors like automotive manufacturing, electronics, and IT. FDI inflows have been a critical driver of economic growth, contributing to job creation and technological advancement. Serbia's strategic location in the Balkans, along with free trade agreements with the EU, Russia, and Turkey, have bolstered its attractiveness as an investment destination (European Commission, 2022). Serbia encounters challenges related to its market economy's competitiveness and the need for significant investment to improve infrastructure and services. Serbia's EU accession process has driven many of its economic reforms, particularly in areas like market liberalization, regulatory alignment, and public procurement. However, the pace of reform has been slow, and the country has yet to fully meet the economic criteria for EU membership, particularly in terms of market competition (European Commission, 2022). In order to improve the functioning of the market economy, EU asks of Serbia in particular to mitigate crisis-induced economic fall-outs via automatic stabilizers and appropriate discretionary fiscal measures while making the budget composition more growth-friendly, strengthen fiscal rules by making them more credible and binding and capable of anchoring fiscal policy, take steps to advance the reform of public administration, including the public sector wage system increase the transparency on state-owned enterprises' fiscal impact and improve their governance including via further restructuring, increase funding and the implementation of active labor market measures adjusted to the needs of the unemployed (European Commission, 2020).

In addition, public support for Serbia's accession has dropped significantly in recent years and is much lower than in neighboring countries. In the public survey published by the Ministry for European integration of Serbia in December 2022, to the question: "Do you support our countries membership of the EU", only 43% of respondents replied yes, while 32% answered that they do not support the membership. The highest number of negative respondents, 8% reasoned that they do not see a positive side of membership, while others include the conditions, Kosovo issue, and sovereignty loss (Government of the Republic of Serbia, 2022). In the survey done by the Ipsos agency in March 2022, 46% of Serbian citizens would vote for membership, while only 21% have a generally positive attitude towards the EU. Compared to Serbia, 90% of Montenegrin, 77% of Albanian, and 74% of North Macedonian citizens support their countries' membership in the EU (portalnovosti.com, 2022). The publics of Europe are similarly divided on enlargement. A

June Eurobarometer study found that 53% of respondents support including new countries. Older and newer members of the European Union are generally divided, particularly in areas where the advantages of EU membership for economic growth are most noticeable. For instance, 67 percent of respondents in Poland support enlargement, compared to 35 and 42 percent in France and Germany, respectively. Austria is rated as least favorable (29%) whereas enlargement is supported by 77% of Lithuanians, 74% of Spaniards, and 72% of Croatians (European Union, 2023).

In summary, Serbia's journey toward EU membership involves navigating a landscape filled with challenges that span political, legal, economic, and regional dimensions. Understanding these key obstacles is essential to appreciate the complexities of Serbia's efforts to achieve its goal of EU integration.

4. SERBIA'S EU ACCESSION: UNRESOLVED CHALLENGES

The goal of this section is to go more in depth at what was mentioned earlier, with regards to main issues, obstacles and challenges that remain unresolved in the EU-Serbia accession talks. Finally, the section will also touch upon the subject of the region of Western Balkans as a whole, which will shed some more light on EU's strategies and action plans for integrating the region in question.

4.1 Territorial Issues and Controversies

One of the main obstacles on the road to European integration are Serbia's territorial disputes with neighboring countries. When speaking of Serbia's territorial disputes, the first issue that is on everyone's mind is the Kosovo issue. For many years, tensions were focused on Serbia's lack of cooperation with the International Criminal Court for the Former Yugoslavia (ICTY). More recently, however, the interaction between Europe and Serbia has been predominantly shaped by the deep differences that emerged between Serbia and the EU in the aftermath of Kosovo's declaration of independence, in February 2008. Serbia, back by Russia and China, refuses to recognize independence of Kosovo. This has remained a central issue in Serbian politics and a major source of regional instability. This has caused a string of disagreements between Belgrade and the EU as well (Economides and Ker-Lindsay, 2015). In response to Kosovo's declaration, Serbia asked the International Court of Justice (ICJ) for an advisory ruling about the legitimacy of Kosovo's independence. The dispute remained unresolved

while Serbia persisted in rejecting Kosovo's sovereignty, despite the International Court of Justice's 2010 ruling that the country's declaration of independence did not violate any international law (Caplan, 2010).

Signing of the Brussels Agreement in April 2013 could be the most significant breakthrough to date. This was the first agreement between Serbia and Kosovo on the possibility of normalization of relations. The agreement included the establishment of the Association/Community of Serb-majority municipalities in Kosovo, granting them a degree of autonomy, as well as the integration of Serbian police and judiciary in northern Kosovo into Kosovo's institutions. Included were also agreements on energy, telecommunications and freedom of movement (Government of the Republic of Serbia). The Brussels Agreement was welcomed as a critical milestone, but its implementation has not matched expectations. The creation of the Association/Community of Serb-majority Municipalities has been particularly contentious, with Kosovo fearing it could undermine its sovereignty, and Serbia insisting on its full implementation. 2018 saw Serbian President Aleksandar Vučić characterize the Brussels Agreement as a difficult compromise for his country, stressing that Serbia has complied with all of the agreement's requirements (Beta, 2018). On March 24, 2022, Vučić, however, proclaimed the Brussels Agreement to be essentially "null and void." He attributed this statement mostly to intentions to remove all Serb commanders from the Kosovo police force and the suspension of Ljiljana Stevanović, the president of the Mitrovica court, by the Kosovo Judicial Council. These worries were also expressed by Serbian Prime Minister Ana Brnabić, who said that the fundamental human rights of the Serb community in Kosovo were not being upheld (b92.net, 2022).

In September 2020, Kosovo and Serbia signed the Washington Agreement under the auspices of the United States, with then-President Donald Trump presiding over the ceremony. This agreement focused on infrastructure development, the implementation of agreements on the Belgrade-Pristina highway and rail connections, mediated by the US. Then also economic cooperation, both sides are to work with US financial institutions to fund bilateral infrastructure projects. The agreement also included border management, aimed to open and operationalize the Merdare Common Crossing Point, improving joint border management. An interesting part of the agreement is the mini-Schengen zone designed boost regional economic integration by facilitating the free movement of goods, services, capital, and people. The sides agreed to mutually recognize academic diplomas and professional certificates, to promote religious freedom, implement court decisions regarding the Serbian

Orthodox Church, and address Holocaust-related property claims, and to increase efforts to identify missing persons from the 1999 conflict and address issues related to refugees and internally displaced persons. Kosovo agreed to a one-year moratorium on seeking membership in international organizations, while Serbia committed to a one-year halt on its campaign to reverse Kosovo's recognition by other states. These commitments aimed to improve bilateral relations, foster regional stability, and advance both Kosovo and Serbia's aspirations for European integration (Muharremi, 2021).

4.2 Democratic Values and Institutions

Fundamental rights, freedom of media and political pluralism are just a few key indicators of democracy in a society. As we have seen so far, they are also key requirements for countries to become members of the European Union. This subsection is aimed to showcase these indicators of democratic freedom in Serbia, and how they apply to European integration.

Serbia's Freedom House score has been declining every year since 2017. Seven years ago, the score was 76, making the country a part of the "free" tier, however, according to the latest report in 2024, the score is 57, making Serbia "partly free" (Freedom House, 2024). The 2017 report criticized the ruling party's governance in terms of political rights and civil liberties but has expressed a certain amount of optimism regarding its movement towards joining the European Union (Freedom House, 2017). Over the years, Serbia's democratic environment and media freedom continued to decline. Media bias and mishandling of public resources plagued the electoral campaign leading up to the elections in April 2022, with President Vučić receiving 74% of the media coverage allotted to presidential candidates. An unlevel playing field that benefited the incumbents was created by this excessive exposure as well as the hazy distinction between his leadership of the Serbian Progressive Party (SNS) and his position as head of state. Reports of anomalies, such as vote buying, coercion of disadvantaged groups to favor the ruling party, and the use of duplicate voter lists, further undermined the integrity of the electoral process. Formal freedoms notwithstanding, the SNS dominated the electoral landscape, in part because of its sway over the public and commercial media. The SNS's control over media outlets has allowed it to strengthen its political position and marginalize opposition parties (Freedom House, 2023).

In addition, the media landscape in Serbia is characterized by a lack of transparency in ownership, editorial pressures from politically connected owners, and direct threats against journalists. This environment has led to widespread self-censorship and limited the public's

access to unbiased information. The Regulatory Authority for Electronic Media (REM) has also been criticized for lacking independence, especially in its allocation of national broadcast frequencies, which have favored media outlets that openly support the government, the ruling party and president Vučić. Journalists in Serbia continue to face significant risks, including physical attacks, smear campaigns, and online harassment. The authorities have often ignored or dismissed requests for information, further hindering investigative journalism. In 2022, the Independent Journalists' Association of Serbia recorded 132 attacks on journalists, underscoring the increasingly hostile environment for independent media in the country (Freedom House, 2023).

According to country report made by Centre for Media Pluralism and Media Freedom (CMPF), Serbia received a medium risk rating (51%) in the area of fundamental protection because of its legal framework and laws aimed at guaranteeing media freedom and decriminalizing defamation. Nonetheless, there are still issues with media freedom, and journalists have to deal with hostile environments including physical and online attacks. Despite the fact that there were no arbitrary arrests or killings of journalists in 2022, the hostile atmosphere facing them is largely attributable to government officials being accused of labeling critical media as enemies. The escalation of SLAPP litigation, specifically directed towards investigative media, coupled with economic pressures, causes self-censorship and renders journalism a vulnerable profession in Serbia. In the Market Plurality area, Serbia now faces a high risk of 77%, up 9 percentage points from one year earlier. Significant cross-media concentration - conglomerates controlling print, web, and audio-visual media - are the main forces behind this issue. Public awareness of local media consolidations' effects on market competitiveness and media plurality is frequently lacking. A lack of transparency nevertheless characterizes the media sector; basic information about media outlets, market value, and cash flows is frequently unavailable. A large number of media do not reveal who really influences their editorial practices, and others do not even have official ownership registration. The constraints placed on editorial freedom by media owners are not sufficiently addressed by current legislation. With a 74% score, Serbia's Political Independence area is under serious risk. There are still few legal protections against political sway in the media. Journalists are subject to politically motivated pressure since there are insufficient mechanisms in place to guarantee the independence of editor appointments. Soft censorship is frequently used by media outlets' management and editors, who are selected based on their political stance. A large portion of media ownership is held

by organizations connected to the governing SNS party. Pro-government television networks' license renewals and the historic Politika newspaper's 2022 privatization underscore enduring worries about regulatory control and media freedom. The Social Inclusiveness risk in Serbia remains at a medium level, with a score of 64%. With a score of 64%, Serbia's social inclusion risk is still considered to be at a medium level. The areas with the biggest risk include women's representation (75%), protection against misinformation (83%), and media accessibility for individuals with disabilities (88%). This medium risk level is also influenced by other characteristics such as minority representation (65%), community media risk (63%), and media literacy initiatives (60%). Interestingly, compared to 2021, the media literacy score declined in 2022. Despite efforts from civil society and fact-checkers, Serbia lacks a comprehensive national strategy to combat disinformation, exacerbated by regulatory gaps and the spread of false news by political authorities and aligned media outlets (Milutinovic, 2023).

One of the already infamous scandals for which the Serbian ruling party, SNS, is known even internationally, is their practice using online bots for political gain and campaigning. In April 2020, the Stanford Internet Observatory's research uncovered a massive bot network linked to Aleksandar Vučić and SNS. The network consisted of over 8 thousand accounts, which collectively tweeted over 40 million times, with 85% of those tweets being retweets. The research made clear that these accounts' main function was to undermine any unfavorable news from opposition politicians, protestors, NGO members, journalists, or ordinary citizens, while promoting and disseminating positive news about President Vučić and SNS. Twitter deleted all the accounts from the network in response to the report. Similar trends in SNS's strategy were found in an investigation of the same network conducted two years later (Bajić, 2022).

In the context of European integration and Serbia's negotiations with the EU regarding membership, the progress of alignment to the European *acquis* has been rather slow. While Chapters 23 (Judiciary and fundamental rights) and 24 (Justice, freedom and security) were both opened in 2016, the progress achieved by Serbia could largely be characterized as isolated and limited. There is reason for alarm, particularly with regard to the discussions' standstill in the two chapters between 2020 and 2022. Moreover, Serbia frequently presents its accession process advancements as merely technicalities, while the nation is still far behind in implementing significant and fundamental reforms. While Ana Brnabić's two governments (2017–2020 and 2020–2022) have made a concerted effort to convince the EU

of their dedication to European values and to portray the advancement towards membership as a noteworthy accomplishment, specific instances (like the September 2022 cancellation of Europride, the “Jovanjica” scandal, or the contentious allocation of national frequencies to television channels supporting the government) cast doubt on the sincerity of the commitment to Chapters 23 and 24.

4.3 Western Balkans: Perpetual Applicants

Since the very beginning of European integration in the Western Balkans, the region has had a special status, with emphasis on stabilization, normalization of relations and regional cooperation. As was mentioned earlier with cases of Croatia and Serbia, all countries in the Western Balkans were required to sign a Stabilization and Association Agreement (SAA), as part of the EU Stabilisation and Association Process (SAP), which serve as the basis of the accession process for this region. The agreements are customized for the unique circumstances of each partner country and, in addition to creating a free trade zone between the EU and the country in question, they also specify shared political and economic goals and promote regional cooperation (European Commission). The EU-Western Balkans Summit, held in Thessaloniki in June 2003 marked an important step towards integration of the Western Balkans into the EU. The “Thessaloniki Agenda” was endorsed, setting out a shared path for political and economic reforms that are necessary for EU accession. The summit highlighted the importance of regional cooperation, suppression of corruption, and promoting economic stability as key elements of the accession process (European Commission, 2003). The stabilization and association process, as per European Commission’s website, aims to stabilize the countries of the region and promote regional cooperation before the eventual membership of the EU. The process is supposed to assist the countries build their capacity to adopt and implement EU law, by offering trade concessions, economic and financial assistance, and assistance for reconstruction, development and stabilization (European Commission).

Today, one of the key pillars of the accession process is civil society. This is evident in the Commission's annual reports on Western Balkan countries, where civil society is described under a separate heading in the *Fundamentals first: political criteria and the rule of law* chapters, the part on functioning of democratic institutions and the Public Administration Reform. Assessments of the range from "no progress" (Serbia and Albania) to "continuous progress" (North Macedonia, Kosovo, and Montenegro) and "no strategic framework for

cooperation with civil society with differences across levels of government" (BiH) are made in relation to the establishment of an enabling environment for the development and financing of civil society. However, some specific areas of successful or increased engagement of Civil Society Organizations (CSOs) were noted in each report: the activism of human rights defenders, the administration's cooperation with civil society on EU accession affairs, the monitoring of reforms in various fields, increased local cooperation, financing transparency, and some legal improvements. In the Western Balkans, civil society is becoming more and more involved in the growth and strengthening of regional cooperation. To boost their efficiency and effectiveness, an increasing number of regional organizations have made contacts and begun to incorporate CSOs, their networks, and representatives in some of their main or side operations, in varied formats and positions. However, a more structured approach is required in order to exploit the extensive resources of the civil society in the EU accession of Western Balkan societies and closer cooperation in the region. This includes establishment of a database of regional civil society networks, a wider analysis of CSO's inclusion in the activities of regional organizations, supporting the CSO's potential in improving strategic communication with EU institutions, and organizing sectoral and general debates with civil society in the Western Balkans on how to improve their contribution in developing cooperation in the region (Minić et al. 2019).

From the EU perspective, the current round of the enlargement process contains greater challenges than earlier. The EU has faced, and is facing, several crises, which increase the complexity of accession requirements for Western Balkan countries. National approaches have been essential for addressing country-specific issues, however, the regional, more unified approach is also mandatory, for two main reasons. First, coordinated advocating is more efficient and successful because of the EU's "cluster perception" of the Western Balkans as an area with common challenges. Second, given the challenges to global security and the growth of anti-EU sentiment, regional cooperation is essential for resolving historical issues and maintaining peace in the region, a necessity that is becoming more and more critical (Marjanović Rudan, 2016).

The European Union continues to put in efforts to adapt and upgrade its strategies focused on integration of the Western Balkans region. The revised methodology of grouping chapters into clusters in 2020 was already mentioned in earlier sections. In December 2022, the EU-Western Balkans Summit in Tirana, held for the first time in a Western Balkans country, put emphasis on the geopolitical and strategic importance of the region, especially in the wake of

Russia's escalating war in Ukraine (European Commission, 2022). In October 2023, during her visit in Tirana, President of the European Commission, Ursula von der Leyen commended Albania's progress in joining the EU. President von der Leyen mentioned the EU's initiatives, such as the Economic and Investment Plan and the newly launched Growth Plan for the Western Balkans, which aims to strengthen economies and bring them closer to the EU's Single Market (European Commission, 2023). The new Growth Plan for the Western Balkans is based on four pillars. First being aimed at enhancing economic integration with the single market of the European Union, provided that the Western Balkans abide by its regulations and simultaneously open the pertinent industries and regions to all of their neighbors, in accordance with the Common Regional Market. The second pillar is focused on boosting economic integration within the Western Balkans through the Common Regional Market, based on EU rules and standards, which could potentially add 10% to their economies. Accelerating fundamental reforms, including on the fundamentals cluster, supporting the Western Balkans' path towards EU membership, improving sustainable economic growth including through attracting foreign investments and strengthening regional stability would be the third pillar of the Growth Plan. Finally, the fourth pillar is aimed at increasing financing to support the reforms through a Reform and Growth Facility for the Western Balkans for the years 2024–2027. This proposal is for a new instrument worth €6 billion, which would be made up of €4 billion in concessional loans and €2 billion in grants, and whose payment would be contingent on the partners in the Western Balkans completing certain fundamental and socioeconomic reforms. Every Western Balkan partner will be asked to create a Reform Agenda as part of the Growth Plan, drawing from proposals already in place such as those from the yearly Enlargement Package and the nation's Economic Reform Programs (ERP). The Commission will review, evaluate, and approve this Reform Agenda (European Commission, 2023).

5. CONCLUSION

The problem of Serbia's accession talks is complex, one deserving of extensive research and documentation. It was a very challenging effort trying to fit such a subject in the format of a master's thesis. The accession process is not just a simple bureaucratic procedure, but a intricate transformation, that requires substantial political, economic, and social reforms. Serbia's journey serves as proof of the challenges of aligning national policies with EU standards, particularly in the context of the region of Western Balkans. The process has been

marked by varying progress, reflecting both internal struggles and the broader challenges facing the EU itself, such as enlargement fatigue and the shifting political landscape within Europe.

The complexity of Serbia's accession process reveals that the success of integration depends on not only the technical fulfilment of accession criteria. Political context, public support, and the ability to improve on the existing regional cooperation are equally important.

It is crucial for future research to continue with the analysis of how countries integrate into the European Union. This involves exploring the potential benefits of integration, not just in terms of economic growth and political stability, but also how it fosters regional cooperation and social cohesion. Research should also be focused on identifying the key factors that contribute to integration, such as governance, institutions, and the ability to implement reforms. It is equally important to understand what obstacles to integration exist, including domestic resistance and external pressures, in order to develop strategies aimed at overcoming these challenges.

By broadening the research scope to encompass comparative analyses of alternative accession procedures, academics might extract significant insights that could potentially shape and enhance forthcoming EU expansion tactics. In the end, this will lead to a more thorough comprehension of European integration, guaranteeing that subsequent accession procedures are not only more efficient and seamless but also better adapted to the various political and socioeconomic realities of prospective member states. The experience of Serbia, in all its complexity, is an important case study for the continued development of the European Union and its policy of enlargement.

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SUMMARY

European integration and enlargement are one of the key aspects in the functioning of the European Union. They refer to the process of political, economic, and social unification of European countries, aiming to enhance cooperation and prevent conflicts in a region with a turbulent history. This endeavor has historically led to the establishment of various institutions, most notably the European Union, which facilitates collaboration among its member states in numerous areas, including trade, security, and environmental policy.

Serbia, as a part of the Western Balkans, has been pursuing EU membership since the early 2000s, amidst a complex regional landscape marked by historical tensions and socio-political challenges. Serbia officially applied for EU membership in 2009, and in 2012, the European Council granted Serbia candidate status. The integration process for Serbia is influenced by several factors, including the normalization of relations with Kosovo, which declared independence from Serbia in 2008. The EU has emphasized the importance of dialogue between Serbia and Kosovo as crucial for Serbia's accession aspirations.

The path to EU membership for Serbia involves fulfilling the rigorous Copenhagen criteria, which include political stability, a functioning market economy, adherence to the rule of law, and respect for human rights. Serbia has made significant progress in adopting EU legislation and reforms, especially in judicial independence, anti-corruption measures, and strengthening democratic institutions. However, challenges remain, particularly in relation to political polarization, economic development, and ongoing regional relations.

This master's thesis aims to identify and describe the challenges of successful enlargement and integration of countries and their political, economic, social and legal systems, by analyzing the case of Serbia and its negotiations regarding joining the European Union.

Key words: European Union, Serbia, European integration, enlargement, Western Balkans