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## REPUBLIC OF CROATIA IN THE EUROPEAN INTEGRATION PROCESS (1992-2005)

The article analyzes the main stages of the Croatian integration path towards European Union in 1992-2005. In particular, it offers an insight into the features of the Croatia-EU relations during the authoritarian policy of the Croatian President Franjo Tudjman as well as policy instruments of the EU towards the Western Balkans countries such as Regional Approach, Conditionality Strategy and Stabilization and Association Process (1992-1999).

The shows also how the new authorities of Croatia, after parliamentary and presidential elections of 2000, reached a significant progress in rectification of relations with the EU resulted in Stabilization and Association Agreement signing in 2001 and accession talks opening in 2005. Special attention is paid to the specificity of the EU approaches towards the Western Balkans, which moved from the post-conflict stabilization to the European integration.

The conclusions prove the significance on the Stabilization and Association Agreement for the European integration of Croatia and indicate three factors that played an important role in intensification of the Croatian course towards joining the EU.

**Keywords:** Croatia, the European Union, Stabilization and Association Process, Stabilization and Association Agreement, integration process.

### Introduction

On July 1, 2013, the Republic of Croatia officially became the 28<sup>th</sup> member of the European Union. This event marked the fulfillment of a foreign policy goal, along with joining NATO in 2009, as a major step forward in the country's long-term consolidation process.

Croatia, after the dissolution of the Federal Republic of Yugoslavia, went through a thorny path to gaining full membership in the EU, accompanied by the War of Independence (1991-1995), the restructuring of the model of national economy development on a market basis, the settlement of the territorial dispute with Slovenia and the need for active cooperation with the International Criminal Tribunal for the former Yugoslavia (ICTY). Against this background, the country carried out a series of measures on internal reform and adaptation of the legislation to the EU law (*acquis communautaire*).

Formally, the Croatia's accession negotiations with the EU started in 2001 with the Stabilization and Association Agreement signing, which created a contractual relationship with this Balkan country based on gradual implementation of a free trade area and reforms designed to achieve the adoption of the EU standards aimed at moving closer to the European Union. The negotiation process continued with the Croatia's application for the EU membership in 2003 and opening membership talks in 2005.

This article aims to analyze peculiarities of relations between Croatia and the European Union in the context of Croatia's aspirations for the European integration in 1992-2005 and looking at the transformation processes in Croatia and the changes in the EU approaches towards the Western Balkans, in particular Croatia, during that historical period.

### Specific aspects of relations with the EU in 1992-1999

The crisis phenomena in the Socialist Federal Republic of Yugoslavia (SFRY) in the late 80's – early 90's of the 20th century, which comprised all spheres of society's life – ineffectiveness of federal authorities, economic and political crises, lack of full economic relations between federal republics, and public opinion that supported the course for country's independence – established necessary environment for withdrawal of Croatia from the SFRY. Against this backdrop, on June 25, 1991, based on the results of the referendum that was held in May 1991, the Sabor (Parliament) of Croatia proclaimed the independence of the Republic of Croatia<sup>1</sup>. At the same time, the dissolution of the SFRY prompted a series of armed conflicts on its territory. During 1991-1995, Croatia fought against the Serbian aggression

<sup>1</sup> Яровий, В.І. (2005). *Новітня історія Центральноєвропейських та Балканських країн. XX століття*. Підручник для вищих навчальних закладів. Київ: Генеза, 766-769.

(at that time, the Federal Republic of Yugoslavia), as well as for the restoration of its territorial integrity which was achieved only in 1998 when the activities of the United Nations Transitional Administration in Eastern Slavonia, Baranja and Western Sirmium (UNTAES) were completed.

Official relations between the European Community (since November 1993 – the European Union (EU) were established on January 15, 1992 and the European integration was set up as the main goal of Croatian foreign policy<sup>1</sup>. It should be noted, however, that relations between Croatia and the EU in the following years were almost at a low level and were not marked by active development. The reasons for that, on the one hand, lay in the authoritarian national policy of the President of the Republic of Croatia Franjo Tudjman (1990-1999) and the lack of progress in such areas as democratization, respect for human rights, including the rights of minorities, and the rule of law, otherwise known as the Copenhagen political criteria. On the other hand, there was dissatisfaction by the EU due to the interference of Croatia in the conflict in Bosnia and Herzegovina, and the lack of cooperation with the ICTY. In these circumstances, at the end of the 1990s, Croatia was in fact in international isolation<sup>2</sup>.

On February 26, 1996, the EU adopted the Regional Approach to the countries of South-Eastern Europe, which is considered as the first comprehensive EU strategy concerning this part of Europe. The strategy assumed a number of measures aimed at ensuring the successful implementation of the Dayton Agreement, stabilization of the political and economic situation in the countries of the Western Balkans, and deepening of regional cooperation as one of the main factors for a positive assessment by the countries.

Another important issue of the EU Regional Approach was the rule that obliged the countries to take a number of intergovernmental measures, particularly in regard to free goods and people movement and provision of services, as well as to develop some projects of common interest. Indeed, a lot of ties between the Balkan countries were torn apart and the restoration of previous relations was one main objectives of the EU at that time.

On April 29, 1997, the Council of the EU issued a Conditionality Strategy – the political and economic conditions for the development of relations between the EU and the Western Balkan countries aimed at establishing stable institutions guaranteeing democracy, legal order, respect for human rights and the protection of national minorities, regional cooperation enlargement, as well as market reforms. In turn, the EU committed itself to give the states of the region trade preferences, financial assistance and to establish treaty relations with them<sup>3</sup>.

A monitoring mechanism was developed, according to which the European Commission every six-month prepared an assessment of how the countries of the South-Eastern Europe (SEE), including Croatia, follow the Regional Approach and the Strategies for Sustained Support. Three of the European Commission reports were not positive for Croatia.

A turning point in the relations of the EU with Croatia and other SEE countries was the launch of a new comprehensive EU policy – the Stabilization and Association Process (SAP) for South-Eastern Europe in 1999, designed to open up the prospect of integration in the EU and create favorable conditions for reforms. The EU pursued the following goals through this process:

- stimulating the establishment of democratic and sustainable institutions;
- ensuring the rule of law;
- support for economic development and growth through financial assistance;
- promoting the democratization of civil society, education and culture;
- development of cooperation in the spheres of national policy and justice, as well as intensification of political dialogue.

These objectives were based on the following approaches. Firstly, the prospect of European integration serves as the most important driving force for mutual development in the region. Secondly,

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<sup>1</sup> Нагірний, М.З. (2008). *Становлення та розвиток Республіки Хорватія: державно-політичний аспект*. Нововолинськ: Мінотавр, 45-46.

<sup>2</sup> Горопаха, С.В. (2015). Основні історичні віхи встановлення відносин між Республікою Хорватія та Європейським Союзом. *Розвиток основних напрямів соціогуманітарних наук: проблеми та перспективи: матеріали II Всеукраїнської науково-практичної конференції (14-15 травня 2015 р., м. Дніпродзержинськ)*, 1, 24-25.

<sup>3</sup> *Council Conclusions on the Application of Conditionality with a view to developing a Coherent EU-Strategy for the Relations with the Countries in the Region 1997* (The Council of European Union). *European Commission*. <[http://europa.eu/rapid/press-release\\_PRES-97-129\\_en.htm?locale=en](http://europa.eu/rapid/press-release_PRES-97-129_en.htm?locale=en)> (2018, April, 05).

the countries of the Western Balkans should normalize relations between themselves and reach the level of intergovernmental cooperation that exists between the EU members. Thirdly, bilateral relations between individual countries and the EU should take into account the specific aspects of social, economic and political situation in each country<sup>1</sup>.

Within the framework of the Stabilization and Association Process, the European Union proposed Croatia and the other four countries in the region to establish treaty relations – the Stabilization and Association Agreement (SAA). According to the SAA the EU establishes contractual relations with each Western Balkan country based on the gradual introduction of a free trade zone and the implementation of the necessary reforms aimed at achieving EU standards. The agreement is of great political importance, since it provides the establishment of several joint bodies for regular political and technical dialogues; among them are the Stabilization and Association Council, the Stabilization and Association Committee and its subcommittees and the Parliamentary Stabilization and Association Committee.

### **European integration processes in 2000-2005**

Parliamentary elections in January 2000 and the election of Stepan Mesić as the President of the Republic of Croatia in February of that year became a turning point in the relations between Croatia and the EU. The new leadership of the country immediately demonstrated its vigour to implement democratic values and principles and made significant progress in resolving key political issues. In particular, it concerned the observance of human rights, including the rights of minorities, the democratization of the media, the full implementation of the Dayton and Erdut agreements, cooperation with the ICTY and improving relations with neighboring countries.

On May 24, 2000, the European Commission adopted the relevant report, which explains the expediency of launching a negotiation process with Croatia on the SAA<sup>2</sup>.

As a result of the European Council meeting in Santa Maria da Feira (Portugal) on June 19-20, 2000, the Presidency Conclusions provided support for democratic and economic reforms in Croatia, and expressed hope for an early start of the negotiations on the Stabilization and Association Agreement. Moreover, the document contained the wording that all the countries of the Western Balkans, including Croatia, are potential candidates for membership in the European Union<sup>3</sup>. Thus, the outcome of the European Council meeting showed a quick and clear reaction of the EU on the political changes in Croatia, as well as the start of preparations for the negotiations on the SAA.

The Zagreb Summit between the EU and the Western Balkans, which took place on November 24, 2000, not only did confirm the European perspective of Croatia, but also launched the negotiations between Croatia and the EU on the SAA. The launch of CARDS (Community Assistance for Reconstruction, Democratization and Stabilization), a new instrument of financial assistance to the countries of the Western Balkans within the framework of the Stabilization and Association Process, was also an important outcome of the Summit.

In November 2000 Croatia started to use autonomous trade measures granted unilaterally to it as a member state of the Stabilization and Association Process by the European Union.

It took only half a year for the negotiating parties to formulate the main provisions of the SAA between the EU and Croatia and to initial the document on May 14, 2001. The signing of the Agreement, which took place on October 29, 2001, confirmed the status of Croatia as a potential candidate and provided a firm ground for further integration of the country into the EU.

The purpose of the association between the EU and Croatia was the following<sup>4</sup>:

– providing an appropriate basis for political dialogue which will promote the development of close political ties between the parties;

<sup>1</sup> Sela, Y., Shabani, L. (2011). The European Union Politics in Western Balkans. *The Western Balkans Policy Review*, 2(1), 27-28.

<sup>2</sup> *Report from the Commission on the feasibility of negotiating a Stabilisation and Association Agreement with the Republic of Croatia 2000* (The European Commission). *EU Publications*. <<https://publications.europa.eu/en/publication-detail/-/publication/8d7fa261-1778-4fa9-8d46-4c1052ce7c5c/language-en>> (2018, June, 23).

<sup>3</sup> *Santa Maria da Feira European Council – 19 and 20 June 2000, Conclusions of the Presidency 2000* (The European Council). *European Parliament*. <[http://www.europarl.europa.eu/summits/fei1\\_en.htm](http://www.europarl.europa.eu/summits/fei1_en.htm)> (2018, June, 23).

<sup>4</sup> Grigić, B. Croatia's point of view on the European Perspectives of the Balkans. *Western Balkans*. <[http://www.westernbalkans.info/upload/docs/3b\\_Croatia\\_Pointof\\_View\\_Boris\\_Grigic.pdf](http://www.westernbalkans.info/upload/docs/3b_Croatia_Pointof_View_Boris_Grigic.pdf)> (2018, June, 29).

- supporting Croatia's efforts to develop its economic and international cooperation, including the approximating the legislation of the Republic of Croatia to the EU legislation;
- supporting the steps of Croatia towards completing the transition to a market economy, promoting harmonious economic relations and the gradual development of a free trade area between the EU and Croatia;
- promoting regional cooperation in all spheres covered by the SAA.

The process of ratification of the Stabilization and Association Agreement was completed later than expected due to the unexpected delays in some countries caused by particular issues of bilateral relations. The SAA came into force on 1 February 2005.

An important aspect in the context of establishing relations between Croatia and the EU was the consensus of all parliamentary parties that membership in the European Union as a national priority. In particular, on December 18, 2002, the Croatian Sabor adopted the Resolution on the accession of the Republic of Croatia to the European Union according to which all political parties in the parliament defined the accession of Croatia to the EU as a strategic national target and addressed to the government of the country to apply for EU membership<sup>1</sup>.

On June 21, 2003 the heads of states and governments of the European Union had a meeting with the leaders of the Western Balkans in Thessaloniki (Greece), which resulted in the adoption of the Thessaloniki Declaration. In this document the EU unequivocally confirmed the European perspective of the Western Balkans, including Croatia, and stated that the future of the countries of the specified region is considered as a part of the European Union, provided that the Copenhagen criteria are fulfilled<sup>2</sup>. Such a signal from European political leaders aimed at countries seeking the EU membership is considered as crucial for further steps towards investing in long-term peace, regional security, stability, democracy and economic development in the region of Western Balkans.

The results of the Summit in Thessaloniki also became a turning point in approaches of the European Union to the Western Balkans, which moved from the post-conflict stabilization (security) to the European integration (enlargement). The Thessaloniki Declaration also paved the way for a wide range of certain measures and initiatives aimed at the integration of Croatia as a Western Balkan country into the EU.

On March 22, 2004, the EU began to apply the European Partnership as an important instrument of the Stabilization and Association Process to formulate the principles, priorities and provisions of the agreement between the EU and the Western Balkan countries, as well as to accelerate the accomplishment of the criteria within the implementation of the Stabilization and Association Agreement<sup>3</sup>. Among the above criteria the following should be mentioned:

- strengthening democratic institutions, raising standards for the protection of national minorities and human rights through the development and strengthening of the rule of law;
- achievement of the standards required for launching a progressive and effective free trade area between the parties;
- economic development and prosperity growth in order to change the economic system from transition economy to market economy;
- intensification of cooperation in the spheres of justice and internal affairs;
- participation and strengthening of regional cooperation.

These criteria were set for each country in the Western Balkans in order to promote stability in the region and help countries to approach to the European Union standards by changing the legislative framework in accordance with the *acquis communautaire*.

Within the framework of the implementation of its main foreign policy course, Croatia submitted an application for the EU membership on February 21, 2003. Less than two months later, namely on April 14, 2003, the Council of the European Union requested the European Commission to prepare a conclusion (avis) regarding this application.

<sup>1</sup> Vukandin, S. Evo kako smo putovali u EU. *Tportal.hr*. <<http://m.tportal.hr/270547/Evo-kako-smo-putovali-u-EU.html>> (2018, June, 29).

<sup>2</sup> Prifti, E. (ed.). (2013). The European future of the Western Balkans: Thessaloniki@10 (2003-2013). *The European Union Institute for Security Studies*, 13-14. <[https://www.iss.europa.eu/sites/default/files/EUISSFiles/Thessalonikiat10\\_01.pdf](https://www.iss.europa.eu/sites/default/files/EUISSFiles/Thessalonikiat10_01.pdf)> (2018, July, 06).

<sup>3</sup> Sela, Y., Shabani, L. (2011). The European Union Politics in Western Balkans. *The Western Balkans Policy Review*, 2(1), 32.



In accordance with the established procedure for reaching a conclusion, on July 10, 2003, the European Commission sent a questionnaire to Croatia which included more than 4500 questions on various spheres of functioning of the state, its institutions, economy etc. Within the deadline of 9 October 2003, Croatia provided the European Commission with the answers to the questionnaire, which outlined the situation in the country at that time. Besides, Croatia replied to additional 184 questions submitted by the European Commission in December 2003 and January 2004.

Based on the responses to the questionnaire on April 20, 2004, the European Commission published its Conclusion on application of Croatia for the EU membership stating that Croatia is a functioning democracy with stable institutions that guarantee the rule of law, as well as the absence of any serious problems in the country related to respect for basic human rights<sup>1</sup>. The Commission also mentioned the improvements in Croatian cooperation with the ICTY during the last period. However, there was made a decision that Croatia needed to make more efforts in the sphere of respect for minority rights, return of refugees, judicial reform, regional cooperation and the fight against corruption. In addition, Croatia needed to continue its comprehensive cooperation with the ICTY in the context of the transfer of people suspected of committing war crimes to the Hague.

An important paragraph of the European Commission Conclusion is that Croatia was considered as an active market economy capable to cope with competitive pressure and market forces within the European Union in the medium term, subject to the continued implementation of the reform agenda.

In light of these findings, the European Commission recommended the European Council to decide on the opening of negotiations on the accession of Croatia to the European Union<sup>2</sup>.

Taking into account the Conclusion of the European Commission, on June 17 and 18, 2004, the European Council decided to grant Croatia the status of a candidate country for the accession to the EU as well as to call a bilateral intergovernmental conference in early 2005 with a view to launch the negotiation process on the accession of Croatia to the EU.

In the framework of the implementation of the European Partnership, on September 13, 2004, the EU Council adopted a decision on the principles, priorities and conditions of the European Partnership with Croatia, which defined short- and medium-term priorities aimed at supporting the efforts of the country towards the European integration processes. The European Partnership also provided the provision of financial assistance to Croatia<sup>3</sup>.

It should be noted that the document reflected the situation in Croatia at that time and was prepared in accordance with its needs, and also served as a kind of checklist to assess the progress of reforms in the country. Relevant measures on the implementation of the priorities of the European Partnership with Croatia were incorporated into the national programs for the integration of the Republic of Croatia into the EU for 2004-2005.

On October 6, 2004, the European Commission published the Pre-accession Strategy for Croatia<sup>4</sup>, the main elements of which were the following:

- preparation by the European Commission of regular annual reports on progress made by Croatia in the process of EU accession since 2005;
- launching three pre-accession financial instruments for Croatia: PHARE (institution-building and economic and social cohesion), ISPA (environment and transport) and SAPARD (rural development).
- establishment of the Stabilization and Association Council, the Stabilization and Association Committee and its subcommittees to monitor the implementation of the Stabilization and Association Agreement;
- adoption of the framework agreement, which provides Croatia with access to the EU programs.

<sup>1</sup> Negotiation Process. *The Ministry of Foreign and European Affairs of the Republic of Croatia*. <<http://www.mvep.hr/en/croatia-and-the-european-union/negotiation-process/>> (2018, July, 25).

<sup>2</sup> *Communication from the Commission – Opinion on Croatia's Application for Membership of the European Union 2004* (The European Commission). *EUR-lex*. <<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52004DC0257>> (2018, July, 25)

<sup>3</sup> *Council Decision of 13 September 2004 on the principles, priorities and conditions contained in the European Partnership with Croatia* (The Council of the European Union). *EUR-lex*. <<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32004D0648>> (2018, July, 25).

<sup>4</sup> *Croatia on the Road to the European Union*. Second edition. *Ministry of Foreign Affairs and European Integration of the Republic of Croatia*. <[http://www.mvep.hr/files/file/publikacije/Croatia\\_on\\_the\\_Road\\_to\\_the\\_EU.pdf](http://www.mvep.hr/files/file/publikacije/Croatia_on_the_Road_to_the_EU.pdf)> (2018, July, 25).

As a result of the European Council meeting held on December 16-17, 2004, there was made a decision to establish the date of commencement of negotiations on March 17, 2005, subject to comprehensive cooperation with the ICTY. At the same time, it should be noted that Croatia failed to demonstrate the proper level of the interaction with the ICTY. First of all, it concerned Croatian General Ante Gotovina, who hid from the Hague Prosecutors. Thus, on March 16, 2005, the Council of the EU decided to postpone the official opening date of the negotiations. At the same time, the framework of the commencement of negotiations for Croatia was approved without specifying the date.

Against this background, the Croatian government had taken into account the criticism of the ICTY and adopted the necessary action plan for comprehensive cooperation with the Hague International Tribunal, the results of which were positively assessed by the ICTY. Thus, taking into consideration the report of the Chief Prosecutor of the ICTY on the proper level of cooperation between Croatia and the International Tribunal, on October 3, 2005, the Council of the EU decided to start the same day the negotiations on the accession of Croatia to the European Union<sup>1</sup>. Consequently, Croatia entered a new phase in its European integration course.

There should be mentioned separately the financial assistance to Croatia from the European Union in the period of 1991-2004. In particular, in 1991-2000, Croatia received from the EU EUR 381.6 million, including via the European Commission Humanitarian Office (ECHO), which were mainly aimed at humanitarian purposes. As a member of the European Union program CARDS (national component) Croatia received EUR 260 million over the period 2001-2004<sup>2</sup>.

### Conclusions

Summarizing the above mentioned it should be noted that the conclusion of the Stabilization and Association Agreement can be considered as one of the key milestones of the Croatian European integration path. The provisions of this document laid down the legal basis for the relations between Croatia and the European Union throughout the negotiation period until the date of the entry into force of the EU membership for the Republic of Croatia on July 1, 2013.

In this context, it should also be noted that the SAA provided the basis for political dialogue and expansion of regional cooperation, and also contributed to the deepening of trade and economic relations between Croatia and the EU. The institutional frameworks of the Agreement provided mechanisms for the implementation, management and monitoring of all areas of relations.

The following factors played an important role in the intensification of Croatian course on European integration: firstly, the consensus of all parliamentary parties that membership in the European Union is a national priority. Secondly, the policy of the European Union, aimed at assisting to stabilize the situation in the region of the Western Balkans in the 90's of the twentieth century. Thirdly, stimulating bilateral cooperation in the format of the EU – Croatia, as well as multilateral cooperation in the regional dimension by the European Union, and, finally, involving the countries of South-Eastern Europe in the European integration processes.

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<sup>1</sup> Negotiation Process. *The Ministry of Foreign and European Affairs of the Republic of Croatia*. <<http://www.mvpep.hr/en/croatia-and-the-european-union/negotiation-process/>> (2018, August, 10).

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