

THE RESEARCHER COLUMN

Croatia's EU Accession

On the occasion of Croatia becoming the 28th member of the EU this column recaptures the accession process and the affirmative impact of EU's conditionality on democratic reform in the country.

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While the EU's agenda has been dominated by economic crisis management the negotiations of Croatia's accession to the EU have been successfully concluded. On the 1st of July Croatia's EU membership is thus a reality. In comparison to those accession processes that went on in the heydays of EU enlargement in the first half of the millennium, this one has taken place somewhat more discreetly. However, it is no less remarkable.

Carrying the legacies of authoritarian rule, and less than ten years after the country had been in a devastating war with its neighbours, Croatia submitted its application for EU membership in 2003. The EU reacted positively, but made membership conditional on Croatia complying with the Copenhagen Criteria. These include: the stability of democratic institutions, the rule of law, the respect for human rights and protection of minorities, a market economy, and the ability to take on the obligations of membership. The EU's pre-accession machinery, already developed for the post-communist countries in Central and Eastern Europe, was set in motion, with the Commission intensely monitoring and delivering its opinions and reports on the steps made by Croatia towards compliance. The Croatian governments put at the same time the aspiration for EU membership at the fore of national politics, and the country made profound progress in meeting the requirements. EU and Croatia were thus able to close negotiations on all 35 chapters in June 2011, and by the end of that year Croatia's accession treaty was signed and later endorsed by the public, when 66% voted in favour of accession in a national referendum in January 2012.

However, the accession process was jeopardized before it had even begun. In addition to making membership conditional on meeting the Copenhagen Criteria, the EU also included Croatia's full cooperation with the International Crime Tribunal for the former Yugoslavia (ICTY) as a requirement for negotiating accession at all. The EU stood firm on this and postponed the launching of the accession negotiations for more than six months. The reason was Croatia's lack of fully cooperating with the ICTY, which would involve helping to the arrest of general Ante Gotovina, an extremely delicate national issue as many Croats saw him as a war hero, and not a war criminal. It is worth mentioning that the EU's willingness to deliver, if Croatia complied, was not put into question. The negotiation framework was in place and ready the moment ICTY confirmed Croatia fully cooperated, which it did in October 2005.

Croatia's accession process demonstrates well, how the EU's application of conditionality, in

combination with a domestic wish for integration into Europe, encourages political, economic, judicial and administrative reforms. It gives furthermore weight to the notion that the credible prospect of EU membership provides a strong incentive for a country to stay on the path to consolidating democracy, and to take the necessary steps to overcome the legacies of authoritarian rule and ethnic conflicts.

The effectiveness of EU's accession conditionality has been widely acknowledged in the case of the post-communist countries in Central and Eastern Europe. And whether explained as the result of rational calculations of the costs and benefits of compliance, or by a constructivist approach as a question of national identity and adherence to European norms, the same could reasonably be argued in the case of Croatia. In this perspective, the outcome of Serbia's newly granted status as candidate country, and the promise to start accession negotiations as soon as Belgrade makes progress in the dialogue with Kosovo, is very much anticipated, and it shall be interesting to see if the prospect of EU membership once more could have an affirmative impact on regional cooperation and democratic reform. In addition the deteriorating transition to democracy in Albania, that was recently confirmed by the chaotic parliamentary elections, provides yet another perspective for studying the path a country might take, when credible EU membership is absent within a foreseeable future.

Recognizing the EU has a toolbox effective for promoting democracy while negotiating accession, the question that arises is what happens after Croatia has acceded. The weakening of democratic rule in Hungary has displayed how the EU's leverage is limited when membership is achieved. And even though Croatia has come a very long way towards democracy since it declared independence in 1991, the country still falls within Freedom House's category: "semi-consolidated democracy". Hence, in order to avoid that Croatia's democratization process enters into a stalemate or derail, when membership is a reality, there is still an effort to be made. This in particular involves improving the functioning of the judiciary and the conditions for the independent media, as well as minimizing the level of corruption.

Croatia's entrance into the EU indicates that, while countries in Northern Europe are either deliberating on their future membership or have expressed a wish to put their application on hold (as Norway and lately Iceland have done), countries in the South Eastern Europe seem to be recovering from their troublesome past and ready to take on the challenges of continued European integration.

The researcher column is written in turn by the researchers at the Centre for European Politics. The column does not represent a common CEP-position.