

EU - CROATIA JOINT PARLIAMENTARY COMMITTEE

**12th Meeting
29-30 November 2010
Brussels**

DECLARATION and RECOMMENDATIONS

Adopted on 30 November 2010

The Joint Parliamentary Committee EU-Croatia held its 12th meeting on 29-30 November 2010 in Brussels, under the co-chairmanship of Mr Gunnar HÖKMARK for the European Parliament Delegation and Ms Marija PEJČINOVIĆ BURIĆ for the Croatian Parliament Delegation.

It exchanged views with:

Mr Xavier DEMOULIN, Director for Cooperation and European Affairs, on behalf of the Belgian Presidency-in-Office of the Council of the European Union;

Mr Vladimir DROBNJAK, Chief Negotiator, on behalf of the Government of the Republic of Croatia;

Mrs Alexandra CAS GRANJE, Director of DG Enlargement B (Croatia, Former Yugoslav Republic of Macedonia, Iceland and Turkey) on behalf of the European Commission;

With the participation of Mr Dražen BOŠNJAKOVIĆ, Minister of Justice and Mr. Andrej PLENKOVIĆ, State Secretary for European Integration, Ministry of Foreign Affairs and European Integration.

The members of the Joint Parliamentary Committee addressed the following subjects:

The state of play of the accession negotiations and EU-Croatia relations, in the presence of representatives of the Presidency-in-Office of the Council of the EU, the European Commission, the Croatian Government, focusing, in particular, on progress made by Croatia in the following areas:

- Judicial reform including the fight against corruption and organised crime and full ICTY cooperation
- Regional cooperation
- Refugee return and situation of minorities

The Joint Parliamentary Committee, in accordance with Rule 3 of its Rules of Procedure and Article 116 of the EU-Croatia Stabilisation and Association Agreement, addressed the following Declaration and Recommendations to the Stabilisation and Association Council, and to the institutions of Croatia and of the European Union:

On EU-Croatia accession negotiations to the EU and EU-Croatia relations

1. Welcomed the concerted efforts by the Institutions of Croatia in adopting the relevant legislation and carrying out the necessary reforms in order to meet all the remaining closing benchmarks and reviewed the negotiation process since the last JPC; noted positively the Commission 2010 Progress Report acknowledging the country's substantial progress towards meeting the EU accession criteria; highlighted especially the Commission assessment that democracy and the rule of law has been further strengthened;
2. Commended Croatia for the important progress in the accession negotiations with the opening of all remaining negotiation chapters during the Spanish Presidency in Office of the Council of the European Union; took note of the provisional closure of another three accession chapters at the last intergovernmental conference of 5 November 2010, thereby increasing the number of provisionally closed negotiation chapters to 25 of the 35;
3. Was pleased that the Croatian Parliament had adopted comprehensive constitutional amendments linked with the future EU membership with an overwhelming support; considered this adoption of constitutional amendments as a clear signal and full support for a rapid conclusion of the accession negotiations;
4. Welcomed the efforts to implement the judicial reform process, to legislate for a completely new model of election/appointment procedure to the State Judicial Council as well as the new selection procedure and improved criteria for the selection of judges and prosecutors; also welcomed the government's efforts in fighting organised crime and corruption and noted positively the increased number of anti-corruption cases involving high-level cases, which have been investigated since the beginning of this year; noted positively further government plans for action in this area; underlined that Croatia's achievements in this field are essential not only for the accession negotiations but will also enhance Croatia's image as a credible actor in the region and as a model regarding carrying out reforms vis-à-vis the other Western Balkan countries;
5. Noted Croatia's continued commitment to respond to the requests of ICTY Chief Prosecutor in an efficient and timely manner; the establishment of the Inter-agency Task Force to locate the missing documents for the trial of Croatian Generals, conduct numerous interviews with new individuals and fresh searches of premises; noted the fact that Chief Prosecutor Brammertz, during the briefing to the Foreign Affairs Committee on 14 June 2010, expressed his increasing confidence in the Task Force;
6. Noted positively Croatia's efforts to establish and maintain good neighbourly relations and welcomed the joint tour of President Josipovic and Serbian President Tadic to Vukovar and an

apology by Serbian President Boris Tadić as a highly symbolic step towards reconciliation among their citizens;

7. Welcomed the initiative to hold the international donors conference which would help the efforts of the Croatian and Serbian governments to resolve the remaining outstanding issues regarding the refugees;

8. Once again recognised the positive experience of the parliamentary scrutiny through the National Committee for Monitoring the EU Accession Negotiations;

9. Expressed the view that the accession negotiations can be concluded in the first half of 2011 provided that Croatia meets all the outstanding closing benchmarks of the remaining chapters;

On the remaining benchmarks including full ICTY cooperation and the restructuring of the shipyards

10. Noted that Croatia has still important work ahead, in particular to complete implementing reforms to meet the closing benchmarks of the remaining negotiation chapters; reiterated its confidence that the country would continue pursuing its efforts in particular in the areas of judicial and public administration reform including the fight against corruption and organised crime and full ICTY cooperation; noted that institutional and legislative framework has been set-up for the transparent appointment of judges and prosecutors but challenges remain in the further reduction of the backlog of cases, the length of proceedings and the enforcement of decisions; determined that Croatia needs to establish a track-record by electing the new State Judicial Council based on the new legislation, no later than January 2011;

11. Highlighted that despite the good progress in the fight against corruption continued efforts are needed; encouraged the Croatian authorities to establish a track record of effective investigation, prosecution and court rulings; noted that continuing efforts are needed in the area of human rights and the protection of minorities; welcomed the proposal of the Croatian government for the parliamentary adoption of the new Act on financing political activities and election campaigns of the political parties and encouraged it to continue pursuing efforts to prevent conflict of interest;

12. Underlined the need to focus on the implementation of human rights protection; with regard to freedom of expression, noted that problems with the independence of local media remain. Further progress is needed with investigating threats against editors and journalists working on cases of corruption and organised crime;

13. Noted that requests by the ICTY Chief Prosecutor allegedly missing documents have still not been fully met; noted the position of the ICTY Trial Chamber, expressed in its 26 July 2010 Decision that the existence or whereabouts of the remaining requested artillery logs could not be determined with sufficient certainty; nevertheless, called on the Government and the Inter-agency Task force to pursue additional efforts and expand the work as suggested by the ICTY prosecutor in providing a broad account of the whereabouts of the requested documents and therefore hopes that these efforts will be positively evaluated in the next Chief Prosecutor's report to the UNSC confirming the full cooperation of Croatia with the ICTY; invites the Council of the European Union to take into consideration the decision by the Trial chamber and recognize the full co-operation;

14. Encouraged the Government to continue the restructuring of the shipyard industry taking into account the impact on workers and proposing alternative solutions such as retraining; commended the efforts of the Government in this respect at the time when the Croatian economy has yet to recover; reiterated the need for continued structural reforms aimed, among others, at creating a more investment-friendly environment and addressing the structural weaknesses of the economy;

On the preparations for the referendum & communications strategy

15. Reiterated its satisfaction with the broad support for EU accession among all political parties in Croatia; was concerned, however, about the fact that a part of the Croatian population still expresses scepticism over the country's joining the EU; welcomed the efforts of the Croatian authorities in implementing the communication strategy aimed at informing the Croatian public about the EU and preparations for EU membership in an inclusive and pro-active manner, involving civil society representatives and all other relevant stakeholders;

16. Reiterated the European Parliament's readiness to support the Croatian authorities in their endeavours to hold public discussions and to explain the benefits and consequences of accession to the European Union; restated the need that the Commission also plays an active role in this; recalled that in order to secure public support for and understanding of the negotiation process, positions, expectations and negotiation results should be widely debated at all levels; recalled the pivotal role of the National Committee in this respect;

On regional cooperation and the impact of Croatia's accession on the other Western Balkan countries

17. Welcomed Croatia's active participation in regional cooperation and in the improvement of relations with its neighbouring countries; in particular, noted positively its efforts to continue working towards finding mutually acceptable solutions to all pending bilateral issues with its neighbours and Croatia's contribution to reconciliation among citizens in the region; stressed that the Croatian negotiation process is important for the Western Balkan countries and could serve as a positive and motivating signal for all citizens of the region and supporting their respective governments' reform agendas; underlined that the country's accession would encourage other Western Balkan countries to pursue and intensify EU-related reforms;

18. Welcomed the signing and ratification of the Arbitration Agreement between Croatia and Slovenia on the border issue which entered into force on 29 November 2010;

19. Welcomed the regional initiative 'the Brdo Process', launched by Croatia and Slovenia in March 2010, whose aim is to promote good neighbourly relations among the Western Balkan countries and ensure mutual support on the path of the countries concerned towards the EU; noted the first concrete results of the initiative are already being observed with the agreement among Croatia, Slovenia and Serbia on forming a joint freight rail company to improve cargo transport to and from Western Europe, Turkey and Greece through the three countries.