

EU - CROATIA JOINT PARLIAMENTARY COMMITTEE

9th Meeting
23-24 February 2009
Zagreb

DECLARATION and RECOMMENDATIONS *adopted on 24 February 2009*

The Joint Parliamentary Committee EU-Croatia held its 9th meeting on 23-24 February 2009 in Zagreb, under the co-chairmanship of Mr Pal SCHMITT (HU, EPP-ED), for the European Parliament Delegation and Mr Mario ZUBOVIC (HDZ -Croatian Democratic Union), for the Croatian Parliament Delegation.

It exchanged views with:

- **H.E. Mr Karel KÜHNL**, Ambassador of the Czech Republic,
on behalf of the Presidency-in-Office of the Council of the European Union;
- **Mr Vladimir DROBNJAK**, Chief Negotiator for the Accession of the Republic of Croatia to the European Union,
Mr Ivan ŠIMONVIĆ, Minister of Justice,
Mrs Ivana SUČIĆ, Director of Trade Policy and International Relations Department, Ministry of Economy, Labour and Entrepreneurship
Mr Branimir HORAČEK, Director of the Energy and Mining Directorate, Ministry of Economy, Labour and Entrepreneurship
on behalf of the Government of the Republic of Croatia;
- **H.E. Mr Vincent DEGERT**, Head of the Delegation of the European Commission to the Republic of Croatia, on behalf of the European Commission.

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

- State of play of the accession negotiations and overall preparations for the accession of Croatia to the EU,
- Croatia's relations with its neighbours
- Legislation and policies against organised crime and corruption in Croatia: presentation of the latest strategies and results achieved
- State of implementation of the reform of the judiciary and outstanding issues

- EU response to the financial crisis and the enlargement countries participation in it
- Energy challenge for the European Union and the South Eastern Europe with a particular focus on Croatia

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, the institutions of Croatia and of the European Union:

On EU-Croatia negotiations for accession to the EU and the implementation of the Stabilisation and Association Agreement

1. welcomed the overall good progress achieved by the Institutions of Croatia, in particular as far as the adoption of key legislation, strategies and action plans is concerned, and reviewed the negotiation process over the months since the last JPC; considered that the negotiations should proceed more smoothly and give greater emphasis to implementation of reforms alongside legislative changes to meet the *acquis*, with a view to completing negotiations by the end of 2009 in accordance with the road map set out by the Commission;
2. regretted that accession negotiations, and in particular decisions on the opening of new chapters as well as on closing some of them, have been *de facto* blocked because of bilateral issues; encouraged Croatia and its neighbours to continue enhancing work for finding solutions to pending bilateral issues, in particular those on borders; underlined that bilateral issues should not, as such, jeopardize or slow down the ongoing accession negotiations process, which involves all European Union Member States and Croatia, nor the accession process of any other country of the region; considered that Croatia should be granted the same treatment in the accession process as the other accession countries were granted in the previous enlargement rounds;
3. was confident that the goal of concluding negotiations in 2009, in accordance with the indicative roadmap published by the Commission, can be achieved provided that the Government of Croatia steps up its efforts and that the Council is able and willing to open all negotiations chapters without further delay, in compliance with the opening and closing benchmarks;
4. welcomed the opening of a new Chapter since the last JPC (Ch. 5 on Public Procurement), which brings, so far, to twenty-two the number of opened negotiation chapters as well as the provisional closure of four more chapters (Chapters 7 on Intellectual Property Law, 10 on Information Society and Media, 17 on Economic and Monetary Policy and 30 on External Relations) bringing the total number of provisionally closed chapters to seven; was pleased to note the progress in the fulfilment of benchmarks with a view to the opening of remaining negotiations chapters and noted the Commission's positive assessment with the exception of benchmark for the Chapter on Competition Policy;
5. welcomed the positive assessment on the observance of most legal obligations under the Stabilisation and Association Agreement; applauded at the submission, last November,

together with the Progress Report, of a provisional calendar for the conclusion of negotiations in 2009;

6. as regards financial management, in particular, of EU funds, was pleased to note the efforts invested by the Croatian Government to strengthen the administrative capacity of all relevant agencies and bodies and reiterated the need to pursue efforts for improving their capacity and functioning both at the central and especially at the local level, which is also crucial for a sound decentralization;

7. supported the work of the Croatian National Committee, as the body in charge of monitoring the accession negotiations with the EU, and welcomed the fact that the Committee helps to maintain political consensus on the European accession process; encouraged a vivid and well-informed public debate in Croatia and considered that efforts to promote support for the accession process should be significantly enhanced;

8. was pleased to note that Croatia has contributed to the smooth functioning of the various joint bodies connected to the Stabilisation and Association Agreement and that the implementation of the latter has continued; encouraged Croatia to continue with ongoing consultations with the Commission as regards the restructuring of the shipyards to achieve full compliance with EU rules and provisions of the SAA;

9. looked forward to the conclusion of the ratification process of the Lisbon Treaty, and to its entry into force, hopefully, by the end of 2009, and observed that the improved institutional rules for the functioning of the European Union contained therein will facilitate Croatia's EU accession and accession of other candidates in the future, once all criteria have been met;

On the political criteria:

10. welcomed Croatia's institutions' work to continuously address all matters related to the rule of law, and in particular the ongoing reforms of the judiciary and public administration, the fight against corruption and organised crime and the sector of fundamental rights, freedom and security, in accord with EU requirements;

- the judiciary

11. took note with satisfaction of the adoption, in December 2008, of an amended Criminal Procedure Code, and encouraged continuous commitment in the necessary preparations for its gradual entry into force; stressed the need of continuous work on the enhancement of the judicial institutions and courts' efficiency, in particular on reduction of the number of the various kinds of courts, on the resolution of pending and enforcement cases, on the improvement of instruments at disposal for case management and case tracking in courts, on consistent investment in judicial infrastructure, as well as on further improvement of impartiality, independence and professionalism of the judiciary, and thus on the quality of judicial decisions also through better recruitment, career management systems and continuous training;

12. having in mind the EC Progress Report 2008 findings that insufficient accommodation capacity regarding the Croatian prisons might not be in compliance with the European

Convention on Human Rights, welcomed the Government's Action Plan and the beginning of the implementation of four projects dealing with the construction of new accommodation facilities in the prison system in Croatia; reiterated a common commitment to respect for all human rights as part of the political criteria and EU and acceding countries' commitment to international humanitarian law;

- public administration

13. noted the adoption of important legislation and strategies for achieving a better functioning and depoliticised public administration in Croatia and looked forward to its coherent implementation;

- fight against corruption and organised crime

14. was pleased to note that the legal framework for combating corruption has been further improved, whilst noting that additional progress is needed in the fight against corruption ; welcomed the stepped-up activities of the Office for the Suppression of Corruption and Organised Crime (USKOK), thanks to which an increasing number of cases are being processed and looked forward to their continuation; looked forward to current investigations leading to convictions, especially with regard to high level corruption cases; encouraged Croatia to focus on the implementation of all the adopted measures, on coordination and monitoring of action in relation to the fight against corruption, on putting in place an adequate system to treat conflict of interest as well as on ensuring timely judicial follow-ups;

15. welcomed the progress observed in intelligence reports, police work and the number of investigations, as well as the progress of activities against trafficking in human beings and drugs but expected further concrete results in tracking down organised crime, including especially convictions, strengthening of external borders control, an improved international judicial cooperation in criminal matters and further alignment with the EU *acquis*; emphasised the importance of transparency in public affairs, including effective monitoring of conflict of interests; encouraged the on going de-politicisation of public administration;

16. called on the police and the judiciary to pursue resolutely investigation and prosecution of the cases of intimidation and murder of journalists who were working on cases of corruption and organised crime; stressed the importance of freedom of speech, freedom of press and overall freedom of expression as an essential part of the human rights, and in particular as an essential instrument of civil society for the fight against corruption and organised crime;

- minorities' rights and refugee return

17. took note of Croatia's increased attention to the implementation of the Constitutional Law on National Minorities, particularly of its provisions related to the employment of members of national minorities; encouraged Croatia to continue its efforts with regard to representation of minorities, especially at the local level, in the public administration, the judiciary, the police, and with regard to producing and broadcasting programmes in the languages of the minorities by public radio and TV stations ; welcomed Croatia's positive results in the field of Roma integration and encouraged the country to continue the efforts aimed at Roma's full

participation in the society, including their access to employment and to high-quality, mainstream education;

18. welcomed the overall progress and stressed the utmost importance of refugee return, including the reconstruction and repossession of housing, the challenging implementation of housing programmes for former tenancy rights holders and the steps taken towards validation of pension rights; took note of Croatia's commitment to make significant progress in achieving the programme intended to former tenancy rights holders in 2009; looked forward to the conclusion of the implementation of the various programmes in 2009;

- cooperation with ICTY

19. encouraged Croatia to continuously pursue full cooperation with the ICTY, noted recent statements from the ICTY Chief Prosecutor concerning Croatia's co-operation with the Tribunal and asked that all available documents pertinent to ongoing cases, and requested by the Tribunal, be made available to it; praised the progress towards impartiality which can be observed in the conduct of domestic war crime trials in Croatia and looked forward to an improvement of the prosecutions record, also through full use of the specialised war crimes courts;

- anti-discrimination policy

20. welcomed new legislation aimed at combating discrimination in Croatia, with the shared aim to eradicate all forms of discrimination;

- children's rights

21. welcomed the initiation of the Croatian National Campaign Against Corporal Punishment Of Children, within the campaign of the Council of Europe, at the beginning of 2009; expressed the wish to see the Government of Croatia continue addressing the problem of violence in the families, in particular as far as children are concerned; encouraged Croatia to further enhance the progress achieved in this area by implementing legislative and other measures with the aim of suppression of violence towards children, by implementing the policy of violence prevention and children protection through additional financial resources aimed at strengthening the educational, correctional and social welfare institutions, including in the cases of adoption, divorce and separation;

On pending bilateral border issue between Croatia and Slovenia

22. recalled that bilateral border-related issues are to be separated from the accession negotiation process and encouraged both countries to further actively participate in resolving the issue; regretted that Croatian accession negotiations have been actively blocked for a considerable time because of bilateral issues which should not be an obstacle to accession, while stressing that advancement in the negotiation process only depends on the progress achieved in meeting the set criteria; at the same time, took note that the informal agreement reached 18 months ago by the Prime Ministers of Croatia and Slovenia on the submission of the two countries' border dispute to the International Court of Justice in The Hague has not

been followed, so far, by any necessary agreement on the precise subject of the question for arbitration; took note of a recent proposal by Commissioner Rehn to use the good offices of well known European personalities with a rich experience in international conflict conciliation; hoped that the authorities of the two parties will soon make a decision leading to the definitive and mutually acceptable resolution of this issue based on international law; considered that further delay on this matter would be detrimental for all involved and for the European integration and enlargement process;

On energy and financial global challenges

23. underlined that a stable and sustainable energy supply is a key factor for economic development and for Europe's combined commitment to meeting the challenge of climate change; recommended that Croatia puts in place an energy efficiency policy and promotes the use of renewable energy sources complying with the latest EU strategy; in the light of the recent international gas supply crisis, which saw Croatia, as well as some of its neighbors, falling into a difficult situation, notably for small businesses, and also in the light of the run up to the Copenhagen climate change conference at the end of 2009, welcomed the EU partners and the regional neighbors' attitude, which allowed to extend their help and assistance to Croatia, guided by a spirit of responsibility and solidarity;

24. having taken note that, so far, the international financial crisis has only mildly affected the Croatian economy and financial sector, pointed anyway to the undesirable growing trade and current account deficits, as well as external debt, which make the Croatian economy potentially more vulnerable to possible disruptions and external risks; while asking the Government of Croatia to appropriately address these trends, invited the EU Institutions to take in due account the particularly delicate context in which Croatia now needs to carry out the necessary structural reforms and to contribute to European and international efforts for better banking supervision and new governance for financial services;

25. supported the contents of the Joint Statement adopted at the close of the Working Regional Meeting "European Perspective of South East Europe in the Time of Challenges - Dealing with Economic and Energy Crisis", held in Belgrade on 2-3 February 2009, in particular

- stressing that the world economic crisis should not negatively reflect on the completion of transition in the SEE countries and should not affect the European integration process or the overall economic stability of the region;

- calling on the EU to take the SEE countries into consideration during the implementation of the European Economic Recovery Plan and on the countries of the region to contribute to the aims of the plan through their national policies;

- asking that emphasis be put on the major areas of investment in infrastructure, especially transport, investment on energy efficiency and security, funding from EU based banks present in SEE and social solidarity.
