

P6_TA-PROV(2007)0156

Progress report on Croatia

European Parliament resolution of 25 April 2007 on Croatia's 2006 progress report (2006/2288(INI))

The European Parliament,

- having regard to the decision by the Council on 3 October 2005 to open accession negotiations with Croatia,
 - having regard to the Croatia 2006 Progress Report, published by the Commission on 8 November 2006 (SEC(2006)1385),
 - having regard to the recommendations of the EU-Croatia Joint Parliamentary Committee of 3-4 October 2006,
 - having regard to the European Council's Presidency Conclusions of 14-15 December 2006,
 - having regard to its resolution of 13 December 2006 on the Commission's Communication on the Enlargement Strategy and Main Challenges 2006-2007¹,
 - having regard to the recommendations of the EU-Croatia Joint Parliamentary Committee of 20 and 21 March 2007,
 - having regard to Rule 45 of its Rules of Procedure,
 - having regard to the report of the Committee on Foreign Affairs (A6-0092/2007),
- A. whereas Croatia has continued to make good progress in terms of the political, economic and acquis criteria and should be congratulated on the important steps taken in many fields to adapt its legislation in the light of the screening exercise,
- B. whereas, provided that Croatia addresses the outstanding challenges and develops adequate administrative capacity, negotiations should continue at a sustained pace and should lead, as soon as all the criteria have been met and the negotiations are completed, to a timely accession of Croatia to the European Union,
- C. whereas Croatia should do its utmost to carry out the necessary reforms so that the negotiations can be concluded in time for the European Parliament to give its assent before the next EU parliamentary election in June 2009,
- D. whereas Croatia's accession prospects have a regional dimension since they are a tangible sign that, in accordance with the conclusions of the 2003 Thessaloniki European Council, the future of all Western Balkans countries really lies in the European Union, as confirmed in various resolutions of the European Parliament,
- E. whereas Croatia is expressly supporting the European aspirations of its neighbours,

¹ *Texts Adopted*, P6_TA(2006)0568.

- F. whereas lessons from past enlargements show that each country should be judged on its own merits, that the pace of accession negotiations should be dictated by effective compliance with the Copenhagen criteria and that the degree of compliance with such criteria should also determine the final date of accession,
 - G. whereas the Treaty of Nice does not provide an adequate basis for further enlargements, and whereas the essential substance of the Treaty establishing a Constitution for Europe should therefore enter into force by the end of 2008, in order to create the necessary conditions for future enlargements and enable the Union to work more effectively, more transparently and more democratically, this being a prerequisite for further enlargements; whereas, moreover, the Commission and the Council must work intensively on creating the necessary preconditions for enlargement— and specifically for Croatia's accession to the EU,
 - H. whereas responsibility for ensuring the European Union's capacity for further successful enlargement lies with the Union and not with the candidate countries,
 - I. whereas the joint screening process was successfully completed in October 2006 and bilateral negotiations with Croatia could subsequently start on specific aspects of the acquis,
 - J. whereas so far six different chapters of the acquis have been opened and two, concerning science and research and education and culture, have been provisionally closed,
 - K. whereas the Commission has already made use of benchmarks in order to monitor progress by the Croatian authorities in crucial and sensitive areas such as competition policy, public procurement, the free movement of capital, justice, freedom and security, social policy and employment,
 - L. whereas Croatia's efforts to meet the accession criteria need to be sustained and matched by effective implementation measures and adequate monitoring mechanisms,
 - M. whereas a thorough reform of the public administration and the judiciary, together with the police, is central to, and a necessary condition for, achieving the standards required for EU accession,
 - N. whereas a thorough and objective analysis of the region's recent history, true reconciliation between the different peoples and the establishment of good neighbourly relations can substantially contribute to a genuine European integration process,
 - O. whereas the prosecution of war crimes and the reintegration of refugees and displaced persons are fundamental elements of the reconciliation process,
1. Notes that Croatia has already made considerable progress on the way to EU accession;
 2. Considers, in line with the Commission's communication on Enlargement Strategy and Main Challenges 2006-2007 (COM(2006)0649), that Croatia continues to meet the political criteria for accession and can be regarded as a functioning market economy that should be able to cope with competitive pressures and market forces within the Union in the medium term, provided that it vigorously implements its reform programme so as to remove the significant remaining weaknesses;

3. Congratulates the Croatian authorities on the rapid progress made so far in accession negotiations, particularly in the adoption of key pieces of legislation in crucial areas such as public administration, the administration of courts and anti-corruption policy;
4. Supports the government and opposition in their efforts, despite the forthcoming elections, to take necessary, albeit sometimes difficult decisions, particularly in the field of competition policy and state aid, and points out that those decisions will ultimately benefit all Croatian citizens;
5. Asks the Croatian government to strengthen its capacity to implement laws transposed from the *acquis communautaire* into national legislation in all fields, especially in the area of the environment;
6. In this regard, urges the Croatian authorities to take into due consideration the concerns raised by local communities and public opinion with regard to controversial industrial projects which might pose a threat to the environment or public health, and calls on them to set up a clear and transparent procedure whereby all stakeholders, and not merely investors, can be informed and consulted;
7. Invites the Croatian government in this regard to fully respect and implement international documents such as the Aarhus Convention and to eventually ratify the Kyoto Protocol in accordance with the most recent EU environmental strategies;
8. Is concerned by flagging public support for EU accession in Croatia and welcomes the fact that the Government and the opposition are joining forces in explaining to the public the economic, political, social and cultural benefits resulting from the accession process; calls on the Commission to intensify its own information activities concerning the above-mentioned benefits;
9. Emphasises the need to implement rapidly and effectively the reforms adopted so far in order to further modernise Croatia and thereby to further strengthen and stabilise democracy and the social market economy; in this respect:
 - (a) notes that the provisions in the Civil Service Act introducing transparency and objectivity in the appointment and assessment of civil servants will not enter into force until after the next election; further notes that this decision could create an impression of delay in this important area and thereby encourage the view that the government's determination to reform public administration is less than wholehearted, even though the ending of political interference in the civil service is of the highest importance to the present government;
 - (b) notes the commitment of the Croatian Minister for Justice to pursue the rationalisation, as announced, of the number of courts operating in the country, in order to make them more professional and efficient; reminds the Minister that this process must go hand in hand with the establishment of adequate procedures and criteria for appointing and assessing judicial staff aimed at providing sufficient guarantees for a professional and independent judiciary; welcomes in this respect the establishment of a working party for the development of new framework criteria for the assessment of judges and the amendment of the Courts Act introducing the obligation for judges to declare their assets and the possibility of transferring judges to overburdened courts; is convinced that the backlog of cases should be further

tackled by promoting alternative dispute resolution mechanisms with the aim of achieving an effective judicial system;

- (c) commends Croatia for fully cooperating with the International Criminal Tribunal for the Former Yugoslavia (ICTY); is concerned, however, that, as shown by recent judicial decisions, the effective prosecution of war crimes might be undermined by hostility at local level, persisting bias amongst some of the judicial staff against non-Croatian nationals and insufficient protection of witnesses against intimidation; urges the Croatian Government to continue actively to encourage and support the prosecution of war crimes, regardless of the nationality of the perpetrators; is also concerned about certain initiatives taken by the Government, notably its offer to support the defence costs for army generals and its request to act as *amicus curiae* in cases pending before the ICTY;
- (d) takes the view that the all Croatian institutions and parties should counteract the public's perception of the ICTY as a hostile institution and publicise the role which the ICTY plays in prosecuting crimes committed against Croat civilians;
- (e) notes that an appropriate legal framework is in place concerning the protection of minorities as well as a demonstrated commitment to integrating minorities in the political system; recalls the importance of guaranteeing adequate representation of those minorities in the civil service, in the police forces and in the judiciary, as well as equal treatment in property-related and economic matters; calls for the development at all levels of state administration of a concrete action plan for achieving proportional representation of minorities, pursuant to the provisions of the Constitutional Law and with adequate provisions for monitoring;
- (f) notes with satisfaction the positive developments in the process for the return of refugees and displaced persons; invites the Government to further encourage return by seeking fair, effective and sustainable ways of addressing the issues of housing and employment, these being the main concerns of prospective returnees; asks the Croatian authorities to guarantee water and electricity services for all villages concerned;
- (g) welcomes the Government's new five-year plan to tackle the issue of housing provision for former tenancy right-holders outside the areas of special state concern; in this context, emphasises the need for the accelerated implementation of the new action plan, in order to address the pressing needs of the population concerned;
- (h) yet again invites the Croatian authorities to reopen the deadline for the recognition of working years in respect of people who worked in the so-called "Republika Srpska Krajina" during the conflict and to allow these non-residents too to apply for such recognition; reminds the authorities that this would be a tangible sign of Croatia's willingness to overcome the rifts left by the conflict and promote reconciliation in the country;
- (i) is pleased to note Croatia's steadily increasing economic growth, based on an ambitious reform agenda and on strong private investment, and hopes that this will be soon translated into more and better jobs;
- (j) reminds the Croatian authorities that an open, competitive market economy is a

fundamental requirement for EU membership; urges them therefore to implement more seriously and expeditiously the agreed targets for the sale of minority and majority state-owned interests in companies and for the reduction of state subsidies, particularly in the shipbuilding and steel sectors; believes that more should be done to open the Croatian market to foreign investors and service providers and to place them on the same footing as national operators; appeals to Croatia to authorise, by making full and expedient use of its existing procedures, the acquisition of real estate by EU nationals, with the exception of the exempted areas; recalls that the above objectives are already envisaged in the Stabilisation and Association Agreement with Croatia;

- (k) calls on the Croatian government to strengthen its administrative capacity in order to benefit intensively from the Instrument for Pre-Accession Assistance;
10. Commends Croatia for the positive and leading role it plays in south-eastern Europe and welcomes in this respect the activities of the Croatian Government in its current capacity as Chairman-in-Office of the South-East European Cooperation Process; calls on Croatia and its neighbouring states to settle once and for all the unresolved border issues;
 11. Urges in particular both the Croatian and the Slovenian governments to exploit all the opportunities available in order to reach an agreement on all their pending border issues, taking into account the agreements reached so far and the conclusions of the European Council of 17-18 June 2004, and invites them to abstain from any unilateral action which might undermine such an agreement;
 12. Urges recourse to the good offices of a third party if solutions with the neighbouring countries cannot be found bilaterally to outstanding border disputes;
 13. Calls on the Commission to further encourage and support a broad-based truth and reconciliation process, in Croatia and throughout the Western Balkans, and to include other neighbouring countries when necessary; firmly believes that this process should involve civil society, political actors and cultural figures, and that it should lay the ground for lasting peace and stability in the region; considers that this reconciliation process must, in particular, target young people and that it should include a thorough review of school books and curricula for history studies;
 14. Encourages in this respect all efforts made by Croatian civil society to engage the public in debates and to raise public awareness about the recent past of the Western Balkans; stresses that Croatian non-governmental organisations are a fundamental and indispensable element of a genuine pluralistic society; calls on the Croatian Government to support education in the field of recent history that fosters mutual understanding;
 15. Calls on the new Member States to play an active role in Croatia's move towards accession, allowing Croatia to benefit from their experience of reforms;
 16. Instructs its President to forward this resolution to the Council, the Commission and the governments and parliaments of the Member States and of the Republic of Croatia.