



INNOVATIONS FOR SUCCESSFUL SOCIETIES

FORGING A NATIONAL STRATEGY THROUGH EU ACCESSION: SERBIA, 2007–2012

SYNOPSIS

During the 1990s, Serbia suffered a long and turbulent period of civil conflict, international isolation, and political fragmentation. Following the assassination of the country's reform-driven prime minister in 2003, the government faced the daunting tasks of determining how to improve economic options for citizens and rejoin the global community. A core group of reformers in Serbia's fragmented government decided that the best path to stability and development lay in the pursuit of membership in the European Union (EU). The accession process potentially offered a way to help develop both a new, shared identity and a set of national priorities. But to meet the EU's demanding requirement that Serbia harmonize its legislation and administration with EU standards, the group's leaders would have to overcome political opposition and win the cooperation of the ministries. The tasks were all the more difficult because the EU and its member states were initially unwilling to let Serbia move ahead with the accession process. Reformers in the Serbian government worked closely with the country's European Integration Office, staffed by an ambitious group of committed civil servants. As a result of their work, from 2007 to 2010 Serbia enacted a series of unilateral measures that kick-started harmonization with EU law and signaled to the European Commission in Brussels that Serbia was serious about its future in the EU. Because the reformers were so focused on pursuing accession, they did not have much opportunity to think independently about national priorities and formulate a separate national development strategy. But they did achieve a desired goal: Serbia's 2012 acceptance as a candidate for EU membership, after which long-awaited membership negotiations commenced at the start of 2014.

George Gavrilis drafted this case study based on interviews conducted in Belgrade, Serbia, in May 2014. Michael Scharff conducted additional interviews in London, England and Paris, France in June and July 2014. Valentina Đureta of the Belgrade Fund for Political Excellence provided vital logistical support for the case study. Case published September 2014.

INTRODUCTION

If there was one thing most Serbian citizens could agree on in 2004, it was the need for a new national vision.

Serbia was still reeling from the crises and conflicts of the 1990s. The multiethnic federation of Yugoslavia had collapsed violently. The republics of Bosnia and Herzegovina, Croatia, Macedonia, and Slovenia had seceded, leaving behind a reduced federation made up of Serbia and Montenegro. By the late 1990s, the violence and talk of secession had spread to the formerly autonomous province of Kosovo, which was dominated by ethnic Albanians and was part of Serbia. A NATO bombing campaign in 1999, which aimed to stop the violence and mass killings in Kosovo, decimated the Yugoslav army and caused major damage to the capital city of Belgrade and to Serbia's infrastructure.

In October 2000, massive street demonstrations in Belgrade ousted Slobodan Milošević, leader of the Socialist Party of Serbia and president of the country since 1989. In elections later that year, the Democratic Opposition of Serbia—a broad coalition of parties—won federal, parliamentary, and local posts and installed Zoran Đinđić as the new prime minister to work in cooperation with the country's president, Vojislav Koštunica.¹ However, the elections did not bring stability. In 2003, Đinđić was assassinated by a former Special Forces operative who had ties to organized crime and who sympathized with Milošević, whom the prime minister had extradited to the International Criminal Tribunal for the former Yugoslavia.²

The assassination plunged the country into yet another political crisis. It also convinced a core group of reform-minded politicians and civil servants that they needed a new approach if Serbia was to move forward and leave its past behind.

The country's seniormost political leaders were of two minds. Boris Tadić, a founding member of the Democratic Party and close associate of Đinđić, won the June 2004 presidential elections. Tadić picked up Đinđić's mantle, including a proposal to liberalize markets and pursue membership in the European Union (EU) despite the reality that his Democratic Party was a minor partner in a government dominated by Euro-skeptics. That same year, Vojislav Koštunica became prime minister and commanded a strong following in Parliament across a grouping of nationalist and liberal parties, which found his rhetoric appealing: that Serbia must go its own way and not ally itself with the West or the EU.

The reformers backed Tadić, including his aim of EU membership for Serbia. Although the process would be arduous, EU accession offered hope as a lodestar for rallying a divided public around a new set of national aspirations. Furthermore, for the civil service, the accession process provided a framework for action, with deadlines that would inspire achievement. And the process could help revive the bureaucratic cultures of the ministries by focusing staff on a clear mission.

After consulting with the cabinet, Tadić created the Serbian European Integration Office (SEIO) in 2004 and appointed Tanja Mišćević director in 2005. Mišćević, a specialist in EU affairs, had been coordinating trainings on EU policies for Serbian and Montenegrin government officials.³ Koštunica, the prime minister, let the SEIO move forward; his skepticism toward the EU stemmed more from indifference than hostility. The SEIO began to meet with civic groups and university faculty in order to frame a strategy. When the strategy appeared in print in 2005, it portrayed EU membership as important for the future well-being of the country's citizens: "The most important argument in favor of improving the relation with the EU certainly lies

in the fact that the very process of association, as well as membership, would create the conditions for both economic and general social development.”⁴

But two years later, Tadić and the reformers still had much to do. The government had to win the legislature’s agreement to formally commit the country to harmonize its laws with the EU, mobilize the country’s ministries behind the harmonization process, and create mechanisms to evaluate progress and prevent backsliding. Further, Tadić had to reconsider the overall approach. On one hand, he had built a capable office—the SEIO—to coordinate the needs of the EU accession process. On the other hand, he faced political challenges both inside the country and outside it— from some of the EU member states.

In 2007, Tadić appointed Božidar Đelić as deputy prime minister and in 2008 charged him with overseeing EU integration. Previously minister of finance from 2001 to 2004, Đelić shared President Tadić’s EU vision. Đelić had spent a lot of time “thinking strategically and tactically so as to make up for lost time, thinking outside the box, and finding win-wins for Serbia and the EU.” Trained at Harvard Business School and the Harvard JFK School of Government, he had broad experience in consulting and banking and in thinking about reform in transition economies. He took on the challenge and stressed that accession was about “making sure we have a predictable trajectory as a state . . . and predictability in the lives of our citizens.”

Đelić began to work with Mišćević, the first SEIO director. Later, when Mišćević stepped down, she turned the reins over to Milica Delević, who took the lead in moving the EU accession process forward.

THE CHALLENGE

Leading up to 2007, pro-European reformers in the SEIO and the government had already

accomplished several important objectives. They had consulted with civic groups and tapped the skills of university faculty in order to frame a strategy. And in 2005, President Tadić and SEIO director Mišćević also initiated negotiations with Brussels on a key document, the Stabilization and Association Agreement (SAA), which committed the country to gradually harmonize its domestic legislation with EU law, a precursor to membership.

Pro-EU reformers in the government and the SEIO faced three main challenges as they considered how to achieve the country’s vision to accede to the EU.

At first, it was not clear that the EU would permit the accession process to proceed. Some of the political hurdles arose from the shifting character of Serbia’s state boundaries. Before 2006, Serbia had remained in a federal union with Montenegro, which made harmonization with the European Union even more difficult. “Serbia and Montenegro were very different,” said Delević. “Montenegro was a small economy compared with Serbia, and during the 1990s, Serbia and Montenegro had pursued very different paths.” Montenegro had not participated in the ouster of Milošević in 2000 and did not take part in the federal government running Yugoslavia. The EU had insisted on a combined approach to Serbia and Montenegro’s accession despite the fact that the two republics had separate governments and separate needs. The EU eventually offered a twin-track approach, which became moot when Montenegro declared independence in June 2006. As legal successor of the union, Serbia could proceed on its own toward EU accession, but in the process, Serbia had lost valuable time.

The EU dealt Serbia another setback in May 2006, when it called off negotiations, faulting Belgrade’s lack of progress in arresting and extraditing war criminals wanted by the International Criminal Tribunal for the former Yugoslavia (ICTY). An SEIO official said the

Netherlands had voiced strong opposition to Serbia's accession because of lack of cooperation with the tribunal. Serbian officials found themselves chasing dates and commitments in Brussels and wondering whether some member states would ultimately have the clout to halt Serbia's accession.

A second challenge arose from growing rifts in Serbia's governing coalition that made EU accession politically controversial. Tadić wanted to ramp up cooperation with ICTY and unfreeze the accession process, whereas Koštunica was reluctant to do anything that would offend nationalist sensibilities, cause crucial parties to shift their allegiances, risk bringing down the cabinet, or threaten his own position as prime minister.

Meanwhile, Kosovo—a formerly autonomous province within Serbia that was dominated by an ethnically Albanian majority—was sliding toward independence. The European Commission watched Kosovo closely. Commission officials did not want to start membership negotiations with a state that had an active and unresolved separatist conflict. Some EU member states advocated for Kosovo's independence, but the Serbian government was not willing to accept an independent Kosovo.

Despite the public's desire to join the EU, there was a "frustrating lack of consensus on how to deal with the big issues" that would get Serbia to the union, Delević said. "Everyone agreed on the EU, but no one agreed on how to move on ICTY, Montenegro, or Kosovo."

A third challenge was also emerging. Even if Tadić and pro-EU reformers in the government could resolve the big political issues, the administrative capacity required to implement accession reforms was weak. SEIO assistant director Vladimir Međak explained: "In 2004–05, we spent time locating people who were knowledgeable about the EU. We searched for pockets of excellence throughout the

administration." The unit moved some of those people into its offices, and others took responsibility for new EU integration units in each ministry.

The office still needed the cooperation of many other people to complete the reforms required by the accession process, and it discovered that many civil servants lacked the skills, knowledge, or motivation to do their jobs well. The size of the government had doubled since the Milošević period because political parties had rewarded their supporters with choice slots in government-run companies and ministries. Party leaders demanded appointments at all levels of the state in exchange for being part of the coalition. But that type of patronage meant the skills and motivation needed to move the accession process forward within ministries were often weak. Đelić, who became deputy prime minister in 2007, recalled that the civil service suffered from a shortage of skills and resources. "We discovered that not everybody spoke good enough English to understand key EU documents," he said. "Then we discovered we had a huge lack of resources in certain quarters to do this thing." There were pockets of excellent people to work with, but many capable people had emigrated to more-promising careers outside Serbia.

FRAMING A RESPONSE

In November 2007, Đelić initiated the Stabilization and Association Agreement despite grumbling by coalition partners who felt that Serbia should not move ahead with the EU while it was coming under such severe pressure over its cooperation with the ICTY. Đelić realized that Serbia should continue to take the steps required for accession even though the country had no formal approval from the EU to begin the process. He saw it was important to move fast and unilaterally: "I said clearly that it is going to take some time between the SAA and the beginning of negotiations to join the EU and that we should

not waste that time. See, this is my hallmark: I am a public policy entrepreneur. It meant the ability to spot opportunity and not lose time implementing EU standards.” Others agreed. Srđan Majstorović, who was SEIO deputy director at the time, reflected, “We realized that if we were not proactive, nothing would be done.”

Officials in Brussels had told Mišćević and Đelić that Serbia could not formally prepare the National Programme for Accession unless the country was granted candidate status. However, Serbia *could* institute all of the required reforms under a different name, so progress would be faster once the country got the green light from the EU.

Đelić called Mišćević, director of the SEIO, and discussed the possibility of adopting the National Programme for Integration (NPI) to move EU accession ahead. The NPI would define development goals, outline reforms, and establish a road map to harmonize legislation. It would copy the EU requirements but give them another name.

The SEIO had performed exceedingly well in negotiating the Stabilization and Association Agreement and had impressed EU officials. Along the way, the SEIO had sharpened its administrative capacity, and, as Mišćević said, “We were completely ready for the next step.”

There were at least two good reasons to push ahead unilaterally with an integration program. First, a core of more than 40 technocrats and pro-EU reformers had already coalesced around the SEIO and the small EU integration units in certain ministries. Many had worked previously with international organizations or had experience in Yugoslavia’s most internationalized ministries—in particular, the Ministry of Trade and External Relations. It was important to keep that core group together and retain the strong capacity the SEIO had built up. Second, Mišćević and the SEIO team had previously participated in a twinning project with Slovenia—an EU member

since 2004—and had a chance to study Slovenia’s national integration program for EU accession. There was already a template on which to base Serbia’s integration program.

The move to create the NPI took Brussels by surprise but also signaled that Serbia was serious about reform and the EU vision. “[The NPI] was not at all a legal obligation,” said Đelić. “We cold-called ourselves. But we created expectations at the same time and communicated this to our European partners. They were quite surprised because no one had done this before.”

GETTING DOWN TO WORK

From 2007 to 2010, the SEIO and the deputy prime minister’s office worked at a frenzied pace to move forward with accession. They unilaterally drafted the 900-page National Programme for Integration, which laid out the process for aligning Serbian law with EU standards. After the 2008 elections, Delević became SEIO director and took the lead in implementing the program and coordinating with Đelić. It was her job to ensure that the ministries took the necessary measures to show the EU that Serbia was serious about attaining membership candidacy.

Drafting a National Integration Program

Shortly after deciding to unilaterally draft the National Programme for Integration in July 2007, Deputy Prime Minister Đelić and his team got to work. “We adopted a decision in government that required all ministries . . . I got the latest version of the Acquis [EU law] on CDs and distributed them everywhere. Then we adopted another regulation asking all ministries to create integration units to do the NPI.” To draft the NPI, staff in the ministries had to read all of the legal rules of the EU, establish what needed to be done to harmonize standards with the EU, and create a timetable to do so.

SEIO director Mišćević and the deputy prime minister took the first steps. They established 35 working groups and a coordinating committee. Once the working groups were in place—around October 2007—they started drafting the program.

Đelić also had to engage with the ministries to explain what they had to do to fulfill the NPI, which was an exhaustive document that described things Serbia had to do to harmonize law and make reforms. The document was organized into more than 30 sector-specific chapters covering political, economic, and administrative criteria.⁵ Although the NPI was clear on the hundreds of laws and the more than one thousand measures that had to be adopted, it was less instructive on helping the ministries figure out where to begin, including how to win legislative approval. So, to figure out where to start, the ministries and the integration units engaged in a back-and-forth conversation with the SEIO as well as the deputy prime minister's office.

Mišćević's team at the SEIO created a database to track the progress of fulfillment of the NPI. The SEIO built the database and created a back end that the ministries would log in to. The ministries would then fill in matrices and fields to report their progress in harmonizing laws, regulations, and statutes.

Passing the torch and reorganizing the SEIO

Following the July 2008 elections, the EU issue became more politicized than ever, and Mišćević saw that the SEIO needed a different leadership style. Mišćević was a consummate technocrat who cared deeply about policy and who had built up the office's capacity and reputation, as well as the structure for pursuing EU accession. She had already done crucial work on the Stabilization and Association Agreement, on the National Programme for Integration, and on opening Serbia's visa liberalization negotiations with European countries. But now, the SEIO

needed someone who would be willing and able to maneuver politically and prompt officials in the government to take more risks for the sake of accession.

Delević succeeded Mišćević as director of the SEIO. As Mišćević explained, "Milica [Delević] had a passion for politics; I myself am much more interested in policy than politics. She was the right person at the right time."

Delević was already well-known to the SEIO because she had worked with Mišćević on previous EU-Serbia initiatives, including the 2005 strategy for Serbia's and Montenegro's accession to the EU. Mišćević played a central role in proposing Delević, who at the time was deputy minister of foreign affairs. Delević had headed the EU Integration Office for Serbia and Montenegro from 2003 to 2004 and had the support of Friends of the Office, an informal group of civil servants and experts who were advocates of the EU vision.

Delević's initial step as director was to reorganize the SEIO for the tough tasks ahead. "I had to first introduce clarity in terms of who is entitled to what position and what title to make sure that responsibilities were apparent and accepted by everybody," she recalled. Titles did not always match responsibilities because civil servants were occasionally given titles to justify pay raises and prevent them from leaving for the private sector. Some civil servants were initially upset at the changes, but the reorganization was necessary in order to promote both equality in the civil service and commitment to the mission. "I had to rely on people to understand that they are part of the civil service and to improve the lot of civil servants as a whole," Delević explained. "In the beginning, people were afraid they were going to be hurt in the process, but I think in the end they appreciated it."

Communicating the benefits of strategic reforms

Delević began working closely with Đelić, who stepped down as deputy prime minister after

the 2008 elections and moved to a newly created position as deputy prime minister for European integration—on condition that the government also appoint him as national coordinator of EU funds.

One of the most urgent needs was to convince those opposed to the pursuit of EU accession. Delević decided to highlight the benefits that visa liberalization and increased trade could bring. In 2007, Mišćević and Đelić had started to negotiate a visa liberalization agreement, which would allow Serbian passport holders to visit almost all EU countries without undergoing the laborious and oftentimes unsuccessful process of applying for a visa. To finalize the agreement, Serbia had to change laws and regulations in the Ministry of Interior and institute a new system for issuing secure, biometric passports—no easy task, because it was estimated that 70% of Serbian citizens did not have passports.⁶ Delević and Đelić encouraged the new minister of interior—Ivica Dačić—to move forward with implementation of the requirements and underscored that Dačić would benefit from a boost in popularity with the public once the agreement went into effect.

Serbian citizens also stood to benefit materially from agreements that would create a free-trade zone. Some political and economic groups worried that opening the Serbian market would flood the country with EU goods, and because such goods would arrive duty-free, customs revenues would collapse. At the time, customs accounted for 10% of revenues.⁷ But other benefits offset that cost. Delević authored papers showing that the anticipated economic benefits of opening Serbia's market would exceed the costs by five times. The papers gave pro-EU reformers quantitative data on the costs and benefits of closer association with the EU—data that was for the most part favorable to EU accession.

Monitoring progress

The year 2008 had been a very positive one for the accession process: Đelić signed the Stabilization and Association Agreement with the EU in April 2008, and after the July elections, the new government formally adopted the National Programme for Integration. The policy goals embedded in the accession process had become major government priorities, but reformers still had to devise ways to measure progress with implementation and prevent backsliding.

Toward the end of 2008, Đelić instituted regular meetings with all ambassadors to Serbia from EU countries. In those meetings, he distributed documents on Serbia's quarterly progress with harmonization and the country's plans for reforms in the months ahead and included reports on the country's steps to fulfill the terms of the visa-liberalization agreement. The meetings led to a few difficult conversations because some of the European ambassadors blamed Serbia for sending high numbers of asylum seekers to Europe. At the same time, it signaled to key EU ambassadors that Serbia was vigilantly keeping track of its own progress and keen to move ahead with accession.

In early 2009, the SEIO published the first quarterly report on how the ministries were fulfilling the NPI. Those fulfillment reports were essential in getting ministers to take the NPI seriously. By drafting regular public reports, ministers realized that everyone would be able to see how much or how little they had done to fulfill the NPI in terms of harmonizing laws, bylaws, and statutes. It named and shamed laggards. It also generated peer pressure to beat out other ministries in fulfillment. "That's what the NPI did brilliantly," Đelić said. "What gets measured gets done. What gets known gets done better. At some point in time, you need to get serious and do what you are supposed to do. There is need to incentivize, but there is also need to expose."

Delević decided that written reporting could be handy in a third arena: at meetings of state secretaries that were closed to the public. When Đelić took the floor at government sessions to talk about EU integration, he did not mince words. He would single out specific departments for criticism, and, as he admitted, “Sometimes that would leak and become an issue,” because no minister enjoyed being publicly criticized. Instead, the SEIO suggested implementing a new procedure. The SEIO would provide written information once a month at government sessions to give an overview of progress with harmonization and accession. The SEIO would note major laws that were in the process of revision or adoption and current problems that needed tackling. This step enabled Delević and Đelić to identify parts of the reform process where more action was needed without having to “rely on oral arguments” about what ministers had promised to do.

Taking the initiative

In the first half of 2010, Delević and Đelić—with the blessing of the president—decided to take the next step toward accession and prepare answers to a massive European Commission questionnaire on Serbia’s reform and harmonization status and remaining challenges. Whereas the NPI progress reports were *quantitative* and scored progress with harmonizing laws and statutes, the Questionnaire was deeply *qualitative*. It required a comprehensive stocktaking—answers amounting to thousands of pages organized in more than 30 sector-specific chapters—of what the country had achieved during the reform process and what remained to be done. The European Commission would evaluate the answers to the questionnaire and determine whether the country was ready to formally begin accession talks and membership negotiations. Although the European Commission had not yet prepared a questionnaire

for Serbia and had not given the go-ahead with this key requirement of the accession process, the reform team sought to anticipate the questions and get a head start on answering them.⁸ The initiative was a gamble because there was no guarantee that the EU would allow the country to move forward over the short term.

Before formulating answers, the SEIO would first have to figure out what the actual questions might look like. Delević and her team decided to review the European Commission questionnaires that other states had received. Majstorović, deputy director at the time, recalled: “Albania was the freshest questionnaire, but we also used Macedonia, Croatia, and even Slovenia, which was quite old . . . We found the majority of questions were the same. EU law is evolving, but many issues remain the same, so we said, ‘Let’s try to do this and have a practice.’”

The SEIO merged and revised the thousands of questions and compiled a draft list of approximately 2,500 questions to answer. During the project, the team at the SEIO frequently came across questions that were opaque or difficult to interpret. “We created lists of questions that we didn’t understand and got on the phone to Montenegro or Brussels to ask about them off the record. Sometimes we got answers, but sometimes we didn’t.”

In the second half of 2010, Delević and Đelić activated the working-group mechanism that had been devised earlier for the NPI. “We had already worked together in producing the NPI and other forums, and we had worked as a team,” Delević said. “We organized work to chair meetings, mediated to make sure civil society was included, and mediated when there were overlapping authority or conflicts. At that time, [the SEIO] already had a lineage of being an honest broker, so it worked very well.”

Guided by Delević and Đelić, the working groups coordinated closely with the EU

integration units in the line ministries to craft answers to the questions.

SEIO staff and the prime minister's office got buy-in from state secretaries and relevant experts in the ministries by playing down the risk. They explained that Brussels was very unpredictable and was likely to give Serbia a short deadline once (not *if*) it delivered the questionnaire. As the SEIO's Medak recalled, "The SEIO told them it is better to do the answers now than in haste once we get the actual questions."

At the ministry level, the experience varied. Dražen Maravić, head of the EU integration unit at the Ministry of Interior, said he had found the process of answering the questions easy: "It's not that the questions aren't important but that they weren't challenging. We had had lengthy experience in answering such questions before because peer reviews were happening for years." EU member states had sent national experts to visit and do peer reviews, so the ministry was well versed at providing written and oral answers to similar questions.

Other ministries had a more difficult time. The Ministry of Justice was in the midst of an abortive multiyear reform that overwhelmed overstretched civil servants.⁹ The EU integration unit was relatively small at the ministry, and so the responsibility of answering the questions fell on just a few individuals. As one civil servant recounted from his time on the integration unit: "We got about 145 questions for chapter 23 and 70 for chapter 24 and 50 more on political criteria. The questions were answered by the assistant minister of justice, the head of the department, two or three people in the unit, and one consultant."

The decision to do the question-and-answer exercise succeeded. Brussels responded by issuing Serbia the official questionnaire in October 2010. Approximately 80% of the questions on the official list overlapped those in the exercise, and

the SEIO and the ministries worked for the next 45 days to expand and formalize the responses. The result totaled more than 8,000 pages.¹⁰

Đelić drove the process vigilantly, pushing and shortening deadlines and pressing the ministries and working groups alike to produce. For some civil servants it meant working long hours from early morning to late evening. For the SEIO the biggest challenge involved translation of the answers into English.

On January 31, 2011, Prime Minister Mirko Cvetković delivered the answers to Štefan Füle, the European Commissioner for Enlargement. SEIO officials described the answering of the European Commission questionnaire as their greatest moment, when all of the necessary parts of government and the administration pulled together and went beyond the call of duty. Ivana Đurić, assistant director in charge of communications at the SEIO, reflected: "The questionnaire was the biggest exercise that the civil service ever, ever undertook. After all those years, it was the first real sign that public administration is not about politicians. It is our time to show we can deliver. It was a very proud moment for the civil service." Medak recalled: "Half the office went on sick leave after the questionnaire was done. The process was so exhausting that people just collapsed afterward."

The questionnaire and the NPI had important by-products. They got civil servants and reformers to take stock of what the state looks like from the inside and to better understand what needed to be done to harmonize the country's administration for EU accession. Medak also said reformers had learned a lot about the state along the way: "We learned that all this should have been done much before. No one had screened our legislation for over 60 years since World War II. There were leftovers of acts from the 1960s that were bugs in the system. Things were being done according to inertia."

Consulting with the public and civil society

Once the SEIO received the official questionnaire from the European Commission, Delević and Đelić discussed the need to reach out to civil society and the broader public to gather their input. This was a symbolically important move because civil society organizations and the media had declared that adoption of the Stabilization and Association Agreement and the National Programme for Integration had not been transparent enough.¹¹ The consultations took place in the same year that the government inaugurated the Office for Cooperation with Civil Society—partly a response to pressure from the European Commission to be more consultative with civil society and the public.

The SEIO approached the Federation of Non-governmental Organizations of Serbia, sending the questionnaire so that the federation could distribute it to its members. Delević said some civil society organizations participated enthusiastically by making suggestions for necessary reform and providing qualitative analysis of certain laws and government services. “The nongovernment sector was excellent,” said Đelić. “This was because of what had happened in the Milošević period. There were a lot of smart people from the university—or other institutions—who did not want to serve the Milošević regime and found refuge in civil society. So we had an NGO [nongovernmental-organization] sector that was loud, lively, and smart.” Sonja Licht, president of the Belgrade Fund for Political Excellence and one of Serbia’s most respected civil society leaders, said the development was important because previously, the government had rarely sought the opinions of civil society or experts, and civil society leaders had urged the government to “listen more to expert opinion in the country instead of waiting to hear the same things from Brussels.”

The SEIO also approached B92, an online news source and Serbia’s most-visited Web site. In cooperation with the Belgrade Center for Human Rights, B92 selected 23 questions and put them on its Web site for the public to answer. The response was overwhelming. Members of the public submitted both serious and humorous responses, many of them demanding that political leaders deal with corruption and nepotism in state administration. For example, in response to a question on public sector employment, “People said there were two main criteria [for getting a job in government],” SEIO’s Đurić recalled. “Being a party member and being a relative.” According to Đurić, the responses were not flattering for the government, but “we put all those answers in the translation [for the European Commission]—and not just the good ones.”

OVERCOMING OBSTACLES

Đelić and the SEIO encountered two obstacles with their go-getter approach to EU accession. One was a national political crisis triggered by Kosovo’s secession, which politicized the accession process. The other was an institutional issue based on ministries unaccustomed to both firm deadlines and public criticism when they did not meet deadlines.

Kosovo’s February 2008 Unilateral Declaration of Independence triggered a major crisis in the government coalition. Prime Minister Koštunica and President Tadić were fiercely divided on the appropriate response to Kosovo. Koštunica blamed the EU and many of its member states for emboldening Kosovo to secede from the Republic of Serbia, and he was firmly against moving ahead with EU accession and signing the Stabilization and Association Agreement. Tadić and Đelić were undeterred, however. Đelić recounted his determination to press on: “I said as deputy prime minister that I will sign it nevertheless, and that was the end of the government. When I signed the Stabilization

and Association Agreement in Luxembourg in April 2008, it was done without acceptance by all members of the coalition. I was threatened with arrest. Pictures of Tadić and me were plastered around Belgrade as traitors.”

The coalition dissolved, and elections were called for later that summer. The July 2008 elections resulted in an unexpected defeat for Koštunica, who campaigned fiercely against the EU and insisted that Serbia faced a choice between trying to get into the EU and keeping Kosovo, which a number of EU countries swiftly recognized as independent. But Koštunica’s campaign backfired. Public opinion was heavily pro EU at the time,¹² and the electorate was not willing to blame the EU for the actions of some of its member states. Tadić’s Democratic Party won the elections, and Tadić went in search of coalition partners for his government. Koštunica and a good portion of the nationalists wound up in the opposition.

The 2008 elections may have put the pro-EU camp in power, but they created a new set of problems for EU accession and reform. In previous years, the pro-EU camp could proceed with elements of the accession process because Koštunica was indifferent or ambivalent about EU accession. But after 2008, EU skeptics became much more vocal in Parliament and the media. Mirjana Jovašević served as chief of staff to the prime minister in the new government. According to her, “After 2008, the government was always questioned by the nationalists if EU accession amounts to giving away Kosovo.” Tadić had to cobble together a coalition of disparate parties to keep the government together, hold on to the barest of parliamentary majorities, and contend with nationalist and radical members of Parliament who filibustered and disrupted any discussion in Parliament on the EU. Jovašević recalls that the new government had the slimmest of parliamentary majorities: “The bare minimum to pass reforms and adopt a budget.” They

brought the Socialist Party (led by Dačić) in from the cold in exchange for promising to increase pensions. At the same time, they convinced Tomislav Nikolić, who had parted company with the Serbian Radical Party, to support the Parliament’s vote on the Stabilization and Association Agreement and to counter the nationalist voices.

The second obstacle was at the level of the ministries. Certain ministries did not react well to the SEIO’s initial progress reports on how well they were fulfilling the National Programme for Integration. Ministers saw the reports as scorecards and were not happy to learn that they had earned failing or mediocre grades. The first reports ended up being rougher than anyone had anticipated. Ministers started calling the SEIO to complain and demanded that Milica Delević change the assessment or not include them at all in the report. Đelić tried to shield Delević from growing criticism and reportedly told ministers, “Don’t call Milica; call me!”¹³

SEIO director Delević and her team decided they needed a solution that would soothe ministers without compromising the credibility of the reports. The SEIO started to craft shadow reports that it took to the ministries several weeks before the quarterly reports were to be published. The shadow reports gave the ministries an opportunity to get on track.

Delević explained: “One month before, I would do sneak previews and go to the ministries and say, ‘As of now, you are at 20% and have one month to improve.’ It would serve as a wake-up call and they would normally deliver.” Medak recalled that some ministries were at 10 to 15% fulfillment—and several were at 0%. “They would get really bad press from these reports, but then when they started doing better, they were happy to go to the press and say, ‘Look, we got 100%.’” The sneak previews had helped the ministries refocus their efforts and built confidence between them and the SEIO.

The reports accelerated the fulfillment of the NPI but did not fill capacity gaps at the ministries. SEIO officials encouraged the ministries to do their best and underscored how important it was to prepare properly for the changes and negotiations that were parts of EU accession. Still, there were blunders. For example, contrary to EU rules, Serbian agricultural exports often lacked tags identifying their region of origin. The point person at the EU integration unit in the ministry had offered a proposal for winning compliance with the rule, but the minister could not be bothered to respond. The SEIO wrote the policy for the ministry, gave it to the integration unit, and the integration unit sent it back to the SEIO with the minister's approval.

Experiences such as that one created a dilemma. Ministries were vital to moving the reform and harmonization process ahead. But they had major capacity and expertise gaps. The SEIO's response to the challenge was to support the ministries in identifying priorities and devising projects, sometimes enlisting consultants to help. As Ognjen Mirić, former head of the Department of Funds at the SEIO, said, "the SEIO's approach to formulating projects was that it wanted to help the ministries, not step into their shoes." The use of consultants to provide support attracted some criticism, however. According to a former civil servant who served in the finance ministry: "This did nothing to build capacities in the ministries. But the ministries ran with it because it lifted a burden from them whereby they did not have to put their own people on these projects."

ASSESSING RESULTS

Reformers' efforts ultimately paid off, and Serbia achieved a number of formal milestones in its bid to accede to the EU. In December 19, 2009, visa requirements were lifted for Serbs traveling to 25 EU states. In June 2010, EU states decided to start the ratification process of the Stabilization and Association Agreement. In

October 14, 2011, the European Commission responded to Serbia's answers to the questionnaire with a positive opinion on the country's EU membership application.¹⁴ And by March of the following year, the European Council confirmed Serbia as a candidate country.

The overall fulfillment rates of the National Programme for Integration were impressive. From July 2008 to December 2012, accomplishment of the NPI was at 88%, with 1,030 measures adopted out of 1,172 planned. Moreover, 201 of a planned 243 laws were adopted.¹⁵ But the devil was in the details. The government and the ministries adopted an enormous number of laws, according to Delević, but the adoption of bylaws and decrees lagged. "I found disappointing that people were delivering on laws but not on bylaws and regulations, which represent the implementation of the laws."

More importantly, pro-EU reformers from Mišćević and Tadić to Delević and Đelić succeeded in pushing Serbia toward the vision of EU membership despite the ideological and political divisions in the country—and despite flagging public support for the EU. In 2014, polls showed that only a narrow majority (51%) of the Serbian public supported EU membership.¹⁶ Some EU countries made it clear that foreign workers and immigrants were not always welcome, thereby dampening the union's popularity in Serbia. Nonetheless, Majstorović said, "Over 70% supported the reforms [required for accession], and this is really surprising."

There were other good outcomes to Serbia's pursuit of accession. Licht, a prominent civil society leader in Serbia, pointed to the "strengthening of independent regulatory bodies, including the ombudsman, the commission for the protection of equality, the commission for information of public importance and personal data protection, antidiscrimination laws, audit agency, and anticorruption agency" despite failures like the judicial reforms. Jelena Trivan, member of

Parliament for the Democratic Party from 2007 to 2014, pointed out, “We made the reform structure, and we did checks and balances with EU standards.” Moreover, she continued, “we made this process politically impossible to reverse. We made the EU idea unquestionable.”

But in making the EU idea irreversible, reformers may have crowded out alternative visions for the country’s development and direction. Asked whether there is an alternative way of thinking about national development outside EU accession, Trivan resoundingly responded, “No, this is dangerous.” Donka Banović, member of Parliament for the Democratic Party of Serbia from 2004 to 2012, suggested, “There is very little critical debate about the EU, and the public doesn’t understand it.”

Although the April 2014 elections swept Tadić and the Democratic Party out of power, voters continued to side with pro-EU forces, and in the process, they delivered a resounding defeat to the nationalist and radical parties. The Serbian Progressive Party of Aleksandar Vučić, a pro-Europe party, won a majority. As a result, Serbia was the only EU candidate country whose anti-EU parties were not represented in Parliament. Assessing the situation in June 2014, Delević worried that the good idea of EU accession would be achieved without the kind of debate and public engagement important for helping the country further define its own aspirations. She suggested that differences of opinion were essential for producing a new vision.

A further consequence of Serbia’s drive toward EU accession and reform was the difficulty in setting priorities. The EU accession process determined a large number of goals for the country to pursue. But accession required the government to focus its energies on harmonization and reform across the vast majority of the country’s sectors and ministries. It required so much energy, focus, and human resources that

it became difficult to elaborate priorities in national development or come up with an alternative reform strategy for the country.

Mirić, a development expert at German aid agency GIZ, who had previously served as head of EU funds at the SEIO, underscored that problem in May 2014: “A big challenge was that the government didn’t have clear priorities. We had 105 strategies, and in Serbia, everything was important.” But as Đelić saw it: “You cannot have an EU integration plan that is simpler than the EU itself. You could criticize us for having many priorities, but we needed to do these things to be a member of the EU. You cannot conform to a model by saying, ‘I don’t like the model.’”

REFLECTIONS

The European Union’s accession path required Serbian reformers to completely remake the state. Tanja Mišević, who was appointed Serbia’s chief EU negotiator in 2014, summed up her years of experience: “When you say *EU*, people think *foreign policy*. It’s anything but. Integration is all about domestic reform.” Sonja Licht took that reflection one step further by noting that the EU accession process was nothing short of a state-building process. As such, this case holds lessons for reformers in countries that are pursuing broad, national reforms of their own.

Serbia’s reformers realized that any vast domestic overhaul needed pockets of capable technocracy in the government that would carry the process forward. In May 2014, Deputy Director Srđan Majstorović reflected on his 10 years at the SEIO by saying: “We managed to create a professional, young institution—this is not your ordinary state bureaucracy—and lots of people want to work here. You can have an effect on policy and feed your intellect. People who left the office went to important positions in the administration and are trying to copy the SEIO in the ministries.”

With strong technocratic offices—outside ministerial politics—much could be accomplished even during weak and divided governments. Mišćević explained: “Politicians were anything but stupid. They knew negotiations and reforms required bits and pieces of technical knowledge. They could not do this, and this saved the office.” Licht saw the SEIO in similar light: “The major issues they were working on showed that they were serious and that they were inclusive, responsible, and professional enough so that no one felt endangered by them.”

Majstorović looked back on the decision to create an office as a blessing. He suggested that by starting from scratch, as opposed to being part of an existing office, the SEIO “didn’t inherit any surpluses or ministerial baggage.” Nonetheless there was a danger that new offices might proliferate as governments sought to work around obstacles without fixing the capacity problems in the ministries. Those lessons might apply to many countries undergoing deep and broad reform—and not just countries aspiring to join the EU.

To aspiring reformers, Milica Delević offered an important piece of advice based on her experience as SEIO director: “Empower institutions because it can’t be up to one person. It is important to be committed to respect institutional arrangements and strengthen the

administration and the people empowered to deal with this. If one person is seen as solely responsible, he is not going to bring a result.” Above all, it is important to make sure that reform does not “become a vague general thing that no one will be interested in if it does not influence their everyday lives.”

Looking back on his time as deputy prime minister for European Union integration, Božidar Đelić agreed that it was important to show tangible results when pursuing broad, national reforms. Ultimately, the National Programme for Integration and its reports meant little to citizens. More important were changes that affected citizens’ lives. Đelić took his own admonition seriously. To celebrate the visa liberalization agreement’s going into effect in December 2009, Đelić chartered a flight for the first 50 Serbian passport holders traveling to Brussels. The flight departed Belgrade, Serbia, at midnight as the agreement went into effect. The EU commissioner for enlargement met the plane at 2:30 a.m. in Brussels. People saw the trip on the news in Serbia. “That spoke tons . . . the sense that we are part of the [European] family,” Đelić said. It touched people who before could not travel to the EU, “and this changed their hopes and expectations.”

References

- ¹ Bertelsmann Stiftung, BTI 2014—Serbia Country Report. Gütersloh, Germany: Bertelsmann Stiftung, 2014.
- ² “Twelve Guilty of Djindjić Murder,” BBC News, 23 May 2007, <http://news.bbc.co.uk/2/hi/europe/6683463.stm>, and Gabriel Partos, “Analysis: Marathon Djindjić Trial,” BBC News, 23 May 2007, <http://news.bbc.co.uk/2/hi/europe/6683133.stm>.
- ³ Mišćević assumed the SEIO directorship from Radmila Milivojević, who served during the SEIO’s first year.
- ⁴ National Strategy of Serbia for Serbia and Montenegro’s Accession to the European Union, Serbian European Integration Office, May 2005, http://www.seio.gov.rs/upload/documents/nacionalna_dokumenta/national_strategy-pdf.pdf.
- ⁵ See, for example, the Amended National Programme for Integration of the Republic of Serbia into the European Union, abridged version, December 2009, http://www.seio.gov.rs/upload/documents/NPI/npi_2009-10_incl_annexes_eng.pdf.
- ⁶ “Serbs Set for Visa-Free EU Travel,” BBC News, 15 July 2009, <http://news.bbc.co.uk/2/hi/8151518.stm>.

⁷ See Mirjana I. Stevanović and Aleksandar M. Gajić, “Budget Analysis of the Republic of Serbia for the Period from 2003 to 2009,” *Annals of the Oradea University*, 2 (September 2013), <http://imtuoradea.ro/auo.fmte/files-2013-v2/StevanovicM3-Oradea-2013.pdf>.

⁸ Many interviewees referenced the frustrations leaders faced in getting Brussels to move to the next stage of the accession process.

⁹ Republic of Serbia: Judicial Reform Status, *Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ)*, February 2013, <http://www.legalreform.rs/images/Documents/judicialreformstatus.pdf>.

¹⁰ For the full list of questions and answers, see <http://www.seio.gov.rs/documents/national-documents.222.html>.

¹¹ As explained by interviewees representing various civil society organizations and movements.

¹² See the results of SEIO-conducted polls at <http://www.seio.gov.rs/documents/national-documents.70.html>.

¹³ Interview with Vladimir Međak, Assistant Director, Government of the Republic of Serbia European Integration Office, Belgrade, May 2014.

¹⁴ Commission Opinion on Serbia’s Application to the European Union, European Commission, Brussels, 12 October 2011, <http://www.seio.gov.rs/documents/eu-documents.349.html>.

¹⁵ National Plan for the Adoption of the Acquis (2013–2016), Government of the Republic of Serbia European Integration Office, February 2013, p. 8, http://www.seio.gov.rs/upload/documents/nacionalna_dokumenta/npaa13_16.pdf.

¹⁶ See the results of SEIO-conducted polls at <http://www.seio.gov.rs/documents/national-documents.70.html>.



Innovations for Successful Societies makes its case studies and other publications available to all at no cost, under the guidelines of the Terms of Use listed below. The ISS Web repository is intended to serve as an idea bank, enabling practitioners and scholars to evaluate the pros and cons of different reform strategies and weigh the effects of context. ISS welcomes readers' feedback, including suggestions of additional topics and questions to be considered, corrections, and how case studies are being used: iss@princeton.edu.

Terms of Use

Before using any materials downloaded from the Innovations for Successful Societies website, users must read and accept the terms on which we make these items available. The terms constitute a legal agreement between any person who seeks to use information available at www.princeton.edu/successfulsocieties and from Princeton University.

In downloading or otherwise employing this information, users indicate that

- a. They understand that the materials downloaded from the website are protected under United States Copyright Law (Title 17, United States Code).
- b. They will use the material only for educational, scholarly, and other noncommercial purposes.
- c. They will not sell, transfer, assign, license, lease, or otherwise convey any portion of this information to any third party. (Republication or display on a third party's website requires the express written permission of the Princeton University Innovations for Successful Societies program or the Princeton University Library.)
- d. In all publications, presentations or other communications that incorporate or otherwise rely on information from this archive, they will acknowledge that such information was obtained through the Innovations for Successful Societies website. A suggested citation format is as follows:

[Document author if listed], [Document title], Innovations for Successful Societies, Princeton University, accessed at <http://www.princeton.edu/successfulsocieties> on [date accessed on Web]
- e. They understand that the quotes used in the case study reflect the interviewees' personal points of view. Although all efforts have been made to ensure the accuracy of the information collected, Princeton University does not warrant the accuracy, completeness, timeliness, or other characteristics of any material available online.
- f. They acknowledge that the content and/or format of the archive and the site may be revised, updated or otherwise modified from time to time.
- g. They accept that access to and use of the archive are at their own risk. They shall not hold Princeton University liable for any loss or damages resulting from the use of information in the archive. Princeton University assumes no liability for any errors or omissions with respect to the functioning of the archive.



The Mamdouha S.
Bobst Center
for Peace and
Justice



Innovations for Successful Societies (ISS) is a joint program of Princeton University's Woodrow Wilson School of Public & International Affairs and the Bobst Center for Peace & Justice. The Woodrow Wilson School prepares students for careers in public service and supports scholarly research on policy and governance. The mission of the Bobst Center for Peace & Justice is to advance the cause of peace and justice through mutual understanding and respect for all ethnic traditions and religious

faiths, both within countries and across national borders.