

# SERBIA'S PURSUIT OF INTERESTS IN THE EUROPEAN UNION

*Administrative, Financial and Lobbying Capacities*





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## Foreword

The process of EU accession is a collective endeavor *par excellence*, and it represents a challenge for the entire Serbian society and its Government. It implies a widespread social consensus and a well-ordered system. In order to assess the impact of this process, the European Policy Centre (CEP) conducted a study on Serbia's potentials regarding pursuit and promotion of its interests at the administrative-institutional level in the EU. A general conclusion of this study, related to performance of Serbia's administration and diplomacy in Brussels, is positive. This is not surprising, given that the European Commission has regularly praised Serbia's administrative capacities for accession negotiations in its enlargement-related reports. On the other hand, CEP's study highlights and suggests certain improvements, concerning the organization, and even more importantly, with regard to general promotion of Serbia's interests and country-image in the process of EU accession.

International and domestic circumstances point to the fact that the next five years will be crucial for the completion of Serbia's accession to the EU. We find ourselves at an important juncture that is supposed to enable the efforts of one entire generation to be rewarded. This period will bring the complete harmonization with the EU *acquis* and will round off all the necessary reforms. It is important that Serbia keeps working on promoting its country-image in Europe, as an open, dynamic country in the process of modernization. A country that shares European values and aspirations and has a lot to offer to EU partners - from its history, tradition, and culture, to economic, scientific, athletic and many other innovations and creative achievements. In that sense, CEP's study is a useful step in the debate about different ways of building a consistent and long lasting lobbying strategy in the process of Serbia's integration.

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# I. Introduction

## I. 1 Context of the Study – Serbia’s Growing Engagement with the EU

Serbia has been progressively increasing its engagement with the EU for more than a decade. Ever since the regime change occurred in 2000, every Serbian Government has put the accession to the EU as its priority, thus essentially providing a platform for the process of transformation of the political, economic, and social spheres. As a sign of commitment to this priority, the Serbian European Integration Office (SEIO) was established in 2004 and national legislation started being aligned with the EU *acquis*, four years before being legally obliged to do so, with the Stabilisation and Association Agreement (SAA) signing in 2008. Afterwards, Serbia applied for the EU membership and acquired visa liberalisation in 2009, while being granted candidate status in 2012.

Such milestones were accompanied by context-specific political events, such as the uneasy cooperation with the International Tribunal for Former Yugoslavia, the dissolution of the state union between Serbia and Montenegro in 2006, and self-proclaimed independence by Kosovo\*<sup>1</sup> in 2008, which partially explains why it took the member states five long years to ratify the SAA in 2013. Finally, the biggest political push was made in 2013, with the signing of the Brussels agreement by Belgrade and Priština, essentially paving the way for the Accession Negotiations to officially start in 2014, and thus introducing a new phase in relations between Serbia and the EU. Since then, Serbia has opened ten chapters (and temporarily closed two),<sup>2</sup> three out of the aforementioned ten chapters determine the pace and direction of the entire process: Chapter 23 – Judiciary and Fundamental Rights, Chapter 24 – Justice, Freedom and Security, and Chapter 35 – Other Issues.<sup>3</sup>

Looking at the broader perspective, ever since the unsuccessful referenda on EU Constitution in 2005, the EU has progressively been facing multiple crises – financial, ‘refuge’, threat of terrorism, Brexit – which, together with the challenging functioning after the ‘Big Bang’ enlargement, induced the so-called ‘enlargement fatigue’ and self-evaluation of its own capacities to absorb new member states. However, it seems that the unfavourable circumstances for the enlargement process are likely to change in the near future. In September 2017, the President of the European Commission Jean-Claude Juncker delivered the State of the Union and developed a Roadmap for the future of the EU, in which Serbia (alongside Montenegro) was defined as a frontrunner candidate in the Western Balkans with a perspective of joining the Union in 2025.<sup>4</sup> Such longwaited move of the Commission can serve

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<sup>1</sup>This designation is without prejudice to positions on status, and is in line with UNSC 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

<sup>2</sup>Having in mind that the accession process has started in January 2014, the pace of opening the chapters seems rather slow, when compared to Montenegro, which started accession negotiations in December 2012 and opened 25 chapters so far. The difference in pace of negotiations is even more drastic when compared to Croatia, whose accession negotiations lasted six years in total.

<sup>3</sup>Chapter 35 is context specific and uniquely important to Serbia, since it covers the process of normalisation between Belgrade and Priština. During the accession of other candidate countries, this chapter simply covered other issues, thus hardly representing an essential chapter in those countries.

<sup>4</sup>A particular emphasis was on the rule of law, fundamental rights and the fight against corruption and on the overall stability of the region.

European Commission, State of the Union 2017 by Jean-Claude Juncker, 2017, p.32, Internet:

[https://ec.europa.eu/commission/sites/beta-political/files/state-union-2017-brochure\\_en.pdf](https://ec.europa.eu/commission/sites/beta-political/files/state-union-2017-brochure_en.pdf), accessed: 13.09.2017.

as an impetus for Serbia to self-assess its performance and consider upgrading its capacities to effectively advocate for its EU membership bid.

In order to become a member state, Serbia needs to close negotiations on all of 35 chapters, which is why an increased workload is to be expected as more chapters are being opened. The interaction with the EU officials is likely to increase as well in the subsequent phases of the process. Consequently, this will give further importance to Serbia's presence and activities in Brussels, which are dependent on its administrative, financial and lobbying capacities.

Having in mind the interconnectedness between the administrative and financial capacities, recent research has shown that the financial limitations are one of the reasons why the most skilled civil servants, knowledgeable about EU affairs, tend to leave the Serbian administration, thus rendering the system less efficient and less stable.<sup>5</sup> Therefore, the question arises whether and to what extent the lack of financial capacity is undermining Serbia's pursuit of interests in Brussels. Serbian policymakers have already recognized the importance of having adequate administrative capacity for negotiating the future EU membership by stating that the professional administration is a prerequisite for successful and efficient negotiation for Serbia's accession to the EU.<sup>6</sup> However, the question remains whether the growing internal demands are followed-through in practice.

In fact, the literature on *how* Serbia is pursuing its interests in Brussels is rather scarce and there is very little policy debate on the issue. This policy study directly addresses this question with the assumption that the establishment of adequate administrative, financial, and lobbying capacities in present would not only assist Serbia on its path towards the EU membership by having its interests better represented in Brussels, but could also potentially aid Serbia once it becomes an EU member state. An adequate preparation would allow Serbia to fully participate, further accommodate to the new rules, and maximize the benefits of the EU membership in the future.

By promoting an image of a serious, firm, credible and responsible EU candidate country (and acting like it), Serbia has the potential to increase and improve its appeal in Brussels and willingness of the EU representatives and member states to cooperate with it and take its preferences into consideration. Even though this study focuses on how Serbia is pursuing its interests at the EU level, it does not neglect the fact that Serbia's country image and its access to EU representatives primarily depend on the level of promotion of the pro-European policies and European values by Belgrade, as well as on the sophisticated programs for improving the overall image of the country through culture, science, sports, tourism and regional cooperation.

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<sup>5</sup> Milena Lazarević, Katarina Kosmina, Dragana Bajić, *Towards a Smart Staff Retention Policy for the Sustainable EU Integration of Serbia*, Belgrade, Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) and European Policy Centre (CEP), 2017, p. 61-69.

<sup>6</sup> *Conclusion Accepting the Analysis of the Activities in the Process of the Negotiations on the Accession of the Republic of Serbia to the European Union*, Number 05, Government of the Republic of Serbia, September 2013, Belgrade, Internet: [http://www.eu-pregovori.rs/files/File/kandidatura\\_srbije\\_za\\_clanstvo/The\\_Conclusion\\_Accepting\\_the\\_Analysis\\_of\\_the\\_Activities\\_in\\_the\\_Process\\_of\\_the\\_Negotiations.pdf](http://www.eu-pregovori.rs/files/File/kandidatura_srbije_za_clanstvo/The_Conclusion_Accepting_the_Analysis_of_the_Activities_in_the_Process_of_the_Negotiations.pdf), accessed: 11.04.2017.

## I. 2 The Purpose of the Study

The aim of this study is to explore Serbia's current administrative, financial and lobbying capacities at the EU level in the context of Serbian EU accession negotiation process, in order to acquire a comprehensive understanding of how Serbia is pursuing its interests in Brussels. To achieve its goal, this study has set the following research question: What are Serbia's current administrative, financial and lobbying capacities at the EU level and are they appropriate to the sufficient extent to enable a successful pursuit of interests?

In order to answer the research question, the study first explored the concepts of administrative, financial and lobbying capacities. This exercise was useful in defining the terms that will be used in this study, given the controversial connotations the given terms have had in practice. Afterwards, the legal and institutional frameworks were analysed, in order to critically evaluate the interconnectedness and functionality of the Serbian institutional structure, based on whose performance Serbia's position in the EU depends. Then, having in mind how complex the EU structure is, it was investigated toward which EU institutions, bodies and officials Serbia directs its lobbying activities, thus illuminating Serbia's approach in Brussels. This allowed the study to examine and evaluate the performance and adequacy of Serbia's relevant capacities for a successful pursuit of interests in the EU. Furthermore, in order to put the analysed capacities in a wider context and thus gain a better understanding of how they perform, a comparative approach was taken by looking at Croatia and the capacities it had used during its accession period. Finally, after discovering the main capacity shortcomings, recommendations for their improvement were formulated.

The findings are supposed to instigate a public debate and create a platform for discussion among Serbian policymakers and stakeholders involved in the process of EU accession, in order to raise awareness of the importance of the researched topic, thus potentially leading to an improvement of Serbia's current capacities at the EU level.

## I. 3 Lobbying in the Context of Serbia's EU Integration Process

The importance of lobbying in the EU is widely recognized in the academic literature and policy studies.<sup>7</sup> The term lobbying often has a negative connotation in the eyes of the Serbian and wider public. When thinking about lobbying and actors who are conducting lobbying activities, it is most common to think of the lucrative activities of lobby groups, which are representing and pursuing narrow and particular interests of industrial and business sectors. Accordingly, this study wishes to 'demystify' this concept and further expand it, by illustrating that it can be perceived in a non-lucrative manner too.

In the context of this study, a lobbying capacity of a state is perceived as the ability of the relevant governmental institutions, bodies and officials (i.e. diplomats, experts and politicians), to adequately represent and pursue interests of the country in question, based on

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<sup>7</sup> Nenad A. Vasić, "Mogućnosti diplomatske lobiranja u Evropskoj uniji i strategija spoljne politike Republike Srbije", *Međunarodna politika*, br. 115-1159, 2015;

Irena Peterlin, "Značaj lobiranja u Evropskoj uniji", *Anali*, godina LIV, br. 2, 2006.

the Government's instructions and within the responsibilities and duties set by the normative framework (for detailed theoretical discussion, see Chapter II).<sup>8</sup>

In Serbia's context, the subject of lobbying activities encompasses the following areas related to the accession process and cooperation with the EU:

In the context of Serbia's growing interactions with the EU counterparts, the subject of lobbying activities ranges from formal accession negotiations, to monitoring of implementation of the Stabilisation and Association Agreement (SAA) and the Brussels Agreement, to cooperating on ad-hoc issues, such as the migrant crisis or flood relief.

Having in mind the complex set of issues which need to be tackled during the accession process, it becomes a necessity to comprehensively and systematically assess the capacities that allow for these issues to be tackled effectively. The latest institutional change occurred in June 2017, with the establishment of the Ministry of European Integration, which showcases that the process is dynamic and that it invites a re-evaluation of the capacities. In that sense, the potential impact of enhancing Serbia's lobbying capacity could be the following:

1. *political* – a possibility of improving its negotiation position regarding opening and closing 35 chapters;
2. *economic* – obtaining further financial assistance and improving the use of the IPA funds (the Instrument for Pre-Accession Assistance);
3. *marketing* – country-branding and improving Serbia's image in the European institutions.<sup>9</sup>

Compared to all previous candidate countries, that are members of the EU today, Serbian administration has by far been the most engaged in terms of duration of the pre-accession process, which has enabled it to get itself well acquainted with the work of the EU institutions, the EU laws and the particularities of the EU association/accession process. The question is whether Serbia could use this to its advantage, by developing an extensive network of contacts in Brussels through frequent lobbying activities with the EU officials, based on which it could promote itself as a trustworthy partner, get information early and further the idea of enlargement.

## **I. 4 Methodology and Limitations of the Study**

The methodology of the study is based upon a qualitative approach, which enabled the author to draw context specific conclusions. Since the topic is complex and the research tends to be comprehensive, extensive information collection was needed. That is why the data was collected through both the desk research and the field work.

The desk research was consisted of a theoretical analysis which focused on two aspects. On the one hand, the concepts of administrative, financial and lobbying capacities were

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<sup>8</sup>This research uses the terms 'lobbying' and 'interest representation' interchangeably, not only because this represents a regular practice in the EU, but also in order to positively affirm both of these concepts which share the same meaning.

<sup>9</sup>Nenad A. Vasić, "Mogućnosti diplomatske lobiranja u Evropskoj uniji i strategija spoljne politike Republike Srbije", *Međunarodna politika*, br. 115-1159, 2015, p. 112.

explored in the academic and professional literature, enabling the author to select adequate working definitions of each of these concepts. On the other hand, the normative framework is investigated, in order to present the roles of the institutions involved in the EU accession process. This allowed the research to analyse whether the roles and duties prescribed by this framework were functional in practice or whether there was some discrepancy between the framework and practice.

Before the field work was initiated, stakeholder sampling had been conducted. This step identified the most relevant stakeholders, which are responsible for designing or administrating the analysed services, and who might be affected by those services.<sup>10</sup> The identified stakeholders were the current and ex-members of the diplomatic, administrative, expert and political groups. Stakeholder views were collected by using semi-structured elite interviews, whose purpose in this research was twofold. On the one hand, the interviews were supposed to aid the research to present and critically evaluate Serbia's capacities for interest representation at the EU level. On the other hand, the interviews enabled the author to explore stakeholders' views on Serbia's capacities, by pointing out the main limitations in this area. In total, 28 interviews were conducted in three different cities: Belgrade, Brussels and Zagreb.

1. Most of the interviews were held in Belgrade, with relevant Serbian officials, experts and diplomats who currently are, or used to be, directly or indirectly, involved in the process of interest representation at the EU level. The selected interviewees represented the following institutions: the Negotiation Team for Accession of the Republic of Serbia to the EU, the Serbian European Integration Office (SEIO), the Ministry of Foreign Affairs (Sector for the EU), the Mission of the Republic of Serbia to the EU, the Office of the Minister without portfolio responsible for the European integration, the European Integrations Committee of the National Assembly and one opposition party. Furthermore, the academics and scholars were also interviewed, for the purpose of obtaining an additional theoretical insight on the previously mentioned concepts.

2. In order to gain a European perspective of the activities conducted by the aforementioned Serbian institutions, some interviews were held in Brussels with the EU officials coming from the following key EU institutions: European Commission, Council of the EU and the European Parliament. This allowed the research to make a full circle and gain a comprehensive view, thus allowing it to critically and objectively evaluate Serbia's functionality in practice.

3. Croatia was selected as a case study in order to provide a comparative look at the researched topic. Moreover, the findings from Serbia could be further contextualised and compared with a country that has been sharing similar experiences. Interviews in Zagreb were held with the Croatian officials which had taken part in Croatia's accession negotiation process, and who were thus able to share their experience and perception of Croatia's then administrative, financial and lobbying capacities. The interviewees represented all of the key institutions which had been involved in the accession process: Ministry for Foreign Affairs and European Integration, the Mission of Croatia to the EU, the Negotiation Team of Croatia and the Parliamentary European Integration Committee.

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<sup>10</sup>T. Palys, "Purposive sampling". In L. M. Given (Ed.), *The Sage Encyclopedia of Qualitative Research Methods*, Vol. 2, Los Angeles: SAGE, pp. 697–698.

The information gained from the aforementioned interviewees represent only one element of the primary sources of this research; while the other are: laws, reports and Government's Decisions and Conclusions. As for the secondary sources, it includes books, research articles and analytical op-eds from newspapers. By combining the primary and secondary sources, the research expected to get an in-depth understanding of the researched topic.

It should be noted that the selected institutions of the analysis do not represent an exhaustive list of institutions involved with the EU affairs. Rather, the institutions in question have been selected as the most relevant for this analysis, not only because they are dealing with the EU affairs *per se*, but because they were recognised as institutions which have had the higher potential to pursue country's interests than some other institutions. Meanwhile, even though the activities of the high-level political officials (e.g. the President and the Prime-Minister) are recognised to be essential for the entire process, this study focuses and narrows its attention to the lower-level and mid-level actors, whose activities are generally under-researched, thus rendering the actions of the high-level actors out of the scope of this study.

Overall, all the gathered information was organized, summarized and interpreted, in order to have a well examined area of research. The data analysis process took place, where findings from different themes are cross-referenced with other findings from the literature review, in order to produce a more meaningful analysis of the available data. Finally, the findings allowed the research to draw conclusions and recommendations, upon which the institutional structure could be improved and odds for successful lobbying increased.

## **I. 5 Roadmap of the Study**

This study is divided in eight separate chapters. Following the first Chapter on Introduction, Chapter II engages in theoretical analysis and clarification of the concepts of administrative capacity, financial capacity and lobbying capacity. Chapter III explores Serbia's political setting, introduces the core network of players involved in the process of lobbying at the EU level and explores the official institutional ties and interactions set by the normative framework. Chapter IV examines the performance of Serbian institutions, by looking at their interconnectedness and functionality in practice. Chapter V evaluates Serbia's lobbying activities in practice and pinpoints its main lobbying targets in Brussels. Chapter VI points out the main difficulties which hinder Serbia's pursuit of interests at the EU level and takes a comparative look, by analysing Croatia's experience and capacities during its accession period. Finally, Chapter VII represents a conclusory chapter, where the main findings, alongside recommendations, are presented.

## II Exploring the Concepts

### II. 1 Lobbying as a Multi-Layered Concept

Even though there is no one way of defining what lobbying is, in the academic literature, Koepl's definition is widely regarded as the most comprehensive: "Lobbying is the attempted or successful influence of legislative-administrative decisions by public authorities through interested representatives. That the influence is intended, implies the use of communication and is targeted on legislative or executive bodies."<sup>11</sup> In a similar way, the Serbian Association of Lobbyists sees this activity as "a transparent and legitimate method of influencing legislation or administrative rules and regulations."<sup>12</sup> Simply said, lobbying is an attempt to influence the decision-makers, or the people who are, directly or indirectly, involved in the process of policy creation, formulation or implementation.

Not surprisingly, there are different ways of labelling this kind of activity. Charrad prefers the term *interest representation*, since it avoids the negative connotation surrounding the term 'lobbying.'<sup>13</sup> Expanding on this term, Warleigh and Fairbrass argue that it encompasses more elements than simple lobbying, by saying that it "ranges across lobbying, the exchange of information, alliance building, formal and informal contact, planned and unplanned relationships: in other words, all forms of interaction that are designed to advocate particular ideas, persuade the decision-takers to adopt different positions or perspectives, and ultimately to influence policy."<sup>14</sup> Interestingly, the EU itself uses the terms 'lobbying' and 'interest representation' synonymously and defines them as "all activities carried out with the objective of influencing the policy formulation and decision-making processes of the European institutions."<sup>15</sup>

Meanwhile, it should be noted that there is a vast amount of literature which highlights that this activity is not to be mistaken with corruption.<sup>16</sup> Therefore, when a country is lobbying at the EU level, it does not mean that a country is breaking the rules or 'playing dirty'. On the contrary, by focusing on lobbying and improving lobbying capacities, a country is legitimately promoting and pursuing its interests abroad. It is implied that by focusing on establishing adequate lobbying capacity, a country is actually putting its efforts into solving its formal issues at an informal stage.<sup>17</sup> Therefore, if a country is looking to improve its position in the international arena, then it ought not to ignore its lobbying capacities.

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<sup>11</sup>Peter Koepl, "The acceptance, relevance and dominance of lobbying the EU Commission--A first-time survey of the EU Commission's civil servants", *Journal of Public Affairs* 1(1), 2001, p.71

<sup>12</sup> Serbian Association of Lobbyists, *What is Lobbying, and how is it regulated?*, Internet: [http://www.drustvolobistasrbije.org/files/pdf/SLA\\_Leaflet\\_Final\\_Draft.pdf](http://www.drustvolobistasrbije.org/files/pdf/SLA_Leaflet_Final_Draft.pdf), accessed: 30.01.2017.

<sup>13</sup>Other terms are 'advocacy' and 'promotion', which are less prevalent than terms 'lobbying' and 'interest representation'.

Kristina Charrad, *Lobbying the European Union*, WestfälischeWilhelms-Universität Münster, 2005, p.3.

<sup>14</sup> Alex Warleigh and Jenny Fairbrass (Eds.), *Influence and Interests in the European Union: The New Politics of Persuasion and Advocacy*, London, Europa, 2002, p.2.

<sup>15</sup> European Transparency Initiative, Eur-Lex, Internet: <http://eu.r-lex.europa.eu/legal-content/EN/TXT/?uri=URISERV%3Aai0003>, accessed: 10.02.2017.

<sup>16</sup>Duško Krsmanović, *A Guidebook on Lobbying*, Belgrade, Konrad Adenauer Stiftung, 2013, p.21.

<sup>17</sup>Irena Peterlin, "Značaj lobiranja u Evropskoj uniji", *Anali*, godina LIV, br. 2, 2006., p. 236.

Recalling that lobbying activities can be conducted by state institutions, bodies and officials in a non-lucrative manner, Vasić names such sub-type of lobbying as 'diplomatic lobbying'.<sup>18</sup> As such, it is perceived as an integral part of diplomacy, thus representing the most important activity of embassies.<sup>19</sup> However, the concept can be applied not only on diplomats, but also on governmental experts and even party members, who are, directly or indirectly, involved in the process of interest representation at the international arena, on behalf of the state in question. As such, this activity involves numerous actors, requires establishment of solid institutional structure, clear division of roles and responsibilities, financial investment and long-term planning. Therefore, lobbying remains a tool for a country to exploit in order to further advance its goals.

### European and National "Routes" for Lobbying

In order to maximise the benefits of lobbying, one has to understand that the EU is a multi-level structure, which is why, as Greenwood presents, there are two possible 'routes' of influence: 'National route' refers to the use of national contacts and national governments to influence the EU decision-making and 'Brussels route' involves seeking to exert influence by representation directed to the European institutions themselves.<sup>26</sup>

The former route illustrates the possibility of a country "indirectly" pursuing its interests in the EU, by focusing on the member states. In case of successful lobbying activities in different capitals, a country in question could have its desired policies endorsed at the EU level. Having in mind that the EU is consisted of 28 member states, this route is of great importance, especially when the target of lobbying are those EU institutions which are intergovernmental, such as the Council of the EU and the European Council. The latter route, also known the 'Brussels route', stresses the importance of directly influencing the EU itself, which allows access to the supranational institutions, such as the European Commission and the European Parliament.

Given the fact that the EU represents a *sui generis* and ever evolving entity, comprised of national and supranational forces, the two routes of influence ought to be perceived as deeply interconnected. For example, even though the Members of the European Parliament (MEPs) work at the EP, which is a supranational institution, they do get elected by the national electorate and remain responsible to their national party, meaning that they can be accessed through the 'national route' too.

<sup>18</sup>Nenad A. Vasić, *Uvod u lobiranje - Propedeutika nauke o lobiranju*, Beograd, NeopressPublishing, 2015, p.36.

<sup>19</sup> George Barrage, cited in Nenad A. Vasić, "Mogućnosti diplomatskog lobiranja u Evropskoj uniji i strategija spoljne politike Republike Srbije", *Međunarodna politika*, br. 115-1159, 2015, p. 107-108.

## II. 2 Interconnection between Administrative, Financial and Lobbying Capacities

Adequate lobbying capacity requires planning, expertise and finance. Without sound coordination of capacities, which includes operational administration at home and abroad, it is likely that the costs of lobbying are going to increase and their effects to decrease.<sup>20</sup> This means that the lobbying capacity is interconnected with the other types of capacities, such as administrative and financial capacities. Due to such interconnection, these three types of capacities ought to be taken into consideration together when analysing how a state in question is pursuing its interests abroad. In that sense, the better financial and administrative capacities a state possesses, the more often will it lobby the EU institutional actors. Simultaneously, the opposite is true as well, capacity shortcomings can endanger the lobbying activities.<sup>21</sup>

Financial capacity represents the ability of institutions to act in their best interest, with regard to managing the existing resources, making financial decisions that best fit its working circumstances, and making use of financial services that fit their needs.<sup>22</sup> Moreover, it illustrates ability of institutions to cope with the ongoing expenses. Consequently, the money management decisions and the financial circumstances influence the size of administration and the frequency of lobbying activities, for the better or the worse. In the context of this research, the financial capacity of the analysed institutions is directly dependent on the budget allocations set by the Serbian Government and approved by the National Assembly.

When it comes to administrative capacity, it is considered to be an important concept, treated as a core variable in the analytical literature on policy implementation.<sup>23</sup> Due to the fact that this concept has been well examined throughout the years in the academic literature and professional research, many different terms are used as synonyms to describe it. For example, Addison provides a list of related and synonymous concepts such as: 'bureaucratic capacity', 'public sector capacity', 'state capacity', 'government capacity', 'institutional capacity' and 'organizational capacity.'<sup>24</sup> Therefore, in order to avoid the terminological confusion, in the analysis only the term 'administrative capacity' is used.

Polidano defines the administrative capacity as the "ability of the permanent machinery of government to implement policies, deliver services and provide policy advice to decision-makers."<sup>25</sup> In other words, it represents the ability of the relevant institutions to meet their duties, prescribed by the normative framework and thus, to pursue the goals set by the

<sup>20</sup> Diana Panke, "Small states in the European Union: Structural disadvantages in EU policymaking and counter-strategies", *Journal of European Public Policy*, 2010, p.13-14.

<sup>21</sup> Diana Panke, "Lobbying Institutional Key Players: How States Seek to Influence the European Commission, the Council Presidency and the European Parliament", *Journal of Common Market Studies*, Volume 50. Number 1, 2012, p. 130-134.

<sup>22</sup> The World Bank, *Financial Education Programs and Strategies – Approaches and Available Resources*, p. 1, Internet: <http://responsiblefinance.worldbank.org/~media/GIAWB/FL/Documents/Publications/Financial-Education-Programs-and-Strategies.pdf>, accessed: 15.09.2017.

<sup>23</sup> Helen J. Addison, *Is Administrative Capacity a Useful Concept? Review of the Application, Meaning and Observation of Administrative Capacity in Political Science Literature*, London. LSE, 2009.

<sup>24</sup> Helen J. Addison, *Is Administrative Capacity a Useful Concept? Review of the Application, Meaning and Observation of Administrative Capacity in Political Science Literature*, London. LSE, 2009, p.1.

<sup>25</sup> Charles Polidano, "Measuring Public Sector Capacity", *World Development*, Vol. 28, No. 5, 2000, p. 805

Government.<sup>26</sup> Such capacity is mainly consisted of two elements: the number of personnel and the competence of personnel. The research assumes that the overall institutional functionality is dependent on how these elements of administrative capacity are tackled. Furthermore, adequately set administrative capacity enables a country not only to function efficiently on a national level, but also on a supra-national level too.

With inadequate administrative capacity, the lobbying activities might face the following two problems. On the one hand, the lack of personnel has the potential to limit the scope and frequency of lobbying activities. On the other hand, even if there were a sufficient number of personnel involved in the process, it would not necessarily ensure or guarantee functionality and effectiveness. An adequate number of personnel needs to match the criteria of competence and meritocracy, which would potentially increase the changes of securing the quality of actions conducted by the personnel.

### II. 3 The Importance of Country Image

After the democratic change occurred in 2000, Serbia has had to cope with a negative image in the international sphere, due to the war legacy of the 1990s, making it even further difficult to promote itself as a pro-European and democratic country. Since then, the EU integration process has been perceived as a way of allowing Serbia to reach out and further promote its country image.<sup>27</sup> That is why this research has taken into account the aspect of 'country image', which is not only promoted by responsible political decisions, expert policies and pro-European rhetoric by a country in question, but also through lobbying activities in Brussels.

The literature approaches the issue of country image in a twofold manner. On the one hand, Martin and Eroglu define country image as a complete set of descriptive, inferential and informational beliefs of individuals about a certain country.<sup>28</sup> On the other hand, Kotler et. al perceive it as the sum of people's beliefs, ideas and impressions about a certain country.<sup>29</sup> The former definition focuses on informational evaluating process (rational approach), while the latter stresses the primacy of beliefs and impressions (emotional approach).

Therefore, how the EU officials evaluate and perceive Serbia depends, among many things, on how professionally Serbia conducts its activities in Brussels. That is why lobbying can be utilized as a tool of a comprehensive nation-branding strategy.<sup>30</sup> Besides having a responsible and responsive administration in Brussels and at home, the following tactics could be used for achieving the goal of country-branding: direct contacts, position papers, presenting scientific expertise/information, press conferences and media campaigns, operating on

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<sup>26</sup> Momčilo Radulović and Marko Lubarda, *Administrativn ikapaciteti u Crnoj Gori*, Podgorica, Evropski pokret u Crnoj Gori, 2012, p.5

<sup>27</sup> Whitney Cox, "Soft power and stigma: Serbia's changing image in the eyes of the European Union", *Place Branding and Public Diplomacy*, Volume 8, Issue 2, 2012, p. 170–180.

<sup>28</sup> Ingrid M. Martin and Sevgin Eroglu, "Measuring a Multi-Dimensional Construct: Country Image", *Journal of Business Research*, Vol. 28, 1993, p.193.

<sup>29</sup> Philip Kotler, Donald Haider and Irving Rein, *Marketing Places: Attracting Investment and Tourism to Cities, States and Nations*, New York, Free Press, 1993, p.141.

<sup>30</sup> Corporate European Observatory, *Lobbying for governments in Brussels: A lucrative business still under the radar*, 2010, p.5.

social media, public displays and galleries.<sup>31</sup> Furthermore, the use of social media and social networks is becoming an increasingly important aspect of country branding, and it can be perceived as an *indirect* way of lobbying, which is why it is investigated whether Serbia appreciates its importance.

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<sup>31</sup>Aneta Cekik, "Lobbying by Interest Groups in Macedonia, Montenegro and Serbia: Findings from a Survey of Associations", *Institute for Sociological, Political and Juridical Research of the University of Ss. Cyril and Methodius University*, Skopje, 2015, p. 35

### III Normative Framework: Which Institutions are Involved in Lobbying on Behalf of Serbia?

In Serbia, several institutions have the ability to influence, in one way or another, how Serbia pursues its interests at the EU level. Among these, the Government is the most notable; however, its success depends to some extent on its interaction with the the President and the National Assembly, who also have some foreign policy competencies. The Serbian constitution establishes a semi-presidential system, by dividing the executive in two parts - the President and the Government. On the one hand, the President is the head of state and is directly elected by the people. However, according to the Constitution, the President is mainly a ceremonial figure, with a few executive powers. On the other hand, the real executive power lies with the Government, which is directly responsible to the National Assembly. Therefore, based on the constitutional setting, the Serbian political system can be further specified as premier-presidential sub-type of semi-presidentialism, where the Government holds the keys to policymaking and implementation, consequently being the principal body responsible for the EU-related affairs.<sup>32</sup>

Meanwhile, the intent of this research is not to present how Serbian foreign policy is conducted in general, but rather, to analyse how the institutional actors are interconnected and effective in conducting lobbying activities in Brussels.<sup>33</sup> Even though the President and the Prime-Minister represent the leading figures in this process, with the greatest potential to pursue Serbia's interests, their efforts do not constitute a part of this analysis, since this study rather puts its primary focus on the efforts conducted by the lower and mid-level governmental bodies and actors, which belong to the following: the Ministry of Foreign Affairs, the Mission of the Republic of Serbia to the EU in Brussels, the Negotiation Team for Accession of the Republic of Serbia to the EU, the Serbian European Integration Office (SEIO), the Office of the Minister without portfolio responsible for European integration and the National Assembly.

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<sup>32</sup> The nature of semi-presidential system sometimes creates a situation in practice where the President takes an upper hand over the Government in the power-relations, due to the popularity of the leader. Having in mind that Aleksandar Vučić, since he became the Prime-Minister, has been the key player in reaching agreements with the EU, fostering good relations with key member states and leading the Belgrade-Priština dialogue on behalf of Serbia since 2014, it is already visible that he will continue to be the leading figure in the power-relations, even after taking the position of President in 2017, thus creating a sort of discrepancy between the normative framework and practice. Such practice does not represent a precedent in Serbia's democratic history.

<sup>33</sup> The manner in which foreign policy is created and conducted in Serbia is primarily defined by its Constitution, and by legislation, such as the Law on Foreign Policy, the Law on the National Assembly, the Law on the President and the Law on the Government. The law on the President re-affirms provisions set out by the Constitution and mostly deals with technical issues (e.g. president's office, salary, security, etc.). The Law on the Government re-affirms the constitutional provisions, further specifies its roles and lays out the structure in greater detail. Neither of previously mentioned laws further addresses the role of these two institutions in the context of foreign policy. The Law on the National Assembly also re-affirms its role set by the Constitution, however, it further addresses its ability to check the executive power. Most importantly, from the standpoint of this research, it enhances National Assembly's ability to establish international cooperation. Finally, the Ministry of Foreign Affairs is regulated by the Law on Foreign Affairs. It fully specifies the competences of the Ministry, defines its relations with the National Assembly and regulates its Missions and Consulates. Law on the President, (*"Sl. glasnik RS"*, 111/2007); Law on the Government, (*"Sl. glasnik RS"*, br.55/2005, 71/2005 - ispr., 101/2007, 65/2008, 16/2011, 68/2012 - odluka US, 72/2012, 7/2014 - odluka US i 44/2014); Law on the National Assembly, (*"Sl. glasnik RS"*, 9/2010); Law on Foreign Affairs (*"Sl. glasnik RS"*, br. 116/2007, 126/2007 - ispr. i 41/2009).

### III. 1 Core Network of Actors Involved in Interest Representation

#### III. 1. 1 Ministry of Foreign Affairs and the Sector for the EU

The key ministry responsible for coordination and implementation of the foreign policy is the Ministry of Foreign Affairs (MFA). The Law on Foreign Affairs (Ar.5) specifies all of its responsibilities, and in the following only the key ones are presented:

1. represents Serbia, alongside the President, in relations with other states, international organizations, international courts and other international institutions;
2. proposes to the Government foreign policy that the Government defines;
3. makes recommendations to the Government for the establishment and severance of diplomatic relations with other states;
4. recommends to the Government membership or participation of Serbia in international organizations and integrations;
5. participates in the preparation for the participation of Serbia's representatives in international negotiations and conferences;
6. recommends to the Government a strategy for the development of foreign relations and other measures designed to shape the Government's foreign policy.<sup>34</sup>

Regarding the activities directed to the EU, the MFA has the ability to influence both the 'national' and 'Brussels' route. On the one hand, the MFA is responsible for fostering good relations with different member states, which allows it to bolster Serbia's position at the EU via the 'national route'. In this context, the Bilateral Cooperation Sector becomes noteworthy, which is responsible for improving bilateral relations and realising foreign policy priorities of Serbia. On the other hand, even though the Minister of European integration is primarily responsible for the EU affairs, the MFA retains importance in this arena too. It has the ability to contribute to the accession negotiation and interest representation process primarily through its Sector for the EU, alongside the Security Policy Sector which handles the issues related to the Common Security and Defence Policy of the Union (CSDP) and Consular Affairs Sector which is responsible for issues, such as the Migration Policy and Visa Policy. Furthermore, the Mission of the Republic of Serbia remains responsible directly to the MFA, making this Ministry the central part of Serbia's interest representation coordination process.

Within the MFA, the objective of reaching the "unimpeded process of EU accession", including the establishment and promotion of regional cooperation in Western Balkans remain the main areas of activity of the Sector for the EU.<sup>35</sup> Therefore, having in mind the scope of this study, out of all of the MFA Sectors, the attention is mainly given to the Sector for the EU (hereinafter referred to as the "Sector"), which closely deals with the EU affairs and Serbia's process of accession negotiation. As such, it is consisted of three departments: Department for

<sup>34</sup>Law on Foreign Affairs ("*Sl. glasnik RS*", br. 116/2007, 126/2007 - ispr. i 41/2009).

<sup>35</sup>See more: The Ministry of Foreign Affairs of the Republic of Serbia, *Process of EU integration and regional cooperation*, Internet: <http://www.mfa.gov.rs/en/foreign-policy/eu>, accessed 11.07.2017.

EU Institutions, Department for EU Sectoral Policies and Department for Regional Initiatives. Through these departments, the Sector performs tasks related to:

1. the analysis of political activities in the EU and its different organs and bodies;
2. the political activity of the Republic of Serbia to the EU;
3. coordination and negotiations of Serbia with the EU institutions regarding membership in the Union;
4. the process of regional cooperation in which the EU takes part.<sup>36</sup>

This showcases that the Sector focuses on Serbia's interaction with the EU institutions and advises the MFA where to focus its activities related to the EU.

### **III. 1. 2 The Mission of the Republic of Serbia to the EU in Brussels**

The Mission of the Republic of Serbia to the EU (hereinafter referred to as the "Mission"), stands as a permanent representation of Serbia in Brussels, and therefore, represents the epicentre from which Serbia's interest representation activities are taking place. It enables a regular political and expert dialogue between the EU institutions and Serbia to take place and as such, it represents the basic communication channel between Serbia and the EU, including the EU member states.<sup>37</sup> It is directly subordinate to the MFA, which is responsible for conveying the Mission's message to the rest of the Government and other relevant bodies. The importance of the Mission, in the context of Serbia's accession process can be seen by having a look at the following roles of the Mission:

1. focuses on the successful development of the accession negotiations and the fulfilment of the strategic priorities of Serbia - membership in the EU;
2. informs the MFA on the flow of European integration - the process of accession negotiations, the implementation of the Stabilisation and Association Agreement (SAA), as well as on Serbia's overall performance towards the EU institutions and the member states of the European Union;
3. conducts Serbia's foreign policy, and maintains contact with the EU bodies and all Permanent Representations of the EU member states in Brussels;
4. contributes to achieving Serbia's three key foreign policy priorities - the process of European integration, strengthening regional cooperation and the protection of sovereignty and territorial integrity of the country;
5. prepares and realizes visits of state delegations at the highest level, as well as a delegation of government departments at the level of regular technical discussions within the EU institutions;

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<sup>36</sup> For fully specified capabilities of the departments, see more: <http://www.mfa.gov.rs/sr/index.php/o-ministarstvu/organizacione-jedinice/evropska-unija?lang=lat>

<sup>37</sup> *Conclusion Accepting the Analysis of the Activities in the Process of the Negotiations on the Accession of the Republic of Serbia to the European Union*, 05 Number, Government of the Republic of Serbia, September 2013, Belgrade, Internet: [http://www.eu-pregovori.rs/files/File/kandidatura\\_srbije\\_za\\_clanstvo/The\\_Conclusion\\_Accepting\\_the\\_Analysis\\_of\\_the\\_Activities\\_in\\_the\\_Process\\_of\\_the\\_Negotiations.pdf](http://www.eu-pregovori.rs/files/File/kandidatura_srbije_za_clanstvo/The_Conclusion_Accepting_the_Analysis_of_the_Activities_in_the_Process_of_the_Negotiations.pdf), accessed: 11.04.2017.

6. puts active efforts within the framework of the dialogue on the normalization of relations between Belgrade and Pristina, which is conducted through the mediation of the High Representative of the Union for Foreign Affairs and Security Policy (HR);
7. acts as the channel of communication on matters of Serbia's foreign policy alignment with the Common Foreign and Security Policy of the EU (CFSP);
8. monitors and analyses the work of relevant working bodies in the EU institutions and regularly informs about Serbia's rights and obligations in connection with the harmonization of legislative and other frameworks of Serbia with the EU *acquis*;
9. monitors and participates in meetings of the "Enhanced Permanent Dialogue" - an institutional forum in which the competent institutions of the Government of the Republic of Serbia and the European Commission monitor and discuss the process of harmonization of Serbian legislation with the EU legal flows;
10. monitors the activities of the European Parliament and maintains contact with European MPs;
11. includes efforts regarding diplomatic action in the field of public diplomacy in order to improve Serbia's general image and reflection in the EU institutions, the media and professional public.<sup>38</sup>

Overall, the Mission transposes attitudes of the Serbian government to the EU officials and acts as an information gatherer and promoter of Serbia's interests in Brussels. By having formal and informal contacts with the EU officials, the Mission not only acts as a spokesperson on behalf of the Government, whose instructions it follows, but also as a body which has great potential to directly or indirectly shape Serbia's country image in Brussels, by having its actions reflect Serbia's efforts to stand out as a credible, professional and trust-worthy partner.

Meanwhile, the institutions of interest and potential targets for lobbying activities are the European Commission (i.e. the Commissioners and their Cabinets) and relevant Directorates-General (DGs), Council and its working bodies, the European Parliament (EP) especially the EP's Foreign Affairs Committee (AFET), the Office of the High Representative of the Union for Common Foreign Affairs and Security Policy (HR) and the European External Action Service (EEAS) and Permanent Representations of the EU member states in Brussels.

Finally, it should be noted that the Mission remains the single most important subject of analysis in this research, due to the fact that it is directly responsible for representing Serbia's interests in Brussels. Recalling that the main purpose of this research is to investigate Serbia's current capacities and ability to influence the decision-makers in Brussels, a special attention is given to Mission's itself.

### **III. 1. 3 The Negotiation Team for Accession of the Republic of Serbia to the EU**

The Negotiation Team for Accession of Serbia to the EU (hereinafter referred to as the "Negotiation Team") is an *ad hoc* body which was founded by the Government in 2013, after

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<sup>38</sup> See more: Mission's Website, [http://www.eu-brussels.mfa.gov.rs/lat/Omisi/jitext.php?subaction=showfull&id=1376992195&ucat=201&template=HeadlinesLat&#disqus\\_thread](http://www.eu-brussels.mfa.gov.rs/lat/Omisi/jitext.php?subaction=showfull&id=1376992195&ucat=201&template=HeadlinesLat&#disqus_thread), accessed: 10.03.2017.

the Stabilization and Association Agreement (SAA) entered into force in the same year and right before Serbia started negotiations for its accession to the EU in 2014.<sup>39</sup>

The duties of the Negotiation Team are specified by Article 2 of the *Decision on Establishing the Negotiating Team for Accession of The Republic of Serbia to the European Union*, which renders the Negotiation Team as an administrative-technical body, but at the same time, allowing it to enter the 'political arena' to some extent as a body with a political potential. The former role is given to it by Article 4, which states that it is to participate in drawing up the negotiating positions for conducting negotiations on accession to the EU and coordinating the work of 35 Negotiation Groups (one per Chapter), thus rendering the Negotiation team technical in nature. The latter role is inferred based on its function which specifies that it is to be in charge of conducting negotiations on accession to the EU for *all Chapters* and be involved in all stages of the process.<sup>40</sup>

Even though the negotiations done by the Negotiation Team are technical *per se*, there are some Chapters of high political importance, thus giving this body further importance for the whole process of interest representation in Brussels. For example, among such 'political' chapters are Chapter 31 - Foreign, Security and Defence Policy (cooperates with the MFA) or the normalisation process between Belgrade and Priština encompassed by the Chapter 35 - Other issues (cooperates with the Government's Office for Kosovo and Metohija).

Moreover, it also holds the ability to represent Serbia's interests in Brussels, since the *Decision* states that it is in charge of negotiating with the EU institutions, the EU member states and even the EU candidate countries. This gives allows the Negotiating Team to operate in a large field of action, thus reneing it as a body with a high lobbying potential. Consequently, it is present in all areas of Serbia's accession negotiation process, and remains a relevant subject of this research.

The Negotiation Team is consisted of around 25 members, who were selected by the Government and who remain accountable to it.<sup>41</sup> It is chaired by the Head of the Negotiation Team, who remains of vital importance, not only because she deals with the technical and administrative issues, such as the harmonisation of Serbia's legislation with the EU *acquis*, but also because she frequently interacts with the EU institutions and meets with the officials from the member states. Thus, the Head of the Negotiation Team represents Serbia as a public figure, which gives her the potential to address political issues with the EU officials during her lobbying activities. Upon closer inspection, it seems that the Head of the Negotiation Team has a special role of balancing between the political and administrative spheres of interest, which gives her a special and unique position in the context of the 'core institutions.'

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<sup>39</sup> *Decision on Establishing the Negotiating Team for Accession of The Republic of Serbia to the European Union*, 05 Number, Government of the Republic of Serbia, September 2013, Belgrade, Internet: [http://www.eu-pregovori.rs/files/File/kandidatura\\_srbije\\_za\\_clanstvo/Decision\\_on\\_Establishing\\_the\\_Negotiating\\_Team\\_for\\_Accession\\_of\\_The\\_Republic\\_of\\_Serbia\\_to\\_the\\_European\\_Union.pdf](http://www.eu-pregovori.rs/files/File/kandidatura_srbije_za_clanstvo/Decision_on_Establishing_the_Negotiating_Team_for_Accession_of_The_Republic_of_Serbia_to_the_European_Union.pdf), accessed: 10.03.2017.

<sup>40</sup> *Decision on Establishing the Negotiating Team for Accession of The Republic of Serbia to the European Union*, Government of the Republic of Serbia, August 2015, Belgrade, Internet: [http://www.eu-pregovori.rs/files/File/documents/pristupni\\_pregovori/decision\\_negotiating\\_team\\_august\\_15.pdf](http://www.eu-pregovori.rs/files/File/documents/pristupni_pregovori/decision_negotiating_team_august_15.pdf), accessed: 10.03.2017.

<sup>41</sup> *Rešenje o imenovanju članova pregovaračkog tima za vođenje pregovora o pristupanju Republike Srbije Evropskoj uniji*, Vlada Republike Srbije, 2015, Beograd, Internet: [http://www.seio.gov.rs/upload/documents/nacionalna\\_dokumenta/pregovori\\_sa\\_eu/pregovaracki\\_tim\\_clanovi.pdf](http://www.seio.gov.rs/upload/documents/nacionalna_dokumenta/pregovori_sa_eu/pregovaracki_tim_clanovi.pdf), accessed: 08.03.2017.

Meanwhile, the Negotiation Groups, whose work is coordinated by the Negotiation Team, were established in 2013,<sup>42</sup> for the purposes of tackling the 35 Chapters, which Serbia needs to close before it becomes an EU member. As such, the groups have the following duties: participation in the process of analytical review or legislation (screening);

1. drafting negotiation position proposals for appropriate chapters of the negotiations on the European Union accession.
2. drawing-up, revision, and monitoring of the implementation of the National Programme for the Adoption of the Acquis;
3. division of competences for monitoring European Union regulations;
4. drafting of proposals for planning communication activities for appropriate chapters of the negotiations on the European Union accession.

The list of duties illustrates that the work of the Negotiation Groups is only of technical nature, which limits the room for their potential lobbying activities in Brussels in the current phase of the accession negotiation process. However, the role of the Negotiation Groups was very important during the screening process. The screening process allowed for frequent interaction with the EU experts, from whom they were introduced with the EU *acquis* (explanatory screening) and to whom they could provide an analytical review of Serbia's legislation (bilateral screening). These interactions allowed the Negotiation Groups to determine the remaining discrepancy between Serbia's and EU's legislation.

The interviewees agree that the Negotiating Groups were highly performant during the screening phase, with their responsible work, thus further improving Serbia's country image in the eyes of the EU. Such examples illustrate that the lower-governmental bodies, which deal with administrative-technical issues, also have the potential for certain lobbying-like activities. Given their knowledge and expertise, they have the potential of accelerating Serbia's accession rate. Having in mind that the screening process lasted from September 2013, until March 2015, one should not neglect the importance of professional input given by Negotiation Groups in Serbia's overall lobbying efforts. Their relevance for the smooth functioning of the entire framework becomes relevant again once the negotiating chapters each of the group deals with is on the agenda. However, since the opportunities for the members of negotiating groups to meet the EU interlocutors are significantly smaller compared to other analysed actors, this important element of Serbia's institutional setting for accession negotiations will not be further analysed.

#### **III. 1. 4 Serbian European Integration Office (SEIO)**

In 2004, the SEIO was established as a Serbian Government service, for the purpose of assisting the Government in the context of Serbia's EU integration process. As such, it is mainly responsible for providing administrative and technical support to other institutions participating in the process of association and accession to the EU. Article 2 of the *Decision of the Government of the Republic of Serbia on the establishment of the European Integration*

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<sup>42</sup> *Decision on Establishment of the Coordination Body for the Process of Accession of the Republic of Serbia to the EU*, Government of the Republic of Serbia, September 2013, Belgrade, Internet: [http://www.eu-pregovori.rs/files/File/kandidatura\\_srbije\\_za\\_clanstvo/The\\_Decision\\_on\\_The\\_Establishment\\_of\\_the\\_Coordination\\_Body\\_for\\_the\\_Process\\_of\\_the\\_Accession.pdf](http://www.eu-pregovori.rs/files/File/kandidatura_srbije_za_clanstvo/The_Decision_on_The_Establishment_of_the_Coordination_Body_for_the_Process_of_the_Accession.pdf), accessed: 12.07.2017.

*Office* fully specifies its roles; meanwhile, only the most relevant roles of the SEIO will be presented in the following:

1. performs the professional, administrative and operational duties and tasks for the Government related to the coordination of the ministries, special organizations and Government services related to: coordination, monitoring and reporting on the process of association and accession to the EU;
2. coordinates the preparation and negotiations with the EU and the work of bodies established for the purpose of negotiations;
3. coordinates the preparation of strategic documents related to the process of accession to the EU;
4. coordinates the cooperation of the state administration with the European Commission and other expert bodies of the EU, as well as professional and technical cooperation in the process of stabilization and association with the member states, candidate and potential candidate countries;
6. monitors and encourages the harmonization with the regulations and standards of the EU;
7. responsible for cross-border and transnational cooperation;
8. cooperates, through the MFA, with the Mission of Serbia to the EU in the accession process;
9. cooperates with the MFA and other competent state administration bodies in the consideration of matters relating to the definition of needs and filling the professional work of the diplomatic staff of the Mission of Serbia to the EU.<sup>43</sup>

When analysing the SEIO's duties, one comes across the term 'coordination' the most. From coordination of the ministries and negotiations with the EU, to coordination of cooperation with the European Commission and preparation of strategic documents. In fact, SEIO representatives visit Brussels regularly and discuss issues and offer technical expertise to the DG NEAR and other DGs. This demonstrates that the SEIO has the ability to lobby for Serbia's interests, in one way or another, that goes beyond the normative framework which envisions the SEIO simply as an administrative-technical body.

Furthermore, SEIO is one of the most 'stable' Serbian institutions when it comes to the duration of staff engagement, which has enabled this institution to develop expertise based on experience and 'institutional memory'. Therefore, the SEIO is not to be perceived as solely an administrative body, but also as a driving engine of Serbia's institutional system of cooperation with the EU. As such, it is not a body which is supposed to deal with the daily political activities *per se*, but rather to act as a body that offers professional and technical advice, based on which, Serbia's position towards the EU could be further professionalized. Even though it is not a 'political' body, it is directly subordinate to the Minister without portfolio responsible for European Integration, who is a political figure.

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<sup>43</sup> *Decision of the Government of the Republic of Serbia on the establishment of the European Integration Office*, Official Gazette of RS", no. 75/05, 63/06, 126/07, 117/08, 42/10, 48/10 and 106/12, Government of the Republic of Serbia, Belgrade, Internet: [http://demo.paragraf.rs/demo/combined/Old/t/t2012\\_11/t11\\_0034.htm](http://demo.paragraf.rs/demo/combined/Old/t/t2012_11/t11_0034.htm), accessed: 15.03.2017.

The SEIO officially ceased to exist in June 2017, during the writing of this study, and instead became the 'core' of the new Ministry of European Integration, which is headed by the then Minister without portfolio. Nevertheless, in the following parts of this study, the focus remains on the SEIO since it has had a large continuity, while it was too early to analyse the new Ministry in detail.

### III. 1. 5 The National Assembly

The National Assembly's role in foreign policy is very limited. The Constitution (Ar.99) and the Law on the National Assembly (Ar.15, 18, 59, 60) regulate its functions in the foreign policy area, allowing it to serve as a check on the executive power, rather to conduct foreign policy on its own.<sup>44</sup> However, it should not be labelled as irrelevant in the context of interest representation at the EU level.

In the context of this research, the ability to establish international cooperation remains the most relevant ability of the National Assembly, since it enables it to become an additional player in the network of institutions participating in Serbia's interest representation in the EU institutions. This role was fully recognized and specified by the 2013 *Resolution on the Role of the National Assembly and the Principles of Accession of the Republic of Serbia to the EU*, which has recognized the National Assembly as an important actor in the context of Serbia's accession process.<sup>45</sup>

Article 3 of the *Resolution* states that the National Assembly is eager to "contribute to successful development of the process of negotiation and a quick completion of the negotiations on the accession" of Serbia to the EU. Article 14 reaffirms its duty to check upon the Government's actions, by obliging the Government to inform the National Assembly, on all planned activities, with regard to the process of the EU accession negotiations. However, the same *Resolution* enables the National Assembly to go further from simply checking the Government. It adds that the National Assembly is to aid the Government in the context of accession negotiation process.

Article 10 states that the National Assembly shall "actively cooperate with the European Parliament, national parliaments of the EU member states and parliaments of states participating in the Process of Stabilisation and Association." In addition, the National Assembly is to communicate Serbia's positions and interests, who is seen as a future member state of the EU. This article enables the National Assembly to act as an additional factor in the context of Serbia's accession negotiation, which gives it a place in the complex network of institutional players. Its closest interaction with the EU representatives is through the work

<sup>44</sup> The key functions of the National Assembly in the context of foreign activity: 1. selects members of permanent parliamentary delegations in international institutions; 2. establishes international cooperation within the framework of its competence in order to preserve and develop peace, good neighbourly relations and equal cooperation; 3. establishes parliamentary cooperation with representative bodies of other states; 4. establishes international cooperation, by: referring permanent delegations to the Parliamentary Assemblies of the international organizations; - by exchanging delegates with international organizations; - by having the MPs participate at conferences; - conducting inter-parliamentary dialogue and other forms of cooperation with the European Parliament; - launching and participating in joint projects with the representative bodies of other states, parliamentary assemblies and international organizations; - sending a delegation of the National Assembly, the President of the National Assembly or individual MPs to visit the representative bodies of other states and welcoming delegations of representative bodies of other states; - exchanging information, materials and other publications; - forming parliamentary friendship groups; 5. determines composition of the standing delegations. Law on the National Assembly, (*"Sl. glasnik RS"*, 9/2010).

<sup>45</sup> *Resolution on the Role of the National Assembly and the Principles of Accession of the Republic of Serbia to the European Union*, Number 05, National Assembly, December 2013, Belgrade, Internet: <http://www.parlament.gov.rs/upload/archive/files/eng/pdf/2013/RS95-13L.at%20cln%20final.pdf>, accessed: 06.04.2017.

of the joint Stabilisation and Association Parliamentary Committee (SAPC). Therefore, the role of the National Assembly cannot be neglected.

Most of its productive work is done in parliamentary committees. Serbian National Assembly has 18 different committees,<sup>46</sup> which are established in order to perform the following tasks:

1. consider bills and other documents submitted to the National Assembly;
2. review the policies pursued by the Government;
3. supervise the Government's and other state authorities' execution of laws and other general acts;
4. consider other matters falling within the competence of the National Assembly.<sup>47</sup>

Article 13 of the previously mentioned *Resolution*, emphasises the need to include all relevant parliamentary committees in the process of following the negotiations of the accession process. There are other parliamentary committees, such as Foreign Affairs Committee and Defence and Internal Affairs Committee, which enable the National Assembly to engage with the international actors. The Committee for Kosovo and Metohija matters too, since it follows in the Belgrade-Priština dialogue, and monitors activities conducted by the Government's Office for Kosovo and Metohija, which interacts with the European External Action Service (EEAS) in Brussels. Finally, the European Integrations Committee was created specifically for the purpose of handling the EU affairs on behalf of the National Assembly, which is why it is briefly examined in the following paragraph.

European Integrations Committee is a parliamentary committee which, alongside the Speaker of the National Assembly, coordinates the process of monitoring the negotiations of Serbia's accession to the EU.<sup>48</sup> In addition, this committee develops cooperation with the parliamentary committees of other countries and parliamentary institutions of the European Union (Parliamentary Rules of Procedure, Ar.64.5).<sup>49</sup> Therefore, the normative framework gives the members of this committee the ability to represent Serbia's interests and lobby, directly or indirectly, by building contacts with the representatives of the European Parliament and on a bilateral level with the representatives of the member states' Parliaments, which makes this Committee a relevant actor worth investigating in this research. However, it is noted that the potential cooperation, in which the Committee can engage, is not fully specified and remains only vaguely defined. It is not said how frequent the cooperation ought to be and it does not

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<sup>46</sup> List of parliamentary committees:

<http://www.parlament.gov.rs/national-assembly/composition/working-bodies/committees.492.html>, accessed: 15.03.2017.

<sup>47</sup> See more: <http://www.parlament.gov.rs/national-assembly/composition/working-bodies/national-assembly-working-bodies-.2406.html>, accessed: 15.03.2017.

<sup>48</sup> *Resolution on the Role of the National Assembly and the Principles of Accession of the Republic of Serbia to the European Union (Article 15)*, Number 05, National Assembly of the Republic of Serbia, December 2013, Belgrade, Internet:

<http://www.parlament.gov.rs/upload/archive/files/eng/pdf/2013/RS95-13Lat%20cIn%20final.pdf>, accessed: 06.04.2017.

<sup>49</sup> Its functions are defined by the Parliamentary Rules of Procedure (Ar.64): 1. considers draft laws or other legal acts from the standpoint of their level of harmonization with European Union and Council of Europe; 2. considers the plans, programs, reports and information on the procedure for stabilization and association with the European Union; 3. monitors the implementation of the accession strategy, proposes measures and launches initiatives to accelerate implementation of the strategy of accession within the competence of the National Assembly; 4. proposes measures for establishing general national consensus on the Serbia joining the European institutions;

illustrate how relevant it is. Therefore, this research will clarify what this cooperation actually entails and investigate whether its potential for furthering Serbia's interest representation.

### III. 2 Official Institutional Ties and Interactions

According to the Normative Framework,<sup>50</sup> the primary body responsible for the coordination of the accession negotiation process and thus interest representation activities in Brussels is the Coordination Body, which is comprised of the Prime-Minister, Minister of Foreign Affairs, Minister in charge of the European integrations and six other Ministers.<sup>51</sup> In other words, this body is comprised of the half of the Government Cabinet. Furthermore, in the *Decision on Establishment*, it is added that the Serbian European Integration Office (SEIO) Director and Head of the Negotiating Team are to participate in activities of this body, thus making this body both political and expert in nature. As such, it is supposed to be a place where the most important issues can be examined, allowing it to direct tasks of all the actors involved in the process of accession negotiation. Consequently, this would mean that the body is also responsible for formulating Serbia's general approach in Brussels.

The Coordination Body is supposed to provide guidance for the work of the Coordination Body Council, which gathers the Minister in charge of the European integrations – who is in charge of this body, the SEIO Director, the Negotiation Team Head, the Negotiation Groups chairs, state secretaries from the Ministries, representative of the National Bank, deputy director and coordinator for the EU funds at the SEIO and representative of the Republic Secretariat for Legislation. As such, this body is supposed to “perform the operations regarding current issues within the process of accession to the EU,” rendering it responsible for the operationalization of the whole negotiating structure.<sup>52</sup>

Nevertheless, it is a well-known fact that the Coordination Body and its Council almost never meet in practice, leaving space for speculation how the key decisions are made, whether the interaction between the rest of the bodies is functional in practice and how is this discrepancy between the normative framework and practice influencing Serbia's ability to pursue its interests at the EU. One interviewee points out that the practice of irregular meetings illustrate that the highest political leadership is not committed to the sufficient extent to the process of European integration. Such negative practice is harmful for Serbia's EU integration process, since strong commitment from political leadership is indispensable. At least for two reasons: first, it provides consistency and facilitates operationalization of technical aspect of negotiations; and second, it provides necessary guidance when frequent political decisions need to be made in the course of the accession process, for which other actors in institutional structure neither have mandate nor legitimacy to act.

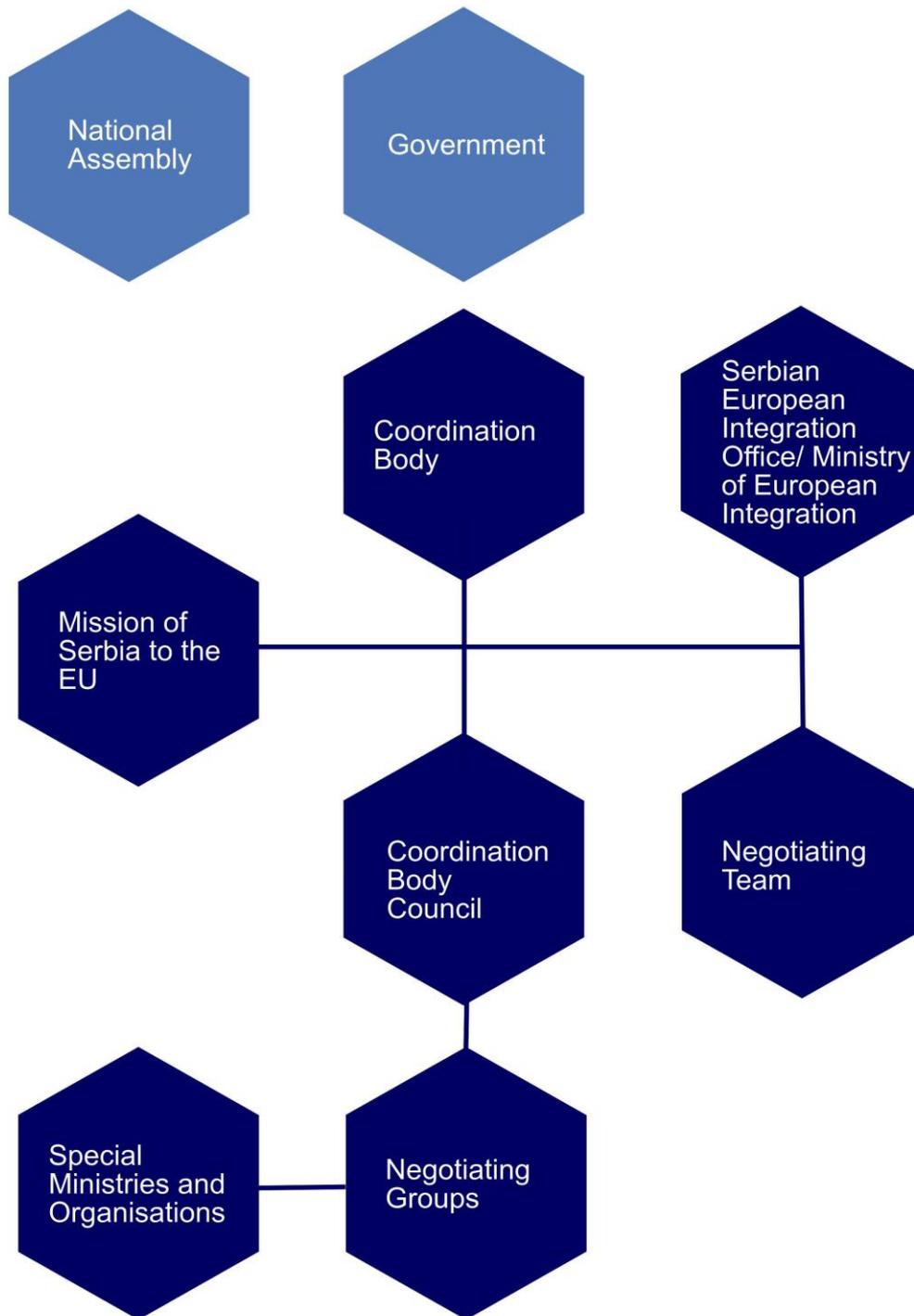
<sup>50</sup> *Decision on Establishment of the Coordination Body for the Process of Accession of the Republic of Serbia to the EU*, Government of the Republic of Serbia, September 2013, Belgrade, Internet: [http://www.eu-pregovori.rs/files/File/kandidatura\\_srbije\\_za\\_clanstvo/The\\_Decision\\_on\\_The\\_Establishment\\_of\\_the\\_Coordination\\_Body\\_for\\_the\\_Process\\_of\\_the\\_Accession.pdf](http://www.eu-pregovori.rs/files/File/kandidatura_srbije_za_clanstvo/The_Decision_on_The_Establishment_of_the_Coordination_Body_for_the_Process_of_the_Accession.pdf), accessed: 12.07.2017.

<sup>51</sup> The other five Ministers which comprise the Coordination Body are: Minister of Construction, Transport and Infrastructure; Minister of Trade, Tourism and Telecommunications; Minister of State Administration and Local Self-Government; Minister of Justice; Minister of Finance; and Minister of Agriculture and Environment.

<sup>52</sup> *Ibid.*

Figure 1 shows a graph representing Serbia's Negotiation Structure. However, it can be misleading when interpreting how the interaction occurs in practice. For instance, the Coordination Body and its Council are located in the centre of the graph, making them indispensable for the whole process, even though that is not the case in practice.

Figure 1. Serbia's Institutional Structure



Having this in mind, in the subsequent paragraphs it is presented how the normative framework regulates the interaction between the rest of the relevant bodies in Serbia's negotiating structure, thus allowing the research to provide a broader and better perspective on the institutional interaction between the 'core' institutions.

1. Article 6 of the *Decision on establishment of the Negotiation Team* establishes a connection between the Negotiation Team and the SEIO, by specifying that the SEIO is to provide expert, administrative and technical support to the Negotiating Team.<sup>53</sup> Even though the Negotiating Team itself has between 20-25 members, the aforementioned article allows it to rely on the people working at the SEIO regarding administrative-technical support. By offering professional services, the SEIO has an indirect impact on how the Negotiating Team stands in Brussels. In addition, a further connection between the two bodies is established by adding the Director of the SEIO as a member of the Negotiation Team, which even further solidifies their interconnectedness.

2. Article 7 of the same *Decision*, establishes a connection between the Negotiation Team and the Mission, by stating that the Negotiating Team shall, through the MFA, inform the Mission to the European Union (and diplomatic missions of the Republic of Serbia to the European Union member states) on positions of the Government regarding the issues that relate to the EU accession negotiation process. Therefore, the Negotiation Team is able to act as a spokesperson on behalf of the Government, allowing it to instruct and coordinate the action of the Mission to the EU and other diplomatic missions, allowing it to have its own input on the Mission. The connection between these two bodies is strengthened by a twofold fact: on the one hand, the Head of the Mission is, at the same time, a member of the Negotiation Team; on the other hand, the Head of the Negotiation Team acts simultaneously as Deputy Head of the Mission itself. This showcases that there is a strong institutional interconnection between the Mission and the Negotiation Team.

3. Article 9 of the *Decision* instructs the MFA to directly inform the Negotiation Team on all relevant information from the EU, its member states and the EU candidate countries. In return, this allows the Negotiation Team to prepare instructive material and submit it to the MFA. The institutional interconnection between these bodies is further strengthened by the fact that the State Secretary of the MFA is a member of the Negotiation Team.

4. Since the Mission itself is directly subordinate to the MFA, the lobbying ability of the Mission is directly dependent on its communication and interaction with the MFA. It is assumed that the Sector for the EU is the main body within the MFA responsible for the relations with the Mission, even though it is not specified by the normative framework. As mentioned before, the Mission conducts Serbia's foreign policy on behalf the MFA and informs the MFA on the flow of European integration, especially about Serbia's overall performance towards the EU institutions and the member states of the European Union.

5. The relation between the SEIO and the Mission is defined by *Decision of the Government of the Republic of Serbia on the establishment of the European Integration Office*, which only vaguely states that these institutions are to cooperate, through the intermediation of the MFA.

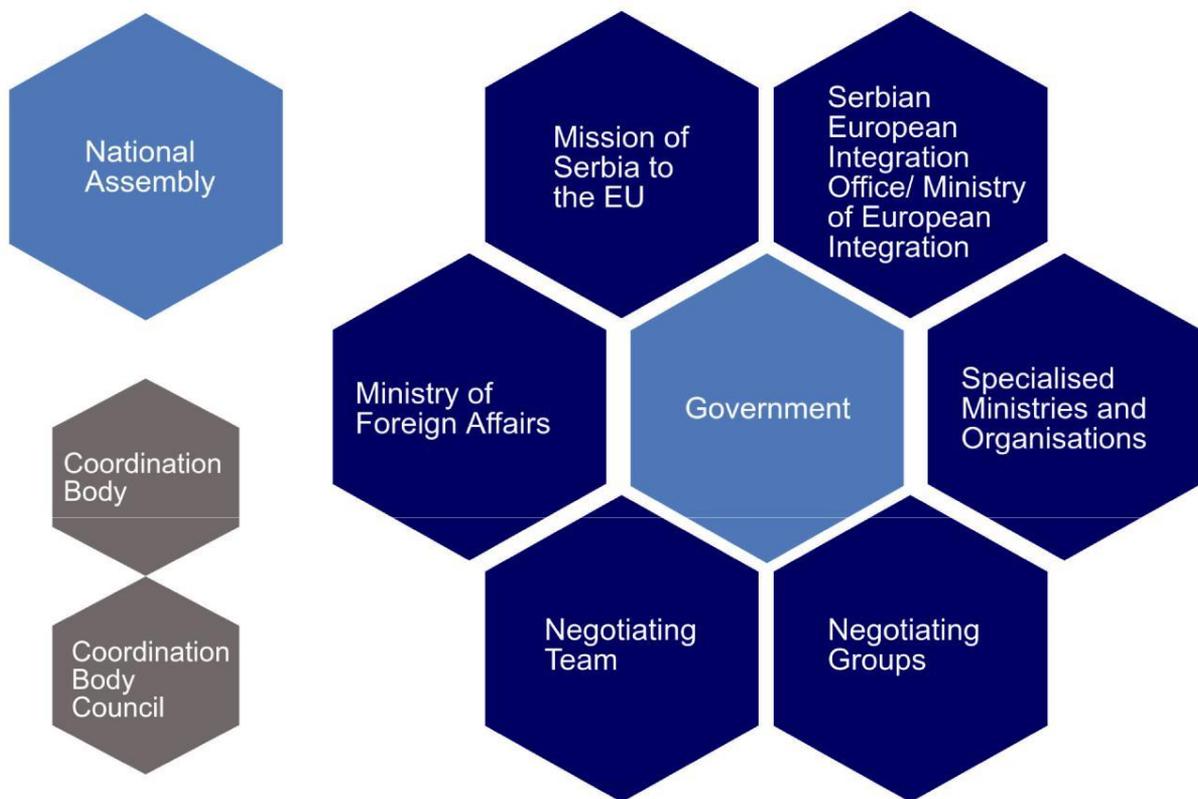
<sup>53</sup> *Decision on Establishing the Negotiating Team for Accession of The Republic of Serbia to the European Union*, Government of the Republic of Serbia, August 2015, Belgrade, Internet: [http://www.eu-pregovori.rs/files/File/documents/pristupni\\_pregovori/decision\\_negotiating\\_team\\_august\\_15.pdf](http://www.eu-pregovori.rs/files/File/documents/pristupni_pregovori/decision_negotiating_team_august_15.pdf), accessed: 10.03.2017.

Therefore, the following chapter will be especially illuminating in this regard, by showcasing what kind of cooperation between these bodies exists in practice.

6. The same *Decision* states that the SEIO is to cooperate with the MFA itself, and other state administration bodies, regarding the consideration of matters relating to the definition of needs and filling the professional work of the diplomatic staff of the Mission of Serbia to the EU.<sup>54</sup> This showcases that the SEIO and the MFA have the ability and responsibility to address the administrative needs of the Mission. Since the lobbying capacity is directly dependent on the adequacy of administrative capacity (as it was shown in II.2), the SEIO, together with MFA, has an important role in regulating how efficiently the Mission functions.

Overall, the institutional interaction between the 'core' bodies involved in the process is more complex than it might first seem. For that reason, this study provides a graph which tries to encapsulate the existing relations in *Figure 2*.

*Figure 2. Institutional Cooperation*



<sup>54</sup> *Decision of the Government of the Republic of Serbia on the establishment of the European Integration Office*, Official Gazette of RS”, no. 75/05, 63/06, 126/07, 117/08, 42/10, 48/10 and 106/12, Government of the Republic of Serbia, Belgrade, Internet: [http://demo.paragraf.rs/demo/combined/Old/t/t2012\\_11/t11\\_0034.htm](http://demo.paragraf.rs/demo/combined/Old/t/t2012_11/t11_0034.htm), accessed: 15.03.2017.

Even though some institutions are envisioned to operate by the normative framework, it does not mean that they are necessarily functional in practice. For instance, the graph clearly showcases that the Coordination Body and its Council do not represent the main driving engine of the institutional setting, due to the fact that they almost never meet in practice. Furthermore, it illustrates that all of the institutions are designed to work closely with each other. That is why the following chapter analyses and presents the level of overall connectivity and efficiency of the relevant institutions in practice in the context of Serbian interest representation at the EU level.

## IV Institutional Interaction in Practice

In the context of setting the institutional framework, the Government's *Conclusion Accepting the Analysis of the Activities in the Process of the Negotiations* has selected the following principles which should be followed in practice by the institutions involved in the process:

1. the use of the existing structures and procedures to the highest possible extent (including necessary adjustments);
2. balanced relations between expert and political level;
3. maximum possible resistance of the institutional structure, especially of the Negotiation Team, to the political changes;
4. clear segregation of the responsibilities;
5. institutional memory of all of the institutions involved in the process;
6. involvement of interested public, and systematic engagement of all those who may contribute to the process quality;<sup>55</sup>
7. coordinated communication with the EU institutions and member states.<sup>56</sup>

The principles set in the *Conclusion* are seen as constitutive and basic elements of functional institutions, which is why this chapter analyses the quality of institutional interaction, by evaluating how each of those principles apply together in practice. The findings are based on the interviews with the officials coming from the analysed institutions.

### IV. 1 The use of the Existing Structures and Procedures

1. Having in mind that the Minister responsible for European Integration is a political figure, they have the potential to address the political issues more than some other institutions which are focusing on the technical aspects of the process. However, that does not mean that the Minister is excluded from those technical parts. On the contrary, she also follows and takes part in the process of harmonization of legislature and alongside the SEIO (which responds to the Minister), takes care of the horizontal work of the institutions, ensuring their effectiveness.

One interviewee strongly highlights the importance of this Minister, by indicating that the Minister without portfolio has an upper hand over the Minister of Foreign Affairs regarding the issues related to the process of EU accession negotiation. Therefore, the Minister frequently interacts with the Mission, which is regularly informing the Minister, by sending

<sup>55</sup> The *principle of involvement of interested public* is not analysed, since it is located outside the scope of this research.

<sup>56</sup> *Conclusion Accepting the Analysis of the Activities in the Process of the Negotiations on the Accession of the Republic of Serbia to the European Union*, Number 05, Government of the Republic of Serbia, September 2013, Belgrade, Internet: [http://www.eu-pregovori.rs/files/File/kandidatura\\_srbije\\_za\\_clanstvo/The\\_Conclusion\\_Accepting\\_the\\_Analysis\\_of\\_the\\_Activities\\_in\\_the\\_Process\\_of\\_the\\_Negotiations.pdf](http://www.eu-pregovori.rs/files/File/kandidatura_srbije_za_clanstvo/The_Conclusion_Accepting_the_Analysis_of_the_Activities_in_the_Process_of_the_Negotiations.pdf), accessed: 11.04.2017.

its reports and analysis. In addition, when the representatives of the Office of the Minister of EI are visiting Brussels, the Mission is organising joint meetings with them, where they hold briefings and make further agreements about the steps to be taken in Brussels. Therefore, the Minister also has its own input on how the lobbying activities are to be conducted in Brussels. Finally, the Minister of EI gains further leverage by acting as the Head of the State Delegation at the Inter-Governmental Conferences, at which the opening and closing of chapters is announced.

2. Due to the operating nature of the Mission to the EU, it has the closest input into the EU affairs in Brussels and therefore, the biggest opportunity to represent Serbia's interests in the EU capital. In practice, there is regular interaction between the Mission and the MFA, since the former is following the instructions given to it by the latter. Meanwhile, according to the interviewees, the Mission withholds its relative operating autonomy from the MFA in various aspects and situations, as a response to the practical needs of the 21<sup>st</sup> century diplomacy. Namely, even though the Mission does not have the power to set the goals, it is free, to a certain extent, to determine how it will approach the EU institutions during its daily activities. According to the interviewees, any approach the Mission selects is acceptable to the MFA, as long as it follows the main policy goals set by the Government. This is further reinforced by the fact that, on most occasions, the MFA leaves it up to the Mission to address and approach the EU institutions. However, research shows that the Common Foreign and Security Policy of the EU (CFSP) represents an area where the MFA retains the leading role.

Not only is the Mission informing the MFA about the actions of the EU institutions, but it also conducts analyses and makes reports on the interaction occurring in Brussels and EU affairs, which are sent to the Sector for the EU within the MFA. Afterwards, these reports are incorporated into reports made by the Sector, which are finally forwarded to the Government and other relevant institutions.<sup>57</sup>

Since the hands of the Mission are not strictly tied, besides the formal communication, it also uses the informal communication through modern ways of contacts, such as SMS and e-mail, which is described, by one interviewee, as the "essence of diplomacy," since it speeds up the interaction between the key players and normally occurs before the formal communication is initiated. As such, it complements the system of formal communication, which is criticized by some interviewees for being slow and outdated. Therefore, even though the informal communication is not prescribed by the formal procedure, the interviewees agree that its usage does not hurt the pursuit of Serbia's goals.

3. The informality does not only speed up the communication between relevant actors, but in practice, it establishes connections between bodies or institutions whose type of relation has not been fully determined by the normative framework. As the best illustration of such *informal connection* is the relation between the Mission and the SEIO. As presented in the previous chapter, the Government's *Decision* only vaguely states that these institutions are to cooperate, through the MFA, which allows the following two conclusions: on the one hand, the MFA is selected to act as a mediator between the Mission and the SEIO; on the other hand, the type of cooperation between these bodies has not been specified. Meanwhile, in practice, both issues have been addressed by the institutions in question.

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<sup>57</sup> Some interviewees raise the question whether the highest officials actually read those official reports and analysis made by the Mission and the Sector for the EU.

The interviewees point out that there is direct communication between the SEIO and the Mission, on a regular basis, which renders the MFA's mediation hardly necessary in practice. It was confirmed by the interviewees, coming from the Mission and the SEIO, that this *de facto* relationship does not thwart the whole process; on the contrary, it enables a better communication and interconnection between these institutions, and as such, influences and improves the quality of Serbia's interest representation in Brussels. This relation is maintained, not only by the frequent communication, but also by joint collegiums which are occasionally organised. In addition, the SEIO also receives the analysis and reports made by the Mission, which means that the Sector for the EU is not the only body gaining feedback from the Mission.

This adds up to the argument that the Mission retains its relative autonomy from the MFA, when its daily operation is in question. The same kind of relation exists between the experts from the Mission and the respective Ministries by which they were appointed to the Mission and to which they respond to. Similarly, it is found that the SEIO retains its own operative autonomy from the Minister without portfolio or the Government, regarding its daily operations, allowing it to introduce numerous initiatives, thus giving the SEIO an opportunity to have an input of its own. Therefore, both the SEIO and the Mission conduct their work, while maintaining their relative working autonomy, allowing them to be productive. Therefore, the system can be rated as flexible and adaptable allowing different institutions to have their own input.

Furthermore, the SEIO even has its own representatives at the Mission. Originally, there were no SEIO representatives at the Mission. However, that changed in 2010, when the Government adopted a *Conclusion on the need of importing experts from other bodies of state administration in the Permanent Mission of the Republic of Serbia to the EU in Brussels*, which has enabled the SEIO to send two of its representatives to the Mission. Out of these two representatives, one is dealing with communication, human resources and social policy, while the other is focused on the Instrument for Pre-Accession Assistance (IPA).<sup>58</sup> This is an example of how the structure is prone to possible adjustments and improvements.

4. The Negotiation Team is in a regular contact with all the relevant institutions, including the Mission, the MFA and the SEIO. It was found that the MFA is readily accepting the Negotiating Team's suggestions and proposals in practice, which is why it is forwarding the messages and instructions from the Negotiation Team to the Serbian ambassadors in other member states, thus allowing it to influence how Serbia pursues its interests via the 'national route' too.

5. The Sector to the EU in the MFA is responsible for addressing the political issues which accompany the negotiation process. Therefore, this body considers the potential course of political actions and retains the ability to initiate or propose certain activities, based on which the Mission can act accordingly. It is not surprising that the members of the MFA, or more specifically, the members of the Sector for the EU, regularly visit Brussels, in order to have political consultations with the EU actors and member states.

The Sector is able to liaise with the EU representatives, through the Mission, which is responsible for keeping contact with the EU institutions. According to the interviewee from the Sector, an alternative way for the Sector to be in contact with the EU representatives is through the EU Delegation in Serbia, with whom they also cooperate. As in every other case, the communication with the Mission is kept regularly and the information coming from it is

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<sup>58</sup> *Zaključak o potrebi uvođenja eksperata iz drugih organa državne uprave u Stalnu misiju Republike Srbije pri Evropskoj uniji u Briselu*, 05 broj:337-8086/2010, Vlada Republike Srbije, Beograd, novembar 2010.

considered as crucial. Therefore, the frequency of communication and interaction with the Mission is very high. Besides visiting and interacting with Brussels, as the interviewee from this Sector points out, it recognises the crucial importance of the member states, which is why it accompanies the Bilateral Cooperation Sector when visiting the national capitals, where they lobby via the ‘national route’.

Overall, based on the information acquired from the interviews, it seems that the analysed institutions are, in practice, adhering to the prescribed structure set up by the normative framework and keeping a high level of interaction in practice. Therefore, the *Principle* which specifies that the institutions ought to use the existing structures and procedures to the highest possible extent, is mostly fulfilled in practice.

## IV. 2 Clear Separation of the Responsibilities

The question in this part is whether the numerous actors, representing Serbia at the EU level, have clear separation of the responsibilities in practice. Beforehand, it was shown that the existing structure is perceived as functional, and prone to *ad hoc* formal and informal adjustments in practice. Among the interviewees, there is generally a consensus that there is a clear separation of the responsibilities even in practice. Moreover, the roles are well-set and well-known to the relevant stakeholders, meaning that there is no institution which is redundant in the constellation of institutions involved in the process of accession negotiation and interest representation.

Furthermore, it is confirmed that the EU officials have a very good understanding of how Serbia’s structure operates, despite it being consisted of numerous bodies and actors. In other words, even though the current institutional setting may look confusing from the ‘outside’, it is well known to the players from the ‘inside’. That is why the EU officials have not raised any complaints on the way Serbian institutional structure has operated so far.

At times, the Serbian institutions combine forces in order to assist each other on certain issues. During such joint efforts, the institutional responsibilities might sometimes ‘merge’ in practice, thus making it difficult to clearly differentiate the roles of different institutions. However, the interviewees agree that such practice showcases that the institutions are able to work together, which is why such joint efforts ought to be perceived as a way of enhancing Serbia’s performance at the EU level, rather than as a lack of clear separation of roles in a negative sense.

Meanwhile, among the analysed institutions, it is identified that the scope of responsibilities of the Head of the Negotiation Team remains rather complex. Even though her work is widely recognised and positively acclaimed in practice, the scope of her actions remains sometimes undefined, due to the fact that it is not always regulated or addressed by the normative framework. Recalling that the Head of the Negotiation Team represents a connection between the administrative and political spheres, some ambiguities still arise due to the insufficiently precise normative framework.

Despite some ‘merging’ of responsibilities in practice and the partially uncodified position of the Head of the Negotiation Team, the interviewees widely agree that the discrepancies get sort out with ease in practice, thus ensuring the functionality of the overall structure. Therefore, it seems that the *Principle of clear segregation of responsibilities* is mostly implemented with success in practice.

### IV. 3 The 'One Voice' Principle

Acting and speaking with 'one voice' represents the ability of the expert, diplomatic and political establishment to promote Serbia's interests in a manner which avoids plurality of stances. This means that the final goals ought to be identical and pursued in a corresponding manner and that the actions of one institution or actor ought not to deviate from the rest. It is assumed that the unified stance of the Serbian institutions assures greater efficiency and better interest representation. All the interviewees agree that the Negotiating Team, the Minister responsible for EI, the Mission and the SEIO have been acting with one voice, which has, consequently, given them credibility and trust of the EU representatives. This represents a significant asset of the Serbian institutional framework. Therefore, these 'core' institutions fulfil the *Principle of coordinated communication with the EU institutions and member states*.

Meanwhile, it should be noted that these bodies interact and coordinate their actions with different Serbian ministries, domestic administration and Serbia's embassies, which also participate in the process of interest representation. As it will be further examined in Chapter VI, there are around 2500 civil servants, in total, who are directly or indirectly involved in this process, making it further difficult to act and speak with one voice.

#### **Lines to be Taken – Ensuring 'One Voice' of the European Commission**

The interviewee from the Negotiation Team suggested that the European Commission has a tool called *Lines to be taken*, a document in form of a memo which identifies the Commission's strategic and policy goals in the given area. This document is distributed to the Commission officials who are supposed to act towards the public and thus ensure uniformity and consistency of Commission's stances. Such practice has proven to be valuable in the context of high number of employees in this institution, diverging type of expertise they possess and cross-cutting nature of the policies the Commission deals with. In Serbia's case, this tool would be emanated in a document which would examine the relevant issues and summarise Serbia's stance on each of the issues. As such, it would be distributed to every employee in the administration, minimizing deviation from the main course in the process.

Among the interviewees there is a disagreement on how to interpret the effects of some deviations from the 'one voice' principle, taking into account the entire Serbian administration and political establishment. One group of interviewees argues that the existence of some variation hinders Serbia's unanimous approach at the EU level; the other group points out that this variation does not negate the existence of a unified voice as such and thus, has minimal negative impact on Serbia's interest representation at the EU level.

The group which points to variability sees *politics* as the main obstacle on the path of establishing a unified voice in Brussels. In their view, the political agenda undermines the quality of interest representation conducted by the diplomats and experts from the 'core' institutions. For example, between 2012 and 2016 Serbia has had three parliamentary elections thus damaging the process of interest representation in two ways. On the one hand,

every time the government dissolves, it prevents Serbia from fully focusing its resources and time on the accession negotiation process and interest representation. On the other hand, during the campaigns, some ministers and politicians make statements, which step out from the original course and commitments given to the EU representatives at Brussels. While the former issue damages the quality of interest representation itself, the latter issue illustrates how Serbia's unified position can be obstructed.

In that sense, the first group of interviewees argues that the EU representatives negatively perceive the variability which sometimes occurs, especially during the elections, consequently causing their doubts regarding Serbia's level of commitment to the process of the EU integration. Among the issues which raise eyebrows in Brussels are the occasional 'anti-EU' rhetoric and relations with Russia, or the tougher stance on the regional cooperation and relations with Priština, which goes against the spirit of the EU accession process. Consequently, the temporary divergence from the main course hinders the work done by the experts and diplomats in Brussels, since they are the ones bearing the responsibility of explaining to the EU officials what the 'real voice' of Serbia is and what Serbia's true intentions are.

Meanwhile, the other group of interviewees disagrees with the previous claims, by arguing that even though there is some variation between the ministers or high officials, it does not mean that the 'one voice' of Serbia is contestable. They perceive the existing political variation as a mere difference in style between the ministers or politicians, on how they approach or address certain issues. It is added that as long there is no variation in the perception of the principal goals and priorities set by the Government, one can conclude that the 'one voice' is present, allowing the 'core' institutions to effectively conduct their lobbying activities.

For example, some Serbian officials have very amicable perception of Russia and treat it warmly, which is why they have, at times, stated that Serbia will *never* impose sanctions on Russia, thus openly acting against the EU's foreign policy decisions. Namely, this group of interviewees argues that such actions are not problematic in the eyes of the EU as it might first seem, since the EU knows very well that Serbia's main priority is the EU membership. This means that Serbia will certainly impose sanctions on Russia, when it becomes a full member, if such sanctions remain in force. Moreover, the EU is aware that during the election campaigns it is quite common for politicians to go a step further when appealing to the public, even if it sometimes means going against the commitments it has previously made to the EU. Consequently, the process of interest representation in Brussels remains unharmed no matter the level of deviations.

After interviewing the EU officials from Brussels, it seems that they evaluate the effects of the occasional political deviations differently. One group argues that even if the deviations may sound confusing at first, the EU representatives which are focusing on Serbia know exactly which line of thought they ought to follow, thus keeping the relations intact. The other group argued Serbia should decrease its deviations and look up to countries like Georgia, whose commitment to the EU is unquestionable. The less variation there is, the better will it illustrate the level of Serbia's commitment to the EU accession process and thus potentially speeding its process of accession to the EU.

#### **IV. 4 Institutional Continuity**

The analysed period of institutional continuity is perceived in a twofold manner. Looking in the narrow sense, Serbia has fully kept its institutional continuity since 2013 (which is four years straight – taking May 2017 as the endpoint). The biggest institutional change

during that period was the introduction of the Negotiation Team, which was established in 2013, after the Council of the EU gave its agreement to start the Accession Negotiations with Serbia.<sup>59</sup> The Negotiating Team became fully operational in 2015. Looking at this in the broad sense, taking into account that the institutional novelty from 2013 has occurred due to the changing circumstances in the EU-Serbia relations, it could be argued that Serbia has kept the institutional continuity even since 2004, when the SEIO was first introduced. However, from the standpoint of this research, the period from the 2013 is especially relevant, which is why it is further examined in the following section.

According to some interviewees, in order to maintain institutional stability, it is important to keep the capable Heads of the institutions in those positions in the long run. Over time, they can build personal contacts with the EU representatives, as well as become a recognizable brand or symbol of the negotiating process, which would allow them more leverage for lobbying. For example, most of the interviewees have indicated that Tanja Mišćević, who is the Head of the Negotiation Team, has gained a recognizable image of a professional and a credible partner at the EU level. These assets ought to be kept, by ensuring, not only the institutional continuity, but also normal continuity in terms of people who are professionally representing Serbia's interests in Brussels.

Some interviewees argue that comparing to some other states in the Western Balkan region, which have modified their structure more frequently than Serbia, the institutional continuity represents a "formidable achievement" even from the comparative standpoint. However, while this research was being conducted, in June 2017 the Ministry of European Integrations was formed, which represents the biggest institutional change. Therefore, a special attention is given to it in the next section.

#### **IV. 5 The New Ministry of European Integration – Looking Ahead?**

Ever since 2007 it has been debated whether Serbia ought to create a special Ministry which would be responsible for the European Integration process.<sup>60</sup> After a decade has passed and many initiatives have failed, the Ministry of European Integration (hereafter known as the "MEI") was formed in June 2017, at a time this policy study was still being conducted. This novelty has inspired a public debate on what would be the purpose of the new Ministry, how would it function, and most importantly, how would it change the current institutional setting. Interestingly, even though many of the interviewees pointed to some capacity issues (which are presented in the following chapters), none of them ever mentioned the need to introduce a new Ministry as a way of solving those issues.

Even before the new reform occurred, this study has recognized the Minister without portfolio, responsible for European Integration as one of the main actors which belongs to the 'core' network of institutions responsible for the process of accession negotiation and interest representation at the EU level. As such, the position of the Minister without portfolio was established in 2013, which was the same year when the Negotiation Team was formed and a year before Serbia officially started its Accession Negotiation process. Being 'without

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<sup>59</sup> The position of a Minister without portfolio responsible for EI was established in 2013, however, this is not considered as a notable novelty, due to the fact that even in the previous Governments there has existed a position of a Vice-President of the Government responsible for the EI.

<sup>60</sup> Politika, *EU integracije pod jednom kapom*, 29.06.2017, Internet: <http://www.politika.rs/scc/clanak/383981/EU-integracije-pod-jednom-kapom> accessed: 17.06.2017.

portfolio' meant that the Minister had not had a ministry which it could have chaired as its top official, thus diminishing its *political* weight, compared to the other Ministers in the Government. Therefore, some interviewees point that the new change will give further importance to the Minister responsible for EI and provide more political leverage for his/her interest representation efforts at the EU level. In addition, some argue that such novelty represents a signal of Serbia's dedication to the accession process. However, if that was the goal, a potential question emerges: why has the Minister of EI not been promoted to a position of a Vice-President of the Government?

In June 2017, the National Assembly has adopted the *Law on Amendments and Additions to the Law on Ministries*, thus establishing the Ministry of European Integration and prescribing to it the following tasks:

1. coordination, monitoring and reporting on the process of accession to the European Union;
2. coordination of accession negotiations with the European Union and work of the bodies established for the purpose of negotiations;
3. steering the work of the Negotiating Team during negotiations on the accession of the Republic of Serbia to the European Union and giving mandatory instructions, in accordance with the policy of the Government;
4. provide analytical support to the work of the Negotiating Team;
5. coordination of the preparation of strategic documents related to the process of accession to the European Union;
7. coordination of cooperation of state administration bodies with the European Commission and other expert bodies of the European Union;
8. cooperation in the process of accession with the institutions of the European Union, the member states, candidates and potential candidates;
9. monitoring and encouraging harmonization of the regulations of the Republic of Serbia with the regulations and standards of the European Union and inform the European Union and the public about it.<sup>61</sup>

Furthermore, it is added that the Ministry of European Integration is to cooperate with the Mission and the Ministry of Foreign Affairs and others in considering issues related to defining the needs and completing the professional work of the diplomatic staff of the Mission. Having in mind that the law on the MEI was adopted during the writing of this research, not much could be written about how it functions in practice and what its capacities are, let alone how it is pursuing Serbia's interests. However, one can look ahead and examine potential changes which the new Ministry brings to the constellation of institutions dealing with the EU accession negotiation process and interest representation. By doing so, this study encourages further public debate or discussion on this issue.

Up to this point, the structure was somewhat decentralized. The SEIO and the Negotiation Team were the key players, who had relative autonomy, simultaneously coordinating their actions with the Minister without portfolio. The amendments to the *Law on the Ministries* state that the MEI is to "take over from the SEIO its employees and appointed persons, as well as rights, obligations, objects, equipment, means of work and archives for performing the tasks determined by this law." In other words, the moment the amendments to the *Law on Ministries* came into force, the SEIO seized to function. Having in mind that the SEIO's work

<sup>61</sup>*Law on the Ministries*, "Službeni glasnik RS", br. 44/11, 14/15, 5/15, 96/15-dr.zakon

is appreciated and evaluated highly by the interviewees, this remains the biggest change to this institution, having in mind that it had kept its continuity for 13 years.

Meanwhile, the expert public already raises a concern that this move might further politicize the accession negotiation process,<sup>62</sup> which is technical to a large extent. According to them, this means that the political influence might play a bigger role in appointments, thus diminishing the expert-oriented nature of the SEIO and the Negotiation Team and disrupting the continuity of their successful work. Such concerns regarding politicization were raised even before the new Ministry was created. For example, in May 2017, five members of the Negotiation Team were removed from their positions by the Government, which was perceived by the expert public as a politically motivated move by the Minister of EI, thus raising suspicion of further politicization of the process.<sup>63</sup>

Now that the new Ministry is developing a systematisation of its work and working positions, the hopes remain that the introduction of the new Ministry might be used as a good cause to focus on re-evaluation of the performance of the current administrative, financial and lobbying capacities.

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<sup>62</sup> European Western Balkans, *Ministarstvo za evropske integracije – potreba ili politička trgovina*, 28.06.2017., Internet: <http://europeanwesternbalkans.rs/ministarstvo-za-eu-integracije-potreba-ili-politicka-trgovina/>, accessed: 17.07.2017.

<sup>63</sup> European Western Balkans, "Pregovarački tim – politika iznad stručnosti", 07.06.2017, Internet: <http://europeanwesternbalkans.rs/pregovaracki-tim-eu-politika-iznad-strucnosti/>, accessed: 14.07.2017.

## V Lobbying the EU Institutions

Brussels remains an inexhaustible source of information and a place where interested and credible parties have the opportunity to advocate for their own interests and exchange information. If formal negotiations are predictable in terms of structure and clarity, the real negotiations lie in the informal stage of negotiation, which is less structured and open for lobbying activities. As the interviewees agree, in practice, lobbying precedes the formal negotiations. Therefore, the unfolding of the formal negotiations can depend on how efficiently a country lobbies during the informal phase of the process.

Effective lobbying requires a coordinated set of actions and targeting the most relevant actors within the EU institutions. Otherwise, the mere presence in Brussels does not achieve much on its own. The key questions which need to be answered are: who is to be lobbied, how and when. In the following, the answers to these questions are presented by analysing how Serbia represents its interests at the following EU institutions or bodies: The European Commission - Directorate-General for Neighbourhood and Enlargement Negotiations (DG NEAR), the European External Action Service (EEAS), the Council - the Working Party on Enlargement and Countries Negotiating Accession to the Union (COELA), the European Parliament (EP), the European Political Parties - the European People's Party (EPP) and the Party of European Socialists (PES), and finally, the Stabilisation and Association Parliamentary Committee (SAPC) and the Conference of Community and European Affairs Committees of the Parliaments of the European Union (COSAC).

### V. 1 The European Commission – DG NEAR

In the context of EU enlargement, the European Commission conducts accession negotiations on behalf of the Council and monitors the candidate country's harmonisation of legislation with the *acquis*.<sup>64</sup> The interviewees agree that within the Commission the most relevant body for Serbia is the Directorate-General for Neighbourhood and Enlargement Negotiations (DG NEAR), which is managed by a Director General and whose work is conducted under the political authority of the Commissioner for European Neighbourhood Policy and Enlargement Negotiations. The number of areas being covered by this DG is quite extensive and ranges from Turkey, South and East Neighbourhood to the Western Balkans, within which a Unit for Serbia (D.2) functions. As such, this DG regularly cooperates with other DGs on thematic issues, allowing it to further extend its expert knowledge on Serbia's policy areas. Furthermore, it closely cooperates with the EEAS (European External Action Service), which allows it to have a perspective on Serbia's political affairs too.

This Directorate accumulates information from all the different inputs, which enables it to monitor Serbia's implementation of the SAA, analyse its capacities, and rate the process of reform and harmonisation with the EU *acquis*. The work of this DG is also presented in an annual country reports published by the Commission, where Serbia's progress throughout of the year is evaluated and valuable recommendations are presented. Furthermore, it manages

<sup>64</sup> See more: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=URISERV%3A114536>, accessed: 14.04.2017.

the financial and technical assistance to Serbia, through IPA programs, which remain highly valuable for Serbia's reform efforts.<sup>65</sup>

In essence, the DG NEAR acts as a guiding body for Serbia, which focuses on aiding Serbia in meeting the criteria defined by the Treaty of European Union (TEU) and the European Council, by focusing on the process of reforming the rule of law, economic governance and public administration reform (PAR). The previous list of duties of the DG NEAR makes it clear why this DG remains one of the most important lobbying targets for Serbian activities in Brussels. Having in mind that this DG represents a European civil service, whose work is purely of a technical nature, it is not surprising that the experts, coming from the Mission, the Negotiating Team, the SEIO and different Ministries, are the ones with the biggest potential to pursue Serbia's interests at this body, by demonstrating Serbia's knowledge and competence on accession-related matters, but also by being responsive and acting in a professional and responsible manner.

With the opening of accession negotiations and negotiation chapters, the sectoral DGs are becoming more engaged too. For example, it seems that the DG NEAR heavily relies on the DG GROW's (Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs) input when economic questions are at hand, which is why Serbia establishes interaction even with this DG too. The same goes for other DGs when other sectoral issues are on the agenda.<sup>66</sup>

The formal communication between the experts from other DGs and Serbian counterparts are officially supposed to go through the DG NEAR first. This DG would then contact the Mission of Serbia to the EU and the EU Delegation to Serbia, which together act as intermediators, and with whom the DG NEAR keeps regular communication. Furthermore, if the Mission is lacking experts for certain policy areas, or if some very specific details are at hand, those intermediators establish a connection with the SEIO, who is then responsible for finding additional suitable experts from different Ministries in Belgrade, who then coordinate the work with their counterparts from the Commission. Even though some interviewees argue that this slows down the process and prevents contact building in a long term, an interviewee from the DG GROW argues that this is a normal part of the process, and that sometimes it is even desirable to find some experts from the Ministries because they have the most knowledge about Serbia's legislation and "have the power to propose real changes, unlike those coming from the Mission."

When certain all-encompassing issues are at hand, such as the public administration reform (PAR), the DG NEAR forms a line unit (i.e. horizontal unit), which is comprised of different experts coming from different DGs at the same time, and who can jointly tackle those very complicated issues. As such, they sometimes collectively schedule official meetings with the Serbian counterparts and even visit Belgrade annually. This allows Serbia to lobby the EU officials, not only in Brussels, but in Belgrade as well.

Besides the formal channels of communication, the European Commission itself encourages *informal* communication, in order to increase the frequency and efficiency of the interaction between experts. That is why some direct contact exists in practice between experts of

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<sup>65</sup> See more: [https://ec.europa.eu/neighbourhood-enlargement/about/directorate-general\\_en](https://ec.europa.eu/neighbourhood-enlargement/about/directorate-general_en), accessed: 07.08.2017.

<sup>66</sup> There are 31 DG's in total covering a wide range of areas from agriculture, climate action and environment to budget, financial and economic affairs.

different DGs and the experts coming from the Serbian Mission, the Negotiation Team, the SEIO and its Ministries, Finally, the DG NEAR is a relevant target of lobbying activities, not only because it can shape the perception of the whole Commission on Serbia through the annual enlargement reports etc, but also especially because they draft negotiating documents which are afterwards sent to the Council's working body COELA, whose meetings it attends. In the following, Serbia's lobbying activities at the Council and COELA are further investigated.

## V. 2 The Council - the COELA

The Council of the EU is essentially an upper chamber of the EU legislature, and as such, it is representing the interests of the national governments. Its structure is quite complex, having in mind that it is comprised of ten different configurations, where different national officials gather, depending on the policy area. From the standpoint of the enlargement, the most relevant configuration of the Council is the General Affairs Council (GAC), which is an essential body responsible for the EU's enlargement process.<sup>67</sup> Namely, all the decisions related to the accession of a candidate country - from the adoption of a screening report, to the opening and closing of negotiating chapters, to the signature of the Treaty of Accession - need to be taken unanimously by the EU member states represented in the Council. Its importance is further emphasised by the fact that the European Parliament does not have a formal role during the enlargement process, thus essentially handing the responsibility to the European Commission to guide the process and the Council to make the final decisions.

The GAC is an intergovernmental body which brings together the Ministers for Foreign Affairs (or deputies), the European Affairs Ministers (or state secretaries) and the Permanent Representatives of the member states, whose meetings are organised by the Council Presidency. Having this in mind, the interviewees agree that lobbying activities in Brussels toward the different Permanent Representations of the member states remain of an essential importance.<sup>68</sup>

Meanwhile, many authors indicate that the Council has a reputation of the most discreet of the EU's institutions, unlike the European Commission and European Parliament which have been, in the recent times, investing more energy into making their activities more transparent. However, even though the Council is the least accessible, it is not inaccessible. Due to the Council's unique *modus operandi* and a multi-levelled structure, Hayes-Renshaw explains that lobbying activities towards this institution ought to commence at "a very early stage in the decision-making process and at a very low level of Council activity."<sup>69</sup> Similarly,

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<sup>67</sup> Having in mind the political aspect of the accession process, the Foreign Affairs Council (FAC) comes to mind as a relevant subject. It is responsible for ensuring unity, consistency and effectiveness of the EU's external action and defines and implements the EU's foreign and security policy. Its reports provide an overview on the ongoing political situation in candidate countries, thus shaping the perception of the DG NEAR. It chaired by the High Representative of the Union for Foreign Affairs and Security Policy, who is also responsible for acting as a mediator in the Belrage-Priština dialogue.

<sup>68</sup> Each of the Permanent Representations is chaired by a Head of the Mission, who acts in Brussels as a country's ambassador to the EU, and who represents and defends the interests of their country at the EU level.

<sup>69</sup> Fiona Hayes-Renshaw, "Least Accessible but not Inaccessible: Lobbying the Council and the European Council", in *Lobbying the European Union: Institutions, Actors and Issues*, eds. David Coen, and Jeremy Richardson, New York, Oxford University Press, p.70, 86.

Olson argues that the real negotiations are situated at the lower-levels of governance, where 70-90% of the Council's decisions are clarified.<sup>70</sup>

Below the highest level at the Council there is the COREPER (abridged French *Comité de Représentants Permanents*), which gathers the member states' Permanent Representatives – *de facto* ambassadors – heads or deputy heads of missions from the EU member states in Brussels,<sup>71</sup> who prepare the agenda for the ministerial meetings and coordinate the work of the preparatory bodies.<sup>72</sup>

As such, the COREPER is in an essential decision-making position, since many of its unanimous decisions are approved at the highest level of the Council without discussion by the ministers of the member states.<sup>73</sup> However, it is pointed out by some interviewees that in practice the COREPER is not lobbied directly, rather the focus remains on bilateral contacts with the representatives coming from the working groups, which represent “arenas where draft legislation begins to be firmed up and moves towards compromise solutions take place.”<sup>74</sup>

The COELA is a preparatory body working under GAC,<sup>75</sup> and is most commonly composed of diplomats or national officials known as *attachés*, coming from the member states' permanent representations in Brussels, and who may represent their member states in one or more working parties at the same time (e.g. the COELA and the COWEB – Working Party on the Western Balkans Region, etc).<sup>76</sup> The most relevant functions of the COELA are summarised in the following:

1. preparation of the accession negotiations and EU negotiating position;
2. assessment of progress made by the candidate countries in meeting the accession criteria;
3. management of relations with the candidate countries within the framework of the Association Agreement (in Serbia's case, SAA).<sup>77</sup>

Furthermore, as the interviewee from the COELA clarifies, this working body also checks the screening reports, the opening benchmark assessment reports and DG NEAR's positions,

<sup>70</sup>Ingvild Olsen, “The Council Working Groups – Advisors or *de facto* Decision Makers?”, Aarhus University, Paper to be presented at the Fifth Pan-European Conference on EU Politics, Portugal, 2010, p.1

<sup>71</sup>Treaty of the Functioning of the European Union, Article 240, available at: <http://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX%3A12012E%2FTXT>

<sup>72</sup> Adding to the complexity of the Council, the COREPER appears in two configurations: COREPER I – it is consisted of the deputy permanent representatives who are responsible for “agriculture and fisheries, “competitiveness”, “education, youth, culture and sport”, “employment, social policy, health and consumer affairs”, “environment”, and “transport, telecommunications and energy”; COREPER II – it is comprised of permanent representatives which deal with “economic and financial affairs”, “foreign affairs”, “general affairs” and “justice and home affairs”. The topic of enlargement is covered by the COREPER II, and encompassed by the “general affairs”.

<sup>73</sup>This occurs when A points at are hand, that is, when there is agreement in the COREPER on the Commission's proposal, the Council approves without debate. The Council itself decides when there is no agreement in the COREPER (Point B).

<sup>74</sup>Eves Fouilleux, Jcques de Maillard and Andy Smith, “Technical or political? The working groups of the EU Council of Ministers”, *Journal of European Public Policy* 12:4, August 2005, p. 610.

<sup>75</sup>There are 17 working bodies in total working at the GAC. See more: <http://www.consilium.europa.eu/en/council-eu/preparatory-bodies/?wp%5B%5D=718>, accessed: 16.04.2017.

<sup>76</sup>Fiona Hayes-Renshaw, “Least Accessible but not Inaccessible”, p. 85.

<sup>77</sup> See more: <http://www.consilium.europa.eu/en/council-eu/preparatory-bodies/working-party-enlargement-countries-negotiating-accession-eu/>, accessed: 16.04.2017.

based on which it suggests opening or temporarily closing the chapters. All of this work precedes the activities conducted by the COREPER, which means that it sets a basis for the decisions to be officially made afterwards at the GAC. In other words, the COELA essentially determines the pace of the accession negotiation process, which is why it remains one of the most valuable lobbying targets of Serbia's administration, if not the most relevant target. Lobbying the COELA members gives Serbia the opportunity to influence the early phases of the policy development at the Council, thus rendering its activities as proactive.

As mentioned in the previous sub-chapter, the work of the COELA is preceded by the work of the DG NEAR from the European Commission, whose documents on Serbia represent a platform, based on which the COELA can build its own perspective or propose further changes. An interviewee from the COELA argues that on most occasions there is around 80% of matching between the COELA's opinion and the DG NEAR's assessment, which explains why lobbying of the Serbia's experts at the DG NEAR substantially matters too. This shows how interconnected the EU institutions are, which means that Serbia's lobbying activities, conducted by its experts, diplomats and politicians, can have a multiplying effect.

The formal communication occurs directly between the Mission and the Permanent Representations, allowing the heads of those bodies to meet one another, share information and discuss issues at hand. More importantly, it is found that the informal communication occurs on a daily basis between the members of the COELA (i.e. Permanent Representatives) and the diplomats from the Mission. Every diplomat from the Mission is responsible for maintaining communication with a certain member of the COELA, thus allowing the two counterparts to become acquainted with each other to a high degree. Furthermore, according to one COELA member, such frequent interaction builds trust over time, making it easier to make agreements and commitments on both sides. Consequently, lobbying of this kind enables Serbia to discuss the latest political events, provide further clarifications and promote its interests in the earliest phase. Furthermore, it is found that the Mission organizes informal meetings with the COELA, three or four times per year, thus further allowing the representatives from the Mission and Belgrade advocate their own position on certain political issues of importance or to discuss a possibility of speeding-up the process of opening of more chapters.

Meanwhile, the COELA itself travels to two candidate countries per year, which gives its representatives the opportunity to further communicate with the Serbian officials during their visits to Serbia. Their last visit to Belgrade occurred in March 2017, which was rated as very successful by an interviewee from COELA, adding that the Serbian Government was well prepared and fully welcoming to discuss the most pressing issues.

In Brussels, the great benefit of lobbying activities is consisted in the fact that it enables Serbia to acquire new connections, but also to further nurture the existing ones. According to an interviewee, in the case of COELA usually 'friendly' member states (to Serbia) matter significantly (e.g. Hungary, Greece and Cyprus), due to the fact that they are often able to promote Serbia's interests at the COELA. Furthermore, an interviewee from the COELA argues that Serbia acquires the confidential reports and classified information surprisingly fast and at the very early phases of the process, which adds to the point that many interviewees raise, getting the key information early is the biggest benefit of effective lobbying.

Such activities at the COELA shows that the interest representation activities in Brussels are also dependent on the bilateral relations between Serbia and other countries, thus illustrating

the fact that the 'national' and 'Brussels' route are especially intertwined in the case of the Council, giving an important role to the MFA who is responsible for the bilateral relations. To be more specific, an interviewee from the MFA clarifies that around 80-90% of the bilateral talks even on the bilateral level are actually EU-integration related. This gives a crucial role to the MFA's Bilateral Cooperation Sector, which is accompanied by the Sector for the EU, when lobbying at the EU member states is being conducted. In addition, even the other 'core' institutions, such as the Negotiation Team, the SEIO and the Minister of EI regularly visit and lobby the national capitals, thus illustrating the fact how much the 'national' route matters and how it can impact the work of the COELA representatives.

### **The Council Presidency**

The GAC configuration (including the COREPER and the COELA) is presided by the Council Presidency, which rotates among the EU member states every six months, thus allowing the presiding member state to drive forward the work of the Council and shape the agenda by providing a six-month long work program.<sup>78</sup> Due to the fact that the COELA remains a lobbying target of high importance for Serbia, it is crucial whether the Presiding Member State supports the idea of enlargement and whether Serbia has good relations with the Member State in question.

At the time of writing of this study, the Presidency has been handed from Malta to Estonia. Both of these countries have supported the idea of EU enlargement and Serbia's accession negotiation process.<sup>79</sup> The member states holding the presidency work together in 'trios', enabling those states to set the long-term goals, prepare the common agenda and determine the major issues that need to be addressed by the Council over an 18-month period.<sup>80</sup> Having in mind that the trio lasts for 18 months, Serbia starts targeting a member state much before it takes over the Presidency.

## **V. 3 European External Action Service (EEAS)**

This newest EU institution was created by the Treaty of Lisbon which entered into force in late 2009, while it formally started to function in 2011. Its principal task is to support the High Representative in the conduct of EU's Common Foreign and Security Policy (CFSP) and Common Security and Defence Policy (CSDP), as well as in his/her capacity as both the President of Foreign Affairs Council and Vice-President of the Commission for external relations.<sup>81</sup> It brings together diplomats from the foreign services of the 28 EU member states and stands as an additional supranational body of the EU.

<sup>78</sup>See more <http://www.consilium.europa.eu/en/council-eu/presidency-council-eu/>, accessed: 13.07.2017.

<sup>79</sup>Sena Marić and Strahinja Subotić, „Estonian Presidency of the Council of the EU“, European Policy Centre, Belgrade, 2017, Internet: <http://cep.org.rs/wp-content/uploads/2017/07/CEP-Insight-Estonian-Presidency.pdf>, accessed: 13.07.2017.

<sup>80</sup>Alongside Estonia, who took the Presidency in June 2017, Bulgaria and Austria represent the other two members of the new trio.

<sup>81</sup> Article 2 of the Council Decision 2010/427/EU of 26 July 2010 establishing the organisation and functioning of the European External Action Service, available at: [https://eeas.europa.eu/sites/eeas/files/eeas\\_decision\\_en.pdf](https://eeas.europa.eu/sites/eeas/files/eeas_decision_en.pdf)

In the context of Serbia's accession to the EU, this institution is significant as it is responsible for Chapter 31 and especially for facilitation of the Belgrade-Priština dialogue. Reaching the Brussels Agreement in 2013 has been characterised as the biggest success of EU's Common Foreign Policy by the then EU's High Representative Catherine Ashton.<sup>82</sup> At the same time, the Belgrade-Pristina issue is a precedent in a sense that it encapsulates both EU's enlargement policy and CFSP.<sup>83</sup>

Bearing in mind that the Chapter 35 of the accession talks, which entails normalisation of relations with Pristina, has a suspensive and decisive effect on the outcome of the accession process, the EEAS represents an inevitable target for Serbia's lobbying efforts. The EU's High Representative who conducts the highest-level dialogue rounds between the Belgrade and Pristina representatives is supported by the Directorate for the Western Europe, Western Balkans and Turkey and a unit dealing specifically with the Western Balkans. Among the bodies which have the primary responsibility of interacting with the EEAS is the Office for Kosovo and Metohija. According to an interviewee, it establishes contact with the EEAS via the Mission, while receiving the necessary help from the MFA when needed. Furthermore, it informs the Parliamentary Committee for Kosovo and Metohija and receives their advice.

Finally, it is found that, until recently, there has not been deep interaction with the EEAS and other Serbian institutions, such as the MFA, on topics other than the Belgrade-Priština dialogue. However, this started changing in 2017, after Serbia had proposed to establish regular political consultation platform between the EEAS and the Western Balkans countries. This has enabled the MFA to increase its presence at the EEAS and to discuss various foreign policy issues, that do not necessarily have to do with the integration process itself, but which may include wide-ranging issues, such as the War in Syria for example. Beforehand, there was no regular consultation process between the MFA and the EEAS, which is why the EEAS had to contact the Mission when it had wanted to find out Serbia's position on certain foreign policy issues. Now, it seems that this innovation enables closer contact, regular meetings and better coordination between the EEAS and the MFA.

An interviewee from the MFA argues that this gives Serbia not only further space for lobbying, but also for trust-building efforts by illustrating Serbia's readiness to cooperate on wide range of issues. Furthermore, it seems that this initiative allows the whole region more space to work together and share their thoughts to a further extent than it was the case before. As mentioned before, the dedication to regional cooperation boosts Serbia image of a credible party in Brussels.

Overall, the EEAS has been a lobbying target of Serbia mostly for the mentioned dialogue, however, its importance is expected to rise by having in mind that the new platform for direct cooperation between the EEAS and the MFA has been established. In addition, as Serbia approaches its membership, it will have to align its foreign policy with the EU's, which means that the Chapter 31 will remain a hurdle that Serbia will have to overcome. That is why an increased interaction with the EEAS is to be expected.

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<sup>82</sup> Carnegie Europe, *How the EU Brought Serbia and Kosovo to a Deal*, 2014, Internet: <http://carnegieeurope.eu/strategieurope/?fa=54403>, accessed: 12.09.2017.

<sup>83</sup> Denisa Kostovicova. (2014) "When enlargement meets common foreign and security policy: Serbia's Europeanisation, Visa liberalisation and the Kosovo policy." *Europe-Asia Studies* 66.1: 67-87.

## V. 4 The European Parliament

Over the decades the European Parliament (EP) has been increasing its overall decision-making powers and scope of actions, however, it still has not managed to secure its formal role during the process of EU enlargement. Even though the formal consent of the EP is only required at the ratification stage of the accession treaty, which represents the ending phase of the process, that does not mean that it is irrelevant for Serbia's lobbying activities.

The EP's legislative powers now extend to almost all policy areas, which means that its legislative actions can have direct implications on Serbia too, which is supposed to fully harmonise its legal system with the EU's *acquis* as it is getting closer to the EU accession. For example, the EP has the same decision-making weight with the Council when it comes to the adoption of the EU's Multi-Financial Framework, which sets the allocations for the Instrument of Pre-Accession Assistance (IPA).

### V. 4. 1 The Benefits of Having 'Friendly' MEPs

The European Parliament gathers 746 MEPs, coming from 28 member states, out of whom, according to the interviewees, around 15-20 are actively engaged in following Serbia's accession process and who thus retain high relevance for Serbia. This shows that the scope of Serbia's lobbying targets at the EP is quite narrow and focused on certain individuals who have the potential to stand for its interests when needed.

The Mission to the EU has constant communication and frequent interaction with the MEPs which take part in many different committees and informal groups relevant for Serbia, such as: 1. the Committee on the Foreign Affairs (AFET), which is chaired by the EP's rapporteur for Serbia David McAllister, who is in charge of drafting the annual resolution on Serbia; 2. the Delegation to the EU-Serbia (D-RS) participating at the Stabilisation and Association Parliamentary Committee (SAPC), which meets with the Serbian parliamentarians and evaluates Serbia's implementation of the SAA, headed by Eduard Kukan;<sup>84</sup> 3. the informal parliamentary group "Friends of Serbia", which includes the following relevant MEPs: Emilian Pavel, Franc Bogovic, Eduard Kukan, Tanja Fajon, Andor Deli and Knut Fleckenstein.<sup>85</sup>

Furthermore, the attention is also given to the MEPs acting as 'shadow rapporteurs' of each of the party groups, such as Igor Šoltes from Group of the Greens/European Free Alliance and who is at the same time the Vice-Chair of D-RS and Ivo Vajgl on behalf the ALDE, who is a member of both the D-RS and the AFET. Having in mind that most of the relevant MEPs attend different committees at the same time and join different groups dealing with Serbia, it means that the Mission can impact different bodies simultaneously by formally and informally meeting with the MEPs in question. Therefore, the importance of the MEPs can be severalfold.

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<sup>84</sup> The SAPC is further discussed in V.7, where the role of the Serbian National Assembly in lobbying is further explored.

<sup>85</sup> B92, "European Parliament's "Friends of Serbia" visit Belgrade, 2016, Internet: [http://www.b92.net/eng/news/politics.php?yyyy=2016&mm=07&dd=08&nav\\_id=98570](http://www.b92.net/eng/news/politics.php?yyyy=2016&mm=07&dd=08&nav_id=98570), accessed: 13.07.2017.

### **Activities by Mr. Andor Deli MEP – Bridging Serbia and the EU**

Several interviewees have pointed out the significant activities conducted on Serbia's behalf by Mr. Andor Deli, who has been a member of a Serbian minority party Alliance of Hungarians in Vojvodina and who is currently acting as a MEP representing the Hungarian party Fidesz (belongs to the EPP). He has both Serbian and Hungarian citizenship, which puts him into a unique position, which allows him to act as a bridge Serbia and the EU. In practice, this essentially means that Serbia "has in a way a direct representative" at the EP, thus giving it a chance to extend its influence at this EU institutions.

For example, in November 2016, MEP Andor Deli had hosted, on Serbia's behalf, an exhibition at the EP - "Danube- an Artist, Witness, Traveller", organised by the Mission.<sup>86</sup> Among the guests were Antonio Tajani, then Vice President of the EP (currently the president of the EP), Chair of the EP delegation for Serbia Eduard Kukan, Vice President of the informal group "Friends of Serbia" at the European Parliament Franc Bogovič, representatives of the European Commission, regional representations, member states of the EU and others.

The most relevant tool of the EP, during the enlargement process is consisted of its non-binding annual resolutions on the candidate countries, whose drafting is done at the AFET. As such, these resolutions have political weight and receive high level of attention by the candidate countries and other EU institutions.<sup>87</sup> In the previous sub-chapters it was shown that the Commission's DG NEAR is taking into account the insights and conclusions coming from the EP resolutions, when it is producing its own annual country reports. Such resolutions go into details and include the latest overview of Serbia's progress and indicate the most pressing issues it is facing. Consequently, Serbia's country image is directly affected by it, since it is shaping and influencing how Serbia is perceived at the EU level.

Having 'friendly' MEPs at the EP allows Serbia, not only to potentially impact the drafting of the EP's resolution, but also to further promote its image too and to strengthen its overall position at the EP. Fortunately for Serbia, at the EP, there already exists an informal group called "Friends for Serbia". According to an interviewee from this group, it was formed in 2010, but had taken meaningful action only a couple of years after. Since then, it has been gathering the MEPs which had expressed genuine interest in Serbia and enthusiastically supported EU's enlargement process. Due to the fact that it is not institutionally regulated, its *modus operandi* is of an informal nature *per se*. The interviewee rates the work of this body as successful, since it has allowed for further contacts to be built, better understanding and information exchange. As a product of a good cooperation, this group sometimes collectively visits Belgrade, where it has access to all of the relevant officials from the Serbian Government. The last visit occurred in summer of 2016. Having in mind that the members of this group are at the same time

<sup>86</sup>See more: <http://www.eu-brussels.mfa.gov.rs/news.php>, accessed: 13.07.2017.

<sup>87</sup>Sena Marić and Strahinja Subotić, "New EP President, Mini Political Earthquake and Why it Matters for Serbia", *European Policy Centre*, Belgrade, 2017, Internet: <http://cep.org.rs/en/publications/tajani-s-presidency-new-ep-president-mini-political-earthquake-and-why-it-matters-for-serbia/>, accessed: 20.04.2017.

members of formal groups and committees at the EP, good relations with them allow Serbia to get a good promotion at relevant committees, such as the AFET.

An interviewee from the EP points out the importance of MEPs by saying that they have the ability to influence the policies of their home countries too. After being lobbied at the EP, the MEPs share their impressions and the information gathered on a candidate back to their home state, which impacts how the national governments perceive the country in question. This is an example of how lobbying via the 'Brussels route' can impact not only the EU institutions, but the national governments too. By lobbying at the European level, Serbia has the chance to indirectly represent its interests at the state level too, allowing Serbia even to address the bilateral issues.

Finally, research shows that the EP allows its MEPs to organize public events (i.e. galleries), where they can promote their countries of origin, which are organized at the EP. At these events, the representatives coming from different EU institutions are able to attend. Interestingly, the MEPs are allowed to organize two galleries or public events per term; the MEPs can do this on behalf a candidate country too, which is why Serbia has had the chance to organize two events so far.

### **Balkan Trafik! – Culture Connecting People**

Even though the power of public events is somewhat limited, there are some notable exceptions, which illustrate how Serbia ought to use this tool of country promotion. For example, an event called – *Balkan Trafik!* – is considered to be a very popular and well-organized event with Brussels-wide cultural impact. Its motto is “trafficking of cultures and experiences offering the key to integration, communication, sharing and opening up to others.”<sup>88</sup> Even though this event does not have organisational ties with the EP, it is annually jointly conducted by the WB countries in Brussels. The interviewee from the EP describes that this event draws positive attention of the EU officials, which showcases that the jointly organized events by the WB countries at the EP could potentially be beneficial for all of the candidate countries of the WB, by making a distinguishable impact at the EP.

## **V. 4. 2 Stabilisation and Association Parliamentary Committee (SAPC)**

Even though the legislative branch has a less prominent role in the accession negotiation process, compared to the executive branch, it does not mean that it does not have any lobbying potential. Besides monitoring how the executive branch pursues Serbia's interests at the EU, the Serbian National Assembly has the ability to join the lobbying efforts at the EU level as well, primarily through the Stabilisation and Association Parliamentary Committee (SAPC) and the COSAC (Conference of Community and European Affairs Committees of the Parliaments of the European Union).

The SAPC is essentially a joint-committee which gathers the EU and Serbian parliamentarians, with the task to “consider all aspects of relations between the EU and Serbia and, in particular,

<sup>88</sup>See more: <http://www.balkantrafik.com/>, accessed: 21.04.2017.

the implementation of the Stabilisation and Association Agreement.”<sup>89</sup> It was created in 2013, after the SAA came into force, enabling an official political dialogue between the two parliamentary sides. Officially, it gathers twice a year, once in one of the workplaces of the EP and the other time in Serbia.<sup>90</sup> So far, there have been six meetings in total.

The last meeting occurred in September 2017, under the co-chairmanship of Mr. Eduard Kukan for the European Parliament Delegation and Mr. Vladimir Orlić for the National Assembly of Republic of Serbia Delegation. During the two-day meeting the parliamentarians have had the chance to discuss the following subjects: the state-of-play of Serbia’s accession talks and relations with the EU, implementation of the Stabilisation and Association Agreement, economic development, protection of basic rights and freedoms, gender equality and domestic violence, work of independent state bodies and organizations, dialogue on the normalization of the Belgrade-Pristina relations, and the refugee crisis in Serbia and the European Union.<sup>91</sup>

The long list of subjects shows that the Committee gives a large space for the Serbian parliamentarians to give their own input in practically all the relevant fields and open issues which Serbia is facing. Furthermore, this platform also allows the opposition parties to have their voices heard through the official channel of communication between the EU and Serbia. Among the opposition parties which are participating in the work of this Committee are: the Democratic Party, the Social Democratic Party of Serbia, Enough is Enough, the Alliance of Vojvodina Hungarians, including one Non-affiliated member and an anti-EU party - Serbian Radical Party.<sup>92</sup>

According to a MEP from this Committee, it seems that the SAPC has proven to be a good example of how formal cooperation is prone to successfully creating and facilitating informal contacts and interaction between the two sides. Throughout the years the membership on both sides has remained the same, thus allowing the parliamentarians to get to know each other really well and to build trust and personal contacts through successful cooperation. At the end of each session, the SAPC produces a final document named “Declaration and Recommendations”, which sums up the latest activities, measures progress, identifies the main hurdles and provides recommendations. Officially, the SAPC may forward its recommendations to the European Parliament, to the National Assembly and Government of Serbia, to the Council of the European Union and to the European Commission.<sup>93</sup> The MEP from this Committee argues that even though the SAPC’s final document does not have a binding force, it allows the AFET and the Commission to use it as a reference point in their own documents, which sometimes occurs in practice.

<sup>89</sup> Rules of Procedure of the European Union-Serbia Stabilisation and Association Parliamentary Committee, Rule 2, Internet: [http://www.europarl.europa.eu/cmsdata/72423/Rules-EU\\_Serbia\\_amended\\_11\\_2014.pdf](http://www.europarl.europa.eu/cmsdata/72423/Rules-EU_Serbia_amended_11_2014.pdf), accessed: 01.09.2017.

<sup>90</sup> *Ibid.*, Rule 5.

<sup>91</sup> European Union-Serbia Stabilisation and Association Parliamentary Committee (SAPC) 6<sup>th</sup> Meeting, 2017, Belgrade, Internet: [http://www.parlament.gov.rs/Sixth\\_Meeting\\_of\\_European\\_Union-Serbia\\_Stabilisation\\_and\\_Association\\_Parliamentary\\_Committee\\_.32112.537.html](http://www.parlament.gov.rs/Sixth_Meeting_of_European_Union-Serbia_Stabilisation_and_Association_Parliamentary_Committee_.32112.537.html), accessed: 15.09.2017.

<sup>92</sup> Members of the NARS to the EU-Serbia Stabilisation and Association Parliamentary Committee (SAPC), Internet: <http://www.europarl.europa.eu/cmsdata/117624/Members%20NARS%20-%20April%202017.pdf>, accessed: 1. 09.2017.

<sup>93</sup> Rules of Procedure, Rule 7.

### **Lobbying of the European Integrations Committee at the COSAC**

The COSAC gathers the Committees coming from different member states and candidate Countries and gives the parliamentarians the opportunity to discuss and address the most pressing issues facing the EU.<sup>94</sup> At the closure of the COSAC, the parliamentarians produce a “Joint Statement,” which summarizes the views and proposes a course of action. Even though Serbia does not have a right to vote, it has the ability to lobby and influence how the final version of the “Joint Statement” might look like during the Conference. The most recent COSAC was held in Estonia, under the auspices of the Estonian presidency of the Council, potentially allowing the Members of the Committee to lobby the Council itself, by approaching the Estonian representatives at the Conference.<sup>95</sup>

## **V. 5 European Political Parties**

European Political Parties (Europarties) are transnational party-like organisations operating at the EU level. They bring together similarly affiliated parties, whose members work in the EU institutions or are heads of state and government, ministers, or even leaders of the opposition and party leaders. As such, they can influence the decision making of the European Council and express themselves through their Political Groups and MEPs at the EP.<sup>96</sup>

Meanwhile, the parties coming from the non-EU member states have the possibility of joining ranks of Europarties too, most commonly by acquiring the status of an associate or observer party. Currently, the Serbian Progressive Party (SNS) and the Alliance of Hungarians in Vojvodina are associate members of the European People’s Party (EPP),<sup>97</sup> while the Democratic Party (DS) has the same status at the Party of European Socialists (PES). In practice, research shows that the Europarties remain a crucial address for Serbian lobbying activities. In this case, lobbying is conducted solely by the Serbian party members, whose activities are labelled by some interviewees by the term ‘parliamentary diplomacy’.

<sup>94</sup>The interviewee from the European Integrations Committee points out that the COSAC remains the single most important lobbying target of this Committee’s activities. The contacts made during the COSAC remain even after the conference is over, which increases Serbia’s pool of the EU representatives which might be further lobbied or contacted in the future.

<sup>95</sup>Similarly, the European Integrations Committee participates at the COSAP (Conference of the European Integration/Affairs Committees of States Participating in the Stabilisation and Association Process of the South-East Europe), which gathers only the regional committees for the EI, giving them a chance to settle their issues jointly. According to the interviewee, such regional cooperation activities, which are often emphasised and encouraged by the EU itself, resonate well and improve Serbia’s country image at the relevant EU institutions, allowing the Committee more space at the following COSAC gatherings.

<sup>96</sup>European Parliamentary Groups are transnational groups which gather MEPs of similar political affinities. Such groups hold meetings during the week before the part-session and in part-session weeks, as well as seminars to determine the main principles of their activity.

See more: [http://www.europarl.europa.eu/ftu/pdf/en/FTU\\_1.3.3.pdf](http://www.europarl.europa.eu/ftu/pdf/en/FTU_1.3.3.pdf), accessed: 07.09.2017.

<sup>97</sup>The Alliance of Hungarians in Vojvodina is a party of Hungarian minority from Serbia. It became an associate member of the EPP in 2007. Activities of its member Andor Deli have already been described in the previous sub-chapter.

Among all of the Europarties, the centre-right and pro-enlargement oriented European People's Party (EPP) has remained the most relevant for Serbia. The EPP has been the largest group in the EP since 1999 and in the European Council since 2002, thus representing a group with the highest potential to significantly shape the agenda of the EU and the decisions it makes. Furthermore, the ruling SNS has become its associate member in 2016, thus representing the first time this party has ever joined some European party family, even though it has been in power four years prior to that moment.<sup>98</sup> This breakthrough created a sudden increase of space for lobbying at the EU level for Serbia. Since then, in the words of one interviewee, the EPP become "one of the most important channels of communication" between Serbia and the EU representatives.

At the EPP gatherings, the members of SNS have the opportunity to build personal contacts, share information and discuss matters of importance to Serbia with the relevant EPP members. Alongside the Serbian party members, the Minister of EI (who is also International Secretary of the SNS) also participates at the EPP meetings, thus giving further political leverage to the lobbying activities of Serbia in this arena. According to one interviewee, the EPP even consults the SNS representatives before it makes decisions regarding issues and topics that directly or indirectly relate to Serbia, thus giving Serbia a chance to clarify its position on time and advocate for its interests to a further extent. This illustrates well how the essence of lobbying is consisted in solving formal issues at an informal stage. Therefore, one interviewee goes as far to say that this "party lobbying possibly has an even greater impact than the lobbying conducted by the diplomats."

At the time this project was written, the EPP has been holding three presidencies of the EU – Jean-Claude Juncker as the President of the Commission, Donald Tusk as the President of the European Council and Antonio Tajani as the President of the European Parliament - which increases the importance of lobbying at this Europarty.<sup>99</sup> Regular contact with the highest EU officials enables Serbia to have its voice directly heard by the people in charge. As one interviewee illustrates "it is not the same when you meet the EU officials during the formal meetings and when you talk to them on equal footing and in a friendly manner at the EPP." Therefore, by lobbying at the EPP, Serbia is also able to possibly influence how other EU institutions perceive Serbia. Again, this shows how lobbying activities at one place in Brussels can have a multiplying effect.

Furthermore, the EPP represents a platform where the officials from Serbia can approach, interact and gain support from prominent European leaders from different member states, such as Angela Merkel, whose Christian-Democratic Union is the core member of the EPP.<sup>100</sup> In the words of one interviewee, "since Serbia has acquired the support from Germany and Mrs Merkel, in Brussels everybody perceives Serbia with different set of eyes than before." That is why the EPP remains a valuable ground for keeping and furthering good relations with the prominent European leaders. Finally, one interviewee especially highlights the fact that the EPP can serve as a platform for solving bilateral issues too, since it gathers leading parties from

<sup>98</sup> See more: [http://www.b92.net/eng/news/politics.php?yyyy=2016&mm=11&dd=15&nav\\_id=99693](http://www.b92.net/eng/news/politics.php?yyyy=2016&mm=11&dd=15&nav_id=99693), accessed: 21.04.2017.

<sup>99</sup> Sena Marić and Strahinja Subotić, "New EP President", *European Policy Centre*.

<sup>100</sup> Other prominent EPP leaders come from Spain, Romania, Hungary, Ireland, Cyprus, Bulgaria, Croatia, Norway, Kosovo\*, Bosnia and Herzegovina, Armenia, Switzerland.  
See more: <http://www.epp.eu/about-us/leaders/>, accessed: 09.09.2017.

Croatia and Kosovo\* too. This fact gains importance by knowing that Serbia has a number of open issues with Croatia, and the issues with Priština regarding the ongoing dialogue.

Overall, the newly acquired status at the EPP has enabled Serbia to participate in a forum, where its voice can be heard, even though it is not a member of the EU. Having in mind how recently the cooperation between the SNS and the EPP occurred, the interviewees agree that an increase in cooperation and closer relations with the EPP are expected in the near future.

Meanwhile, even though the opposition does not have power to change or manage Serbia's capacities at the EU level, this research nevertheless shows that it has some lobbying potential in Brussels. Among the Serbian opposition, the Democratic Party (DS) is the only party with the current access to the Europarties.<sup>101</sup> Namely, it has been an associate member of the centre-left and pro-enlargement oriented Party of European Socialists (PES) since 2008,<sup>102</sup> whose political group the Progressive Alliance of Socialists and Democrats (S&D) has been the second largest in the EP.<sup>103</sup>

Due to the fact that the DS has been interacting with the PES for almost a decade, it seems that it has built a large network of contacts, which enables it to lobby for Serbia even as a member of the opposition. For instance, the president of the DS, Dragan Šutanovac, became a member of the PES presidency in 2016, which illustrates a high level of cooperation and trust between the PES and the DS.<sup>104</sup>

The interviewee coming from the DS argues that MEPs from Eurogroups represent the "largest lobbying network in Brussels," which is why formal, and especially informal interaction with the PES members remains of the "utmost importance" for lobbying activities of this party. In addition, the DS has had regular contact even with some other EU parliamentary groups, such as the EPP and ALDE (Alliance of Liberals and Democrats for Europe),<sup>105</sup> with whom they share information and lobby for Serbia's interests. Furthermore, it seems that the DS even has some access to almost all of the EU institutions, and has the option of meeting with the EU officials. This illustrates the fact that even an opposition party has the ability to have its voice heard in Brussels and that it can play a constructive role in promoting Serbia's interests at the EU level.

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<sup>101</sup> During the reign of DS, Serbia has signed the SAA in 2008, applied for EU membership in 2009 and acquired candidate status in 2012.

<sup>102</sup> Danas, *SPS osam godina pred vratima Socijalističke internacionale*, 12.09.2016., Internet: [http://www.danas.rs/politika.56.html?news\\_id=327493&title=SPS+osam+godina+pred+vratima+Socijalisti%C4%8Dke+internacionale](http://www.danas.rs/politika.56.html?news_id=327493&title=SPS+osam+godina+pred+vratima+Socijalisti%C4%8Dke+internacionale), accessed: 02.05.2017.

<sup>103</sup> Throughout history the PES has alternated with the EPP as the largest Europarty and parliamentary group.

<sup>104</sup> N1, *Šutanovac član predsedništva Partije evropskih socijalista*, 02.12.2016., Internet: <http://rs.n1info.com/a211949/Vesti/Vesti/Sutanovac-clan-predsednistva-Partije-evropskih-socijalista.html>, date accessed: 02.05.2017.

<sup>105</sup> ALDE is the fourth largest political group in the EP.

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### **Is there a National Consensus?**

Looking at the domestic arena, the research has found that even though the DS is part of the opposition, it nevertheless communicates to a certain extent with the Negotiation Team, the Mission and the SEIO. Furthermore, the interviewee from the European Integrations Committee argues that the parties in power and most of the opposition parties, act jointly and constructively during the visits of EU officials to the Committee. However, even though the majority of parties are in favour of Serbia's EU membership, doubts are raised by some interviewees to what extent this consensus extends to practical and effective cooperation between the opposition and the Government Institutions. Despite the fact that the SNS and the DS share the common goal of joining the EU, it does not seem that they harmonise their lobbying activities in Brussels.

## VI How is Serbia Performing? Challenges in Practice

Even though Serbia has been directing its lobbying activities towards numerous institutions and actors within the EU system, as it was presented in the previous chapter, it is still facing some limitations in regard to its capacities. Such limitations range from missing comprehensive lobbying and communication strategies, to administrative shortcomings and financial limitations, alongside the negative impact of political incidents. Therefore, in the rest of this chapter, these issues are presented in detail.

### VI. 1 Is There a need for a Lobbying Strategy?

Although the interviewees in Brussels have generally praised Serbian administration for its lobbying performance towards Brussels institutions, some interviewees feel that there is an absence of a long-term perspective on lobbying in Brussels. Namely, these interviewees from Belgrade note that due to limited capacities, Serbia has not been as efficient at the capital of the EU as it could have been, had it tackled some of the current capacity issues. In other words, it seems that Serbia has been underusing its lobbying potential and opportunities which Brussels has to offer.

Regarding the organisation of Serbia's lobbying activities, there are two different groups of interviewees which perceive them in different manner.

One group argues that Serbia's lobbying capacity, which is deeply shaped by Serbia's administrative and financial capacity, is short-term oriented and without a clear analysis of the current benefits and costs of those activities. That is why it is suggested that it would have been beneficial for Serbia to develop some kind of a comprehensive lobbying strategy, which would be based on a sound analysis of the performance of the current capacities. This would enable the Serbian administration to weight the costs and benefits of the ongoing activities, based on which the administrative and financial capacities could be calculated and specified accordingly. From then on, it is suggested, this strategy could focus on the re-evaluation of the current lobbying approach in Brussels – from lobbying EU institutions to civil society organizations and business/sector associations – and allowing for a possible innovative approach to lobbying in Brussels to be introduced.

Such strategy would not necessarily need to be a fully disclosed document, but it could rather work as an internal paper, based on which other activities could be projected. This idea comes from the argument, which certain interviewees have brought up, that Serbia's activities have been lacking a comprehensive approach in Brussels, and that many of its activities have been directed towards non-essential and logistical matters. For example, some interviewees argue that the Mission invests a great deal of time into event management and organization of transport for the incoming delegations, which illustrates that the Mission has been inefficiently allocating its time and resources. With a sound strategy of activities, the Mission would have a chance to properly reorganise its activities, which would result in a better allocation of its time and scarce resources into further lobbying efforts.

Contrary to the previous view, another group of interviewees argues that Serbia has had a very professional and successful pursuit of interests in Brussels, regardless of inexistence of some lobbying strategy. This thought is backed up by the comments made by the interviewees working at the EU institutions, which state that by looking at the activities of the WB countries, Serbia's activities come on top. Furthermore, it is argued by some that lobbying strategy *de facto* exists by having in mind that its lobbying targets are well-known (e.g. the DG NEAR, the COELA and the MEPs) and its long-term goals are already clearly defined: EU membership and normalisation of relations with Priština.

### **What about the Communication Strategy?**

Some interviewees add that it would have been beneficial for Serbia's country image had it developed some kind of a communication strategy, which would have re-evaluated Serbia's outreach efforts and soft power development. For instance, it is noted that potential power of the 'digital diplomacy' or 'e-diplomacy' has been neglected, which is defined as the use of the Internet and new information communication technologies to help achieve diplomatic objectives.<sup>106</sup> This strategy could have served as a tool for cost-effective self-promotion, even through social networks, such as *Facebook*, *YouTube* or *Twitter*, which are nowadays being used to a high extent by politicians and diplomats from other countries.

Moreover, it is added that the websites of the Serbian institutions (e.g. the Mission and the MFA) contain outdated information and contain limited amount of information available in English, thus preventing the interested public from acquiring the needed information or getting to know Serbia to a better extent. Therefore, it is suggested that Serbia ought to increase its online presence through a better social media campaign and visibility in Brussels through further cultural and tourist promotion. Furthermore, one interviewee specifically argues that there ought to be a PR manager at the Mission who would be responsible for handling the implementation of the communication strategy in Brussels.

## **VI. 1. 1 Lucrative Lobbying – a Necessity or a Non-Transparent Luxury?**

Even though lucrative lobbying is not the focus of this study, it should be noted that potential lobbying strategy would also address whether and to what extent the services of lobbying groups ought to be used. According to the estimates, there are more than 25.000 lobbyists working in Brussels and their number has been increasing.<sup>107</sup> However, some interviewees reveal that the term 'lobbying' still has a negative connotation in Brussels even today. This is paradoxical, having in mind the fact that services of lobby groups are used to extensively,

<sup>106</sup>Fergus Hanson, *A digital DFAT: Joining the 21st century*, Lowy Institute for International Policy, Sydney, 2015, p.3.

<sup>107</sup> Corporate Europe Observatory, *Lobby Planet – Brussels*, 2017, p.2, Internet:[https://corporateeurope.org/sites/default/files/lp\\_brussels\\_report\\_v7-spreads-lo.pdf](https://corporateeurope.org/sites/default/files/lp_brussels_report_v7-spreads-lo.pdf), accessed: 21.07.2017.

not only because they are able to pursue interests of the interested parties by meeting with relevant EU officials, but also because they offer their expertise and provide information exchange.<sup>108</sup>

Although the member states and the candidate countries in practice often rely on such services, the interviewees have confirmed that Serbia has not been generally relying on such services during its pursuit of interests in Brussels. When asked whether such practice has hindered Serbia's ability to represent its interests adequately, the answer was negative. This means that Serbia has rather been relying on the lobbying activities conducted by its diplomats, experts and politicians. Apparently, the potential usage of services from lobby groups would not have presented a significant added value to Serbia's efforts in Brussels.

Nevertheless, one interviewee specifically points out that sometimes hiring lobby groups is a *conditio sine qua non*, when very specific issue-oriented and technical matters are at hand (e.g. anti-dumping measures), which require a highly-specialised knowledge and expertise. It is even added that a state in question might not look dedicated enough in the eyes of the professional public in Brussels if it does not use the expertise knowledge offered by lobby groups.

This study finds that some Serbian institutions or representatives have relied only on certain occasions on the services of lobby groups, such as Bell Pottinger, which defines itself as a "reputation management agency" and offers skills and experience in the fields of public relations, investment banking, law, accountancy, journalism, investor relations, policy, planning, content and research.<sup>109</sup> Other than this lobby group, this study was not able to find further information on which lobbying companies were hired by Serbia, when and for what purposes. Therefore, it seems that the whole process of hiring lobby groups remains non-transparent, which is not surprising, having in mind that in Brussels, lobbying is only regulated by soft, non-binding legal mechanisms.<sup>110</sup> Furthermore, according to an interviewee, most of the member states have not yet adopted a Law on Lobbying, and Serbia is no exception.<sup>111</sup> This illustrates the fact that lobbying has yet to be fully demystified and legislated in the whole of Europe.

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<sup>108</sup> Duško Krsmanović. *A Guidebook on Lobbying*, Konrad Adenauer Stiftung, Belgrade, 2003, p.21.

<sup>109</sup> See more: <https://bellpottinger.com/>, accessed: 20.07.2017.

<sup>110</sup> Duško Krsmanović. *A Guidebook on Lobbying*, Belgrade, Konrad Adenauer Stiftung, 2013, p.36.

<sup>111</sup> The Serbian Association of Lobbyists explains why it is a necessity for Serbia to adopt a Law on Lobbying: "In the countries with recent history of weak institutions or undemocratic political environments, existence of informal and non-transparent avenues for exerting influence on governments makes the introduction of legal framework for lobbying that more topical. In that sense, well-regulated lobbying arena, with formal rules and procedures enforced by law, is a key to transparency and fight against corruption."

Serbian Association of Lobbyists, *What is Lobbying, and how is it regulated?*, Internet: [http://www.drustvolobistasrbije.org/files/pdf/SLA\\_Leaflet\\_Final\\_Draft.pdf](http://www.drustvolobistasrbije.org/files/pdf/SLA_Leaflet_Final_Draft.pdf), accessed: 30.01.2017.

### **Lobbying Efforts of National and Local Organizations**

Meanwhile, lobbying in Brussels can be conducted through the bottom-up approach too, which allows certain organisations from a country in question to pursue their interests in Brussels on their own, without reliance on the state. According to one website, which follows how lobbying is conducted in Brussels based on the official EU lobby transparency register and the Commission's published lists of its high-level lobby meetings, there are 13 organisations coming from Serbia, among whom the following three invest the most in their lobbying activities: Faculty of Technical Sciences (University of Novi Sad), NIS (Oil Industry of Serbia), Chamber of Commerce and Industry of Serbia United Group.<sup>112</sup>

Not surprisingly, the website specifies that the data in the register is not reliable enough to provide total figures. Even during the interviews, it seems that there was a reluctance to fully discuss those kinds of activities, which would involve cooperation between the business and state actors. Finally, it seems that there have been attempts from cities to send their local representatives for lobbying purposes to Brussels (e.g. Kragujevac, Niš and Novi Pazar). The autonomous province of Vojvodina has been regarded as a positive example of how local representatives can successfully lobby in Brussels and they have even had their own representatives at the Mission.<sup>11</sup>

## **VI. 1. 2 Transaction Costs - Why Early Presence in Brussels Matters**

Even if Serbia were to improve its lobbying capacities, an immediate rise of influence in Brussels ought not to be expected. The EU works in such a way that the room for influence has to be gradually earned. By looking at *Figure 3*,<sup>113</sup> it is seen that the largest and the oldest members of the Union are the ones lobbying at the EU institutions most frequently (i.e. UK, France, Spain). Besides having the most representatives at the EU institutions, these countries have had enough time to develop their own network of contacts. Consequently, they have low transaction costs and high lobbying frequency, compared to some other member states. There is a simple logic behind it: the lower the transaction costs are, the more a state will lobby. The same logic applies the other way around too: the fewer contacts a state has at the EU institutions, the more transaction costs lobbying requires.<sup>114</sup>

The argument that Serbia is a small country that can never reach the level of influence comparable to big EU member states cannot be taken as an excuse for not investing greater efforts in improving its lobbying potential. Given the evidence of outstanding success in this respect by some of the small and medium-size member states, Serbia should dedicate greater attention to lobbying efforts.<sup>115</sup> By understanding its limitations and by evaluating its present

<sup>112</sup>Lobby Facts - Serbia, Internet: <https://lobbyfacts.eu/reports/lobby-costs/all/0/2/2/2/0/196/>, accessed: 21.07.2017.

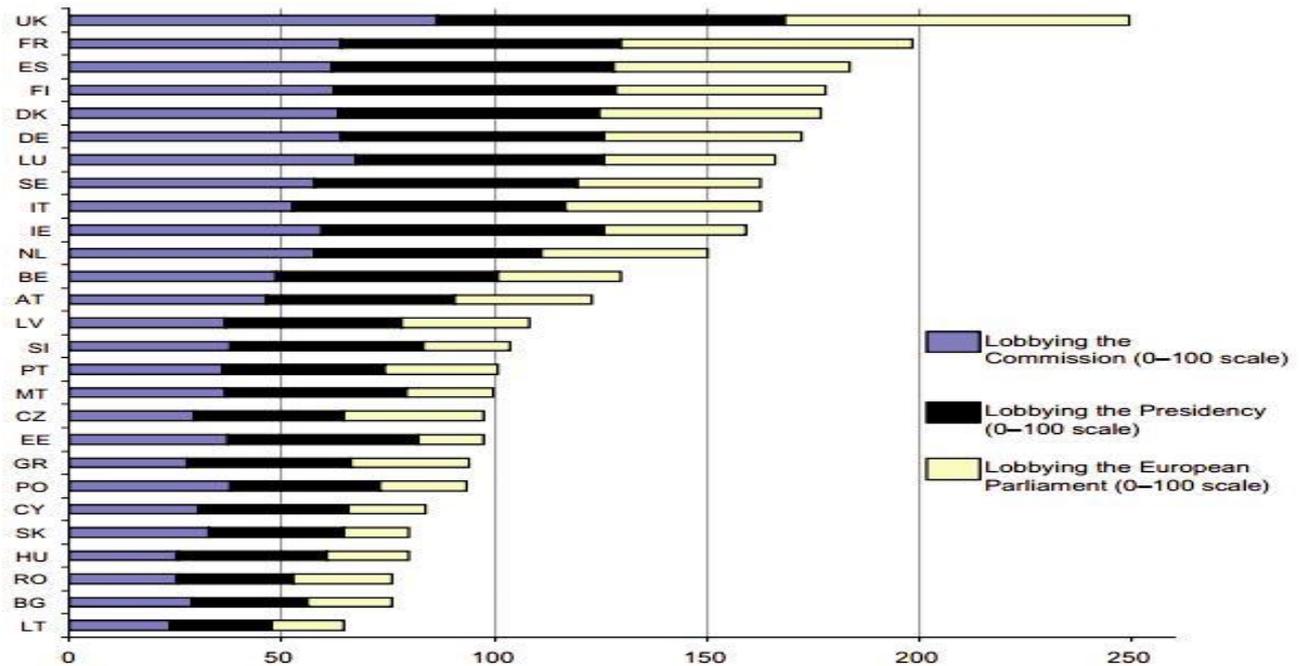
<sup>113</sup>Diana Panke, "Lobbying Institutional Key Players", p. 132.

<sup>114</sup>*Ibid*, p. 130 – 134.

<sup>115</sup>Milena Lazarević, Sena Marić, Amanda Orza, *Policy Making and EU Accession Negotiations – Getting Results for Serbia*, Belgrade, Deutsche Gesellschaft für Internationale Zusammenarbeit GIZ, 2013.

and potential future capacities, Serbia's lobbying strategy could rather envision its lobbying frequency and the level of impact vis-à-vis the group of small- and medium-size states, who happen to be its neighbours and countries which joined the Union relatively recently (i.e. Hungary and Slovenia in 2004, Bulgaria and Romania in 2007 and Croatia in 2013).

Figure 3. *Lobbying Frequency of Member States*



In Layman's terms, it takes time to make contacts, which explains why Serbia may not have many so far, compared to the member states; however, the interviewees share their opinion that Serbia has more contacts and better reputation in Brussels than the rest of the Western Balkans countries, due to the fact that Serbia has been present in Brussels much before the official accession negotiations started in 2014.

Some representatives of the EU member states, which have joined the EU in 2004, have commented that they still feel like 'outsiders' in the EU constellation of interests, even though many years have passed since they joined the EU. <sup>116</sup> That is why it is assumed that the sooner Serbia establishes a professional, well-coordinated and effective structure of representation at the EU level and improves its administrative, financial and lobbying capacities, the sooner it will be able to work on improving and expanding its contact network. Simultaneously, Serbia would be able to start decreasing its future transaction costs and avoid the previously mentioned situation of the 'outsiders'. Nevertheless, even with the improved capacities, it should be noted that Serbia probably cannot avoid being an 'outsider' for some time, once it joins the EU.

<sup>116</sup>Diana Panke, "Lobbying Institutional Key Players", p. 138.

## VI. 2 The Administrative-Financial Shortcomings

Ordered administrative capacity represents the basis for any organized activity. The *Conclusion* of the Serbian Government specifies that “[f]or the purpose of the efficient and successful negotiations on the accession of the Republic of Serbia to the European Union, the administration, prepared for the negotiation process in an appropriate manner, shall be a prerequisite.”<sup>117</sup>

In that sense, one of the interviewees argues that the administrative capacity has two purposes. First, it is supposed to enable smooth coordination of the work related to the EU accession process. The coordination here involves the connectivity and effectiveness of the institutions, the procedures and the personnel. On the other hand, it is supposed to enable Serbia to implement the commitments which it has taken upon itself in the process. These commitments are related to Serbia’s ability to take and implement the *acquis communautaire*, by harmonizing its legislation. Out of these two purposes, only the former remains of interest for this research and matches the definition presented in Chapter II.2. In addition, the institutional connectivity, which is part of the administrative capacity, was presented in Chapter IV. Therefore, the following two components of administrative capacity are analysed: the number of personnel and the competence of personnel. Furthermore, the possibility of improving the administrative capacity also depends on the ability of the administration to cope with the ongoing expenses. That is why financial capacity is also investigated.

### VI. 2. 1 The Number of Personnel

According to an interviewee from the Negotiation Team, there are around 2500 people which are, in one way or another, involved in this process. Generally, the interviewees share the impression that this number of people is barely sufficient for the current phase of the process. Additionally, it is added that as Serbia further approaches its membership to the Union, the number of people is not going to suffice, which is why calls have been made for a long-term administrative planning and increase in the number of people in the near future.

Among all of the analysed institutions, the most complex situation regarding the lack of personnel is found at the Mission of Serbia to the EU. According to the interviewee from the Mission, there are around twenty people working at this body,<sup>118</sup> while estimating that a full efficiency could be achieved with forty people at this phase, while from fifty to sixty in the next and final phases. It seems that the total number of the employees is comparatively small, considering the amount of workload which the Mission is facing. For example, at this phase of the process, according to the interviewees from Zagreb, Croatia had thirty people (experts and diplomats) at its Mission at this phase, while this number has increased to fifty in the last phases of the process. Therefore, comparing Serbia to Croatia, the Mission of the latter was 50% larger.

<sup>117</sup> *Conclusion Accepting the Analysis of the Activities in the Process of the Negotiations on the Accession of the Republic of Serbia to the European Union*, Number 05, Government of the Republic of Serbia, September 2013, Belgrade, Internet: [http://www.eu-pregovori.rs/files/File/kandidatura\\_srbije\\_za\\_clanstvo/The\\_Conclusion\\_Accepting\\_the\\_Analysis\\_of\\_the\\_Activities\\_in\\_the\\_Process\\_of\\_the\\_Negotiations.pdf](http://www.eu-pregovori.rs/files/File/kandidatura_srbije_za_clanstvo/The_Conclusion_Accepting_the_Analysis_of_the_Activities_in_the_Process_of_the_Negotiations.pdf), accessed: 11.04.2017.

<sup>118</sup> There are ten more people working at the Mission, however they are part of the administrative-technical staff, which is not relevant for the purpose of this study.

More specifically, research shows that there are twelve diplomats and eight experts at the Mission.<sup>119</sup> According to the interviewees, the number of diplomats fits well with the current and future needs of the Mission. Nonetheless, it is especially highlighted that there is an urgent need for more experts. Namely, the experts that are performing highly specialised work and are responsible only for certain policy areas. The potential increase in the number of experts is perceived as crucial for the improvement of the quality of work conducted by the Mission, especially in increasing visibility and contacts of line ministries in Brussels. Smart, responsive and cooperative experts would also be able to work on improving Serbia's image as a responsible and trustworthy country, by illustrating their knowledge and expertise.

Having in mind the persisting problem of insufficient staff in the Mission, a couple of negative consequences can be pointed out:

1. Each expert is put into an uneasy position of taking over multiple thematic areas simultaneously, instead of focusing on one or a few similar policy areas. For instance, it is found that 15 economic-related chapters are covered only by one expert at the Mission. Such extensive workload prevents experts from fully focusing on their specific area of expertise.
2. Some policy areas are still not even covered by any expert in the Mission, such as very important issues of environmental protection, transport and energy. It is easy to comprehend the importance of those areas and how damaging it is for Serbia not to have experts covering them personally in Brussels.
3. When the experts are missing, the diplomats, who are in greater number, are forced to step in and sometimes cover certain policy areas on their own, even though they do not have sufficient knowledge and expertise in those areas. Consequently, when the delicate issues are at hand, the communication is established between the EU and Serbia's experts working at the Ministries back in Belgrade. However, this alternative solution sometimes slows down the whole process of cooperation and prevents potential image-building or contact-making in person, which could have been done, had the experts personally been in Brussels.

Since June 2017, the responsibility to consider the issues related to defining the needs of the Mission are not only in the hands of the MFA, but also in the new Ministry of European Integration. Therefore, the issue of administrative capacity will be one of its major tasks and challenges which it ought to address properly. Up to that point, this responsibility was in hands of the SEIO, together with the MFA.

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<sup>119</sup> Among the experts at the Mission two come from the SEIO and six from the Ministries responsible for the following areas: internal affairs, trade, agriculture, finance – customs management and justice.

### Examples of Administrative Change

In 2010, the Government had adopted a *Conclusion* which had recognized the need to strengthen the Mission by sending more experts.<sup>120</sup> Beforehand, in the period from 2005 to 2009, there were only three experts at the Mission, which had been representing the ministries in charge of economy, agriculture and finance. After the *Conclusion* was adopted, eight more experts were supposed to be sent as re-enforcement from the relevant line ministries.<sup>121</sup> However, in practice, the vacant places were not all filled, which consequently left the Mission with only eight experts in total.

In order to facilitate further changes, it took the Government four years to start drafting additional proposals for the increase of the number of people working at the Mission, with no concrete action being undertaken yet. In any case, the 2017 *Conclusion* recognizes the fact that the Mission has not had sufficient experts at its disposal until now and calls for re-enforcement.<sup>123</sup> These examples showcase that there is space for improvement and that the Mission has been improving over time.

## **VI. 2. 2 Competence of the Staff**

Regarding the competence of personnel, most of the interviewees agree that the employees working at the SEIO and the Negotiation Team are showing “high competence, skilfulness and willingness to improve,” adding that the expertise of individuals was the key criteria for joining these institutions. Consequently, these employees are perceived as very helpful to the process of accession negotiation and interest representation in Brussels, both by the interviewees from Belgrade and Brussels.

Most interviewees, both from Belgrade and Brussels, underline that the work done by the Mission’s diplomats and experts, is conducted in a highly professional manner, which creates a positive image of Serbia in Brussels. It seems that in practice the Mission’s actions are perceived as highly valuable for Serbia’s interests, since they are conducted by competent employees.

<sup>120</sup>Zaključak o potrebi uvođenja eksperata iz drugih organa državne uprave u Stalnu misiju Republike Srbije pri Evropskoj uniji u Briselu, 05 broj:337-8086/2010, Vlada Republike Srbije, Beograd, novembar 2010.

<sup>121</sup>Two experts were supposed to come from the SEIO and six from the Ministries responsible for the following areas: trade and services, infrastructure, internal affairs, environmental protection and justice.

<sup>122</sup>The Ministries in question were: The Ministries in question were: the Ministry of Finance, Ministry of Agriculture, Ministry of Mining and Energy and the Ministry of Agriculture and Environment – Sector for Environmental Protection, Zaključak o upućivanju eksperata u Misiju Republike Srbije pri Evropskoj uniji u Briselu, 05 broj: 337-3132/2017, Vlada Republike Srbije, Beograd, april 2017.

### **The EU Officials on the Competence of Serbian Officials**

Evaluating the competence of the Serbian experts, an interviewee from the DG NEAR argues that their performance has been very professional. Similarly, an interviewee from the DG GROW argues that Serbia's experts have a good reputation in Brussels. It is added that even compared to the other experts from the region, the ones coming from Serbia often perform better. This showcases that different DGs share the same or mostly similar sentiments towards Serbia's experts. Furthermore, the relations between Serbia's and EU's experts have been rated as excellent and filled with trust. Such relations are a product of continuous contact-building and knowledge based cooperation between experts, thus representing the essence of lobbying and image building.

Rating the competence of the Serbian diplomats, the interviewee from the COELA argues that they indeed have a good knowledge of how the Council functions, which has enabled them to focus their lobbying activities in the right direction. According to the interviewee, it seems that among other EU representatives there is a perception that Serbia's diplomats are doing their job very professionally, which is why they are mostly satisfied with the ongoing formal and informal cooperation with them. The interviewees agree that there is a sufficient number of diplomats at the Mission. This is why each of them narrows their focus and specialises in a few member states, which they lobby regularly.

However, one interviewee points out some cases of partocracy influencing the staffing of the Mission, which is connected to the employment policy of the MFA.<sup>123</sup> Nevertheless, it seems that this issue is of limited importance, reserved only to individual and isolated cases, and as such does not hinder the overall high level of competence illustrated by the Mission's employees in practice and their lobbying activities. Furthermore, it seems that sometimes the career promotion is hindered at the Mission, due to the fact that some officials with many years of experience stagnate or rarely get promoted, while at the same time some incomers quickly advance in their diplomatic career without satisfying the merit-based criteria. This phenomenon has a demotivating effect on the officials who perform their duties diligently and as such undermines the credibility of Serbian diplomacy.

Overall, it seems that the aspect of competence of Serbia's officials involved in interest representation activities represents Serbia's strongest point in administrative capacity.

<sup>123</sup> Such deficiency is a product of general issue of flawed public administration system, which is also recognised by the European Commission. It highlights the fact that the political influence often plays a key role in appointments on certain position in public sector, which is why it urges Serbia to further guarantee "the neutrality and continuity of the public administration and ensure merit-based recruitment, promotion and dismissal procedures." Furthermore, it re-affirms that the merit principle is undermined by "the excessive discretion allowed for the political level to choose the final candidates and the lack of clear criteria for organisation of the selection tests and composition of selection committees." European Commission, *Serbia 2016 Report*, Brussels, 2016, p.9-11, Internet:[https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key\\_documents/2016/20161109\\_report\\_serbia.pdf](https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2016/20161109_report_serbia.pdf), accessed: 14.07.2017.

However, it is added that it seems that Serbian team of experts is under-staffed which is why all of the interviewees agree that there is an urgent need to increase the number of Serbian experts in Brussels.

### VI. 2. 3 Financial Hurdles

The interviewees agree that the Serbian administration is operating under limited financial capacity. Unsurprisingly, this has a negative impact on Serbia's lobbying potential to a certain extent. In the subsequent paragraph the key deficiencies caused by the limited financial capacity are presented.

As Serbia is progressing on its path to the EU, the employees are dealing with an increasing workload, without having their salaries increased. In that context, in 2017, the European Policy Centre (CEP) has pointed to the fact that there is "a significant outflow of top-quality civil servants responsible for EU integration-related work."<sup>124</sup> Similarly, the interviewees of this policy study point to a worrying tendency of the brain drain from the lower managerial levels at the analysed institutions, which is why the situation can become alarming if the current outflow of the civil servants is not stopped in the next phases.

#### **Financial Constraints on the Parliamentary European Integrations Committee**

Harsh financial constraints can force some institutions to find alternative ways of financing for their lobbying activities. An example of such institution is the Parliamentary European Integrations Committee. Having in mind that it has the ability to lobby for Serbia, not only by welcoming the EU officials in Belgrade, but also by visiting Brussels, one would expect its activities to be covered by the annual budget of Serbia. However, research shows that this is not the case.

The visits of this Committee to Brussels are not covered by the budget at all. That is why the Committee has always been trying to find an alternative way to finance its activities, which in return has been enabling its members to travel to the meetings abroad. Usually, the organizations such as Friedrich Ebert Stiftung (FES), Konrad Adenauer Stiftung (KAS) and the Westminster Foundation for Democracy (WFD) provide financial assistance, by covering the travel expenses of the committee members.

This example showcases that Serbia's institutions are flexible in practice and able to find alternative ways of financing when needed. However, the question remains what would have happened with the Committee's foreign activities had it not been for the alternative financing.

Furthermore, there is an alarming tendency of the civil servants to avoid traveling abroad, especially in instances of the longer-lasting foreign visits, since their stay is not financially compensated. The daily allowance for trips to Brussels, or other capitals, is only 15 euros per

<sup>124</sup>Milena Lazarević, Katarina Kosmina, Dragana Bajić, *Towards a Smart Staff Retention Policy*, p.9.

day, which is considered as a very low figure by the interviewees. One interviewee argues that this practice represents a significant deviation from the common practice in other countries.<sup>125</sup>

Such deficiency has a demotivating effect on the personnel in question, since they are the ones who are then left with the responsibility of covering their expenses while staying abroad and lobbying on Serbia's behalf, thus placing a significant burden on the personnel in question. Having in mind that the experts need to travel from Belgrade to Brussels on a regular basis, especially now that the whole process is accelerating, the question remains to what extent the low allowances have affected their lobbying activities and scope of action.

Meanwhile, recalling that the number of experts at the Mission is lower than it is currently needed, some explain this trend by pointing to the limited financial capacity. However, there are others who do not believe that the financial issues are necessarily at hand, which is why they raise a question whether the current understaffing at the Mission is present due to the actual budgetary restrictions or whether it is a result of the lack of political will to tackle the ongoing issues. For instance, according to an interviewee from the Mission, it costs 50.000 euros to compensate one expert in Brussels on an annual level. That is why some interviewees point out that the cost of experts is comparatively small for Serbia's annual budget, which means that the lack of experts cannot fully be justified with the argument that it would be too costly to hire more experts.

Overall, without adequate financial capacity, not only the administration loses its ability to retain the most qualified employees and further employ more experts, but it seems that it also limits the scope and effectiveness of Serbia's lobbying activities to a certain extent.

### **VI. 3 The Impact of Political Incidents**

Serbia's administrative, financial and lobbying capacities were analysed due to their crucial importance for the process of interest representation in Brussels. However, there are certain matters that lie outside the scope of capacities, but which nonetheless have the potential of enhancing or reducing the efforts of the involved institutions and consequently raising or diminishing the value of the existing capacities. In other words, for Serbian interest representation in Brussels to be effective, Serbian representatives conducting the lobbying activities need to be perceived as credible or responsible. Additionally, the entire Serbian political establishment needs to be perceived in the same manner as well.

According to some interviewees, being in line with the European values at home is the best way of securing such positive perception from the EU officials. The same logic applies the other way around as well. Political incidents or crisis at home can act as disruptive forces with the potential to damage Serbia's country image and decrease the chances for successful lobbying in Brussels.

For example, in January 2017, the Serbian government has decided to re-activate the train line between Belgrade and Kosovska Mitrovica, for the first time after 1999. However, the train

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<sup>125</sup>The current amount was introduced by the Government's relatively recently. Beforehand the daily allowance was 50 euros per day during a foreign visit. The demotivating effect is not surprising, since the 2016 change introduced a 70% decrease in daily allowance.

had a sign that read “Kosovo is Serbia” in 21 different languages, thus causing disturbance in Priština. The train never passed the ‘administrative boundary line’ with Kosovo\*. After the ‘train incident’ was over, the relations between Belgrade and Priština deteriorated, since each of the sides started accusing one another of aggressive behaviour.

Most interviewees from Belgrade and Brussels agree that such action by the Serbian Government was not received in good faith by the EU representatives and in the words of one interviewee, this incident has even “caused shockwaves in Brussels.” It was especially highlighted that incidents of this kind must be avoided at all cost, if the goal is successful pursuit of interests in Brussels and keeping a credible country image.

### **A Positive Example of Political Breakthroughs**

All of the interviewees from Brussels have applauded Serbia’s dedication to handling the migration crisis which has shaken up Europe. By adopting a cooperative and a humane approach, and even outdoing some EU member states, Serbia has managed to increase its appeal in Brussels substantially. Furthermore, the achievements in regional cooperation resonate well in the eyes of the EU officials too, which is why the establishment of the Regional Youth Cooperation Office of the Western Balkans (RYCO) in 2016, as part of the Berlin Process, was received well in Brussels. Additionally, one should keep in mind that the RYCO aims to promote the spirit of reconciliation and cooperation between the youth in the WB region.<sup>126</sup> Such positive political breakthroughs at home and in the region, have a positive effect on country image of Serbia in Brussels and increases chances for successful pursuit of interests.

By having a sustainable and steady course of its political behaviour, Serbia might be able to sustain the image of a credible partner. Therefore, it illustrates that credibility and trust, are not only dependent on the quality of Serbia’s capacity to adequately represent its own interest, but also on the domestic politics and politicians’ ability to avoid participation in regional crisis. Serbia’s improvement of its administrative, financial and lobbying capacities could be in vain, if the domestic politics cause substantial political crisis and variability which would completely undermine the professional work done by Serbia’s diplomats and experts at the EU level.

## **VI. 4 How does Serbia Stand Comparatively? – the Case of Croatia**

Given the fact that Croatia represents the newest Member State of the Union, and that it comes from the same region as Serbia, this study takes a brief look at the administrative, financial and lobbying capacities of Croatia, in order to put Serbia’s experience in a comparative

<sup>126</sup>See more: <https://rycowesternbalkans.org/>, accessed: 10.05.2017.

perspective, thus allowing for potential lessons to be drawn from Croatia's experience during its accession period prior to 2013.

#### **VI. 4. 1 Croatia's Structure**

During the accession period, Croatia relied on an institutional structure which consisted of many bodies and actors, based on whose performance Croatia's pace to the EU was dependent. Having in mind that Croatia is also a semi-presidential system, the Government had the main role in defining the priorities, under whose authority other bodies operated. Its most relevant bodies were the Coordination Council, the Ministry for Foreign Affairs and European Integration, the Negotiation Team and the Mission of Croatia to the EU. In the following, each of these institutions is briefly described and compared to the Serbian counter-parts.

1. The Coordination Council was an inter-ministerial working body of the Government, which was supposed to discuss all questions related to the process of accession negotiation. Unlike Serbia's Coordination Body which has not been active in practice, research shows that in Croatia it used to function and had an active role in the process of following and steering the accession negotiations.

2. The Ministry for Foreign Affairs and European Integration (from now on known as the 'Ministry') was formed in 2005, and represented a combination of the two Ministries which had existed until then: the Ministry for Foreign Affairs and the Ministry of European Integration. As such, it represents the biggest institutional difference between Serbia's and Croatia's structure. The interviewees agree that this change had a positive effect on Croatia's approach to the EU, due to the fact that the experts from the then Ministry of EI had given a 'European' perspective to the diplomats from the Ministry of Foreign Affairs, who were responsible for bilateral relations. Therefore, the diplomats from the MFA were able to use the bilateral relations as an additional channel of lobbying for the Croatia's European Membership.

3. The Negotiation Team was an *ad hoc* body, which was supposed to work on the technical aspects of the accession process and coordinate the working groups. Its core members were the Chief Negotiator, its deputies, 13 experts responsible for negotiating chapters and the Head of the Mission. The interviewees agree that the Chief Negotiator was *de facto* the most important figure in the whole process, due to its high lobbying potential. Such perception remains the same in Serbia to this date.

4. The National Committee for Monitoring the Accession Negotiations represented a collection of different parliamentary committees, responsible for European Integration, Foreign Affairs and Inter-Parliamentary Cooperation. As such, it had given a bigger input to the Parliament than in Serbia's case. Furthermore, it included different members, representing the President's Office, syndicate, the opposition, the ruling parties, the academic community and business community. It was supposed to allow all of the mentioned bodies and actors to stay informed and develop recommendations for potential action. Among these, the Committee for European Integration remained the most relevant.

#### **VI. 4. 2 Croatia's Capacities during the Accession Process**

According to the interviewees from Zagreb, the institutional continuity was kept throughout the process (2005-2013), thus rendering the system stable and effective. Not only have the institutions remained the same, but the qualified personnel involved in the process held on

to their positions too. This means that Croatia, unlike Serbia, did not face a significant level of outflow of top-quality civil servants responsible for EU integration-related work.

However, out of all the sectors involved with the EU affairs, the interviewees pointed out that the only visible problem with staff retention was present in the financial sector, where highly qualified financial experts were occasionally leaving to the private sector, due to some degree of financial limitations. Furthermore, it is recognised that there had been an idea to develop a communication strategy towards Brussels, based on which Croatia could have promoted itself even to a further extent. However, such idea was abandoned after a while due to the previously mentioned financial limitations. The interviewees agree that such financial obstacle did not undermine the quality of its administrative capacity.

In total, there were around 3000 administrative staff, who were, in one way or another, involved in the whole process. Keeping and motivating such a large number of people in their positions, with relatively modest salaries represents a formidable achievement of the Croatian administration. Comparing the size of Croatia's and Serbia's administration, the difference is negligible.

Lobbying conducted by diplomats, experts and politicians was recognised as one of the crucial parts of Croatia's accession process. The most relevant lobbying targets of the diplomats and experts were the European Commission – DG NEAR and the Council – COELA, while the political parties lobbied in their Europarties and the Croatian Committee for EI also lobbied at the COSAC. The interviewees agree that such activities have had a satisfying success, not only because they were conducted by the competent personnel, but also because there was a solid understanding among all of the relevant parties on the importance of joining the Union.

In that sense, all of the interviewees have placed a high level of importance to the then existing 'national consensus', which had allowed Croatia to have a unified agenda in Brussels no matter whether it was the ruling or the opposition party who was conducting lobbying activities. It seems that the same trend unfolded during the visits of the relevant EU officials to Zagreb. Some interviewees go as far to argue that through such consensus, the civil servants have drawn the motivation to sustain the financial limitations.

After analysing Croatia's capacities, it does not seem that it had been significantly better equipped than Serbia. It seems that Serbia is facing the same or similar hurdles and challenges as Croatia during its accession process. The only exception to this, and the biggest difference at the same time, lies in the administrative capacity. For instance, Croatia had slightly more personnel involved than Serbia. However, more importantly, it seems that it did not face a significant brain drain from the relevant institutions dealing with the EU integration process. Other than that, both countries faced similar financial limitations. Moreover, the lobbying capacity seems to have functioned in the same manner, by targeting the same institutions and not relying on the services of the lobby groups. Finally, it is highlighted that, in Croatia's case, it appears that there was a more active coordination of activities between different parties, through the existence of strong national consensus, thus giving the opposition a more visible role in the process.

### **VI. 4. 3 Learning from Croatia's Experience**

After six years of negotiations, Croatia has entered its final stage in 2011, when it signed the Accession Treaty, while the ratification process started at the beginning of 2012. According to the interviewees, 2011 represented a turning point for Croatia. Not only because it was *ante portas*, but due to the fact that it was allowed to officially have access to the EU institutions and participate in its work, prior to becoming a full member in 2013. From that point onward, Croatia had faced a sudden increase of workload, but also lobbying opportunities at the same time.

This new phase represented a test of readiness of Croatia's capacities to bear with the workload and to manage its capacities in a more efficient manner, based on which it could pursue its interests in a different setting. During this phase, Croatia had reformed its capacities, in order to match the needs of the new environment. For instance, the number of experts needed to be increased, which is why Croatia's Mission to the EU almost doubled during that period, from having 30 experts and diplomats originally to 50 afterwards. The interviewees from Zagreb agree that it was necessary to plan the capacities way ahead, in order to shorten the necessary period of accommodation and familiarisation later on.

Being able to uphold the increased workload and pressure that comes along with the acceleration of accession process by doubling administration in Brussels gave Croatia better position in this matter. Therefore, one of the biggest insights that Serbia could gain from Croatia's experience might be that an increase in workload is inevitable as it approaches membership. The sooner Serbia prepares for such challenges, the sooner it will decrease its transaction costs and situate itself better for pursuit of interests in the near and distant future. The interviewees from Belgrade recognise this, but in the current phase it is unknown whether and when the key decision-makers will start re-evaluating Serbia capacities and initiate comprehensive reforms for the upcoming phases. Therefore, the timing and topic of this study is favourable, since one of its goals is to instigate a public and expert debate on the necessary capacity improvement for the phases which lie ahead.

## VII Conclusions

### VII. 1 Final Remarks

Taking into account all of the analysed capacities, the policy study confirms its hypothesis that Serbia's administrative, financial and lobbying capacities at the EU level are not yet fully appropriate to the sufficient extent for the current and next phases of the accession process.

1. Serbia has been pursuing interests in Brussels with praiseworthy success. The lobbying activities are frequent and intensive, and conducted in a highly professional manner, both by diplomats and experts. However, some note that Serbia has not been as efficient at the capital of the EU as it could have been, had it tackled some of the current capacity issues. That is why some argue that Serbia has yet to develop some kind of comprehensive strategy for interest representation in Brussels, which would enable it to re-evaluate its current approach, address the capacity needs and ensure the long-term orientation of Serbia's activities.

2. As the process of accession negotiation further evolves and becomes more complex, the current administrative capacity is likely to fail in keeping up with the increasing workload. Even though the competence of personnel is mostly evaluated as very high, the number of personnel remains one of the main limitations. At the same time, it seems that there is no systemic and continuous professional development policy. For that reason, the departure of highly specialized experts, who have been dealing with specific EU-related topics for years, produces major gaps in terms of skills and expertise in the administration.

3. The financial capacity is limited and insufficient for the current institutional needs. This partially explains why there is a lack of personnel and illustrates why sometimes the scope of actions of Serbian institutions is limited. However, not all the flaws can be blamed on the budgetary restrictions. Some have indicated that it would not be too costly for Serbia to increase the number of personnel, which is why they point to the lack of 'political will' to fully address the existing issues.

4. Even though Serbia is facing capacity limitations in practice, not everything is bleak. The findings register an excellent level of institutional cooperation and interconnection, which is why Serbia's team of 'core' institutions represent the strongest point in Serbia's approach. It seems that the institutions share the same vision and idea of how Serbia's path to the EU is to proceed and how lobbying activities ought to be conducted at the EU level. Consequently, they approach the EU with 'one voice', which gives them a unified position at the EU level. Furthermore, since Serbia has had significant level of institutional continuity, the Serbian representatives have gained the trust and respect of the EU representatives, which makes it easier for them to conduct lobbying activities in Brussels.

5. After analysing the normative framework and how the interaction is conducted in practice, it is concluded that there is some discrepancy between the two. The biggest gap lies in the fact that the Coordination Body and its Council almost never meet in practice, which creates a notable void in the decision-making and coordination process. The fact that the rest of the bodies comply with their responsibilities set by the normative framework and function so well together, largely restores the balance and functionality of the system. However, further

political impetus to the accession process is needed for optimal functioning of the existing system.

Overall, as the Croatian experience also confirms, the lobbying activities at this phase of the accession negotiations could create contacts and earned trust which could be transferred from the time Serbia was a candidate country to a period when it will be a member state. It would not only increase its future 'bargaining power' as a member state, but it could positively affect its current negotiation process. Consequently, it would decrease Serbia's transaction costs over time and enable Serbia to have a smooth transition into a member state once the time for that comes.

## VII. 2 Recommendations

Based on the analysis of the Serbian administrative, financial and lobbying capacities at the EU level, this study presents the key recommendations, based on which the most pressing issues could be addressed. However, the following list of recommendations does not represent an exhaustive list of reforms which are desirable, as addressing all questions would go beyond the scope of this research. That is why the interested expert community is invited to further address issues, such as Serbia's lobbying activities towards the member states and its strategy for re-building the 'country image' throughout Europe. In the subsequent paragraphs a list of recommendations is presented:

**I. Develop a comprehensive lobbying strategy**, which would ensure long-term planning, certainty, and continuity in Serbia's interest representation approach towards the EU institutions. For this strategy to be effective, its development should be evidence-based and inclusive. The production of this document should be preceded by the development of a discussion paper, which would contain sound analysis on the existing situation and needs, propose possible avenues of action and invite the interested stakeholders – business associations, civil society sector, the opposition parties, etc. – to provide their qualitative inputs. The National Convention on the EU, which has a consultative role in the process of adoption of negotiating positions and through its work provides legitimacy to the accession process, should be an integral party in strategy design. The focus should be on maximising the benefits of cooperation with the civil society in the framework of accession process. Such consultative and evidence-based process would increase the legitimacy, transparency and implementability of this document and the Government's action. When it comes to the content of the document, it should contain Serbia's position on at least the following topics:

- Actors and institutions that need to be approached regularly – from the EU institutions, to the civil society organizations, business/sector associations, to the ones involved in culture and sports;
- Building stronger national party consensus, which would give further unification of Serbia's position in Brussels, by reaching out to the opposition parties, with whom lobbying consultations or joint activities could be organised when approaching the EU institutions. Look up to Croatia's model of consensus building;
- Comprehensive plan for improvement of administrative/financial capacities (see point II);

- The new Ministry of EI should be responsible for the development and monitoring of implementation of the strategy.

**II Gradual improvement of Serbia's administrative-financial capacities** ought to be introduced through the following steps:

- Increase the number of civil servants involved in the interest representation, with the priority given to the Mission in Brussels. The Mission needs an increase in staff, when it comes to experts from the line ministries, given the growing workload in the context of accession negotiations;
- Increase of skilled civil servants involved in EU affairs in general, to provide support to the 'front-liners' in communication with Brussels representatives and boost Serbia's appeal as professional and knowledgeable interlocutors;
- Identification of sectors and the extent to which the salaries of the Serbian civil servants ought to be increased, in order to prevent future departure of the highly-competent civil servants to higher paying jobs;
- Increase the daily allowances for foreign missions to a satisfactory level, to prevent avoidance of business trips and consequently, the opportunities to multiply effects of Serbia's interest representation;
- Establishment of a smart retention policy, to ensure greater satisfaction on the working conditions and prevent the outflow of knowledgeable civil servants with long experience in dealing with EU affairs.<sup>127</sup> The developed measures should rely and build on the established practices for retention of civil servants dealing with EU funds (which represents the requirement for opening of Chapter 22 – Regional policy and coordination of structural instruments);
- Continuing training and education programmes in some of the renowned European universities, such as College of Europe. This would allow not only the improvement of the knowledge and expertise in the EU affairs, but also enable the expansion of network of relevant contacts. Such opportunities might be provided to the existing civil servants, based on competitive, merit-based process, as well as to the newcomers;
- Establishment of a database consisted of pool of experts, which would represent a network of alumni of prestigious universities specialized in EU studies, EU professionals working abroad and EU experts/professionals in the Serbian public administration. Such measure would help keep track of the existing experts and help ensure constant mobilization of experts in light of growing needs in the accession process. The office in charge of relations with diaspora should be one of the key institutions involved;
- Minimisation of *ad hoc* replacements of the long-serving civil servants and especially heads of certain bodies which were involved in interest representation activities in Brussels throughout the years, due to the fact that "institutional

<sup>127</sup> European Policy Centre developed three sets of recommendations according to the scope and length of the required reforms. See: M. Lazarevic et al., *Towards Smart Staff Retention Policy*, European Policy Centre, 2016, pp.61-69.

memory” provides stability to the system and that the EU officials have shown their appreciation for the work conducted by the Serbian officials with whom they have even built personal contacts over time.

**III. Improve Serbia’s visibility and promotion in Brussels** through enhanced communication tools or a comprehensive communication strategy designed for extending Serbia’s outreach.

- Increase the online visibility by giving a further focus on the so called ‘digital diplomacy’ and encourage better use of websites. The information ought to be regularly updated and available in English on the official websites of the relevant institutions and bodies involved in the process of interest representation on behalf Serbia;
- Educate the civil servants on best-practice use of e-diplomacy and develop e-diplomacy guidelines that encourage innovation and day-to-day communication with the interested public and EU officials via the available social networking tools;
- Hire a special PR manager, who would coordinate Serbia’s media campaign in Brussels and work on the country image. The most probable institution where the PR manager could operate is the Mission, since it would allow him/her to develop a creative approach towards the goal of reaching out to the EU officials which are not as familiar with Serbia.

**IV. Ensure greater political impetus for Serbia’s EU membership aspirations:**

- The Cooperation Body and its Council ought to be revitalised, since according to the normative framework they remain the central bodies responsible for coordination and decision-making, while in practice they are barely operational. These bodies need to assemble regularly at least once a month and gather the most relevant Ministers, alongside the Prime-Minister. These two bodies are supposed to steer the accession process from the political perspective, i.e. discuss sensitive political issues in the context of EU integration process, bring important decisions and thus provide guidance to the operational actors involved in the interest representation. In that manner, these bodies would provide a systemic approach to decision-making and allow for the long-term planning of lobbying activities or strategy development to occur.
- The highest political leadership should put the EU accession on its agenda more extensively, in order to showcase that the accession process represents a priority number one for Serbia.
- Adopt tools which would facilitate the implementation of ‘one voice’ principle to a further extent. The Commission’s document in form of a memo – ‘lines to be taken’ - can serve as a role model. By examining the relevant issues and summarising Serbia’s stance on each of the issues this document would be distributed to every employee in the administration and consequently, the deviation from the main course would likely be minimised.

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## Annex 1: List of Abbreviations

<b>AFET</b>	Foreign Affairs Committee of the European Parliament
<b>ALDE</b>	Alliance of Liberals and Democrats for Europe
<b>CEP</b>	European Policy Centre
<b>CFSP</b>	Common Foreign and Security Policy
<b>COELA</b>	Working Party on Enlargement and Countries Negotiating Accession to the Union of the Council of Ministers
<b>COREPER</b>	Committee of Permanent Representatives
<b>COSAC</b>	Conference of Community and European Affairs Committees of the Parliaments of the European Union
<b>COSAP</b>	Conference of the European Integration/Affairs Committees of States Participating in the Stabilisation and Association Process of the South-East Europe
<b>COWEB</b>	Working Party on the Western Balkans Region
<b>CSDP</b>	Common Security and Defence Policy
<b>DG</b>	Directorate General
<b>DG NEAR</b>	Directorate-General for Neighbourhood and Enlargement Negotiations
<b>DS</b>	Democratic Party
<b>D-RS</b>	Delegation to the EU-Serbia Stabilisation and Association Parliamentary Committee
<b>EEAS</b>	European External Action Service
<b>EP</b>	European Parliament
<b>EPP</b>	European People's Party
<b>EU</b>	European Union
<b>FES</b>	Friedrich Ebert Stiftung
<b>GAC</b>	General Affairs Council

<b>HR</b>	High Representative of the Union for Common Foreign Affairs and Security Policy
<b>IPA</b>	Instrument for Pre-Accession Assistance
<b>KAS</b>	Konrad Adenauer Stiftung
<b>MEI</b>	Ministry of European Integration
<b>MEPs</b>	Members of the European Parliament
<b>MFA</b>	Ministry of Foreign Affairs
<b>PAR</b>	Public Administration Reform
<b>PES</b>	Party of European Socialists
<b>RYCO</b>	Regional Youth Cooperation Office of the Western Balkans
<b>S&amp;D</b>	Progressive Alliance of Socialists and Democrats
<b>SAPC</b>	Stabilisation and Association Parliamentary Committee
<b>SEIO</b>	European Integration Office of the Republic of Serbia
<b>SNS</b>	Serbian Progressive Party
<b>WB</b>	Western Balkans
<b>WFD</b>	Westminster Foundation for Democracy

(Footnotes)



The process of EU accession is a collective endeavor par excellence, and it represents a challenge for the entire Serbian society and its Government. It implies a widespread social consensus and a well-ordered system. In order to assess the impact of this process, the European Policy Centre (CEP) conducted a study on Serbia's potentials regarding pursuit and promotion of its interests at the administrative-institutional level in the EU. A general conclusion of this study, related to performance of Serbia's administration and diplomacy in Brussels, is positive. This is not surprising, given that the European Commission has regularly praised Serbia's administrative capacities for accession negotiations in its enlargement-related reports. On the other hand, CEP's study highlights and suggests certain improvements, concerning the organization, and even more importantly, with regard to general promotion of Serbia's interests and country-image in the process of EU accession.

International and domestic circumstances point to the fact that the next five years will be crucial for the completion of Serbia's accession to the EU. We find ourselves at an important juncture that is supposed to enable the efforts of one entire generation to be rewarded. This period will bring the complete harmonization with the EU acquis and will round off all the necessary reforms. It is important that Serbia keeps working on promoting its country-image in Europe, as an open, dynamic country in the process of modernization. A country that shares European values and aspirations and has a lot to offer to EU partners - from its history, tradition, and culture, to economic, scientific, athletic and many other innovations and creative achievements. In that sense, CEP's study is a useful step in the debate about different ways of building a consistent and long lasting lobbying strategy in the process of Serbia's integration.

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