



ROLE OF PARLIAMENTS IN THE EU ACCESSION PROCESS



HISTORY OF THE RELATIONS BETWEEN BOSNIA AND HERZEGOVINA AND THE EU



ENLARGEMENT ABC

History of enlargements

Why do we celebrate the Europe Day on 9 May?

The European Union was set up with the aim of ending wars and creating peace in Europe. First, the French foreign minister Robert Schuman proposed on 9 May 1950 a plan for the European Coal and Steel Community, which was created in 1951 by 6 founding states: Belgium, France, Germany, Italy, Luxembourg and the Netherlands. Building on its success, the cooperation was expanded to other economic sectors: the European Economic Community and the European Atomic Energy Community were finally established in 1957 with the same members. This cooperation evolved to the organization that we call European Union today.

Further on six waves of enlargement rounds have increased the number of Member States to the current 28. These rounds were (the 2004 and 2007 are considered as one round):



What are the steps in the EU accession process and where is now Bosnia and Herzegovina in it?

- Preliminary phase:** the country that aspires to accede to the European Union establishes a contractual relationship with the EU. This means that an **association agreement** – in case of BiH the SAA (further info below) – is signed between the so called **potential candidate country** and the European Union. This treaty has to be ratified by the potential candidate country and all EU Member States and then enters into force. **This is already fulfilled by Bosnia and Herzegovina.**
- A credible **application** is submitted to the EU (practically to the Member State holding the rotating six-month presidency of the EU).
- The main initiating EU institution, the European Commission makes an **initial evaluation** on the application and submits its opinion to the Council of the European Union, being the EU body where the representatives of the EU Member State governments work.
- The Council of the European Union decides to grant the applicant a **candidate country status** or not.
- If yes, the next step is to open **accession negotiations**. Once this is done – not automatic – the European Commission checks in detail the candidate country's legal system in a process known as **'screening'**. The screening report identifies what needs to be modified in the candidate country in order to comply with the rights and obligations binding for all EU Member States (also known as, from the French originated word **'acquis'**).
- For the accession negotiations the so-called EU **acquis** is divided into **35 chapters**, each of which covers a specific policy area, such as agriculture, environment, justice and fundamental rights or free movement of persons, goods, services, capital, etc. The candidate country and the EU agree what should be changed and how. The negotiation process aims to help candidate countries prepare to fulfil the **obligations of EU membership** which usually requires several years.
- After every criterion has been fulfilled, and every chapter has been closed, the agreements reached are set out in an **accession treaty**. After the text gained the support of the European Commission and the Council of the European Union, the EU's directly elected body, the European Parliament should give its consent to the treaty which then must be signed by the candidate country and all EU Member States. After this the candidate country becomes an **acceding country**.
- After the accession treaty has been signed, it must be **ratified** by the acceding country and each individual EU Member State according to their constitutional rules (e.g. parliamentary vote, referendum).
- The acceding country then becomes an **EU Member State** on the date specified in the accession treaty.

What does SAA mean?

The relations of the EU with the countries of the Western Balkans take the form of the Stabilisation and Association Process (SAP). This is ruled by the Stabilisation and Association Agreement which is an agreement between the country and the EU. This has three aims:

- stabilising the countries politically and encouraging their swift transition to a market economy,
- promoting regional cooperation,
- eventual membership of the EU.

What is the Programme for Integration?

This document has to be elaborated by the authorities of Bosnia and Herzegovina after the entry into force of the SAA. Why? Because this is the 'handbook' that clearly explains who does what, when and how in the European integration process of BiH.

What is IPA?

The European Union also provides significant financial support to the enlargement process. The EU has provided over 11 billion EUR to support enlargement countries in their reforms through the Instrument for Pre-accession Assistance (IPA) over the period 2007- 2013, while further 11.7 billion EUR have been allocated for the 2014 - 2020 period (IPA II).

WHAT IS THE ROLE OF THE PARLIAMENTS DURING EU ACCESSION? WHAT TASKS DO THE BIH PARLIAMENTS HAVE IN THE PROCESS?

In the accession process not only the governments play important role, but parliaments are key participants as well. They have to contribute to the process in the following fields of activities:

- **Parliaments perform legal approximation tasks, they transpose the EU acquis to the legislation of the country.** The main initiative and executive roles are assumed by the governments, while parliaments adopt the most important laws needed to introduce EU rules and practices in the country. Besides that Parliaments should ensure a strong political monitoring over the legal harmonization activities of governmental bodies.
- **Parliaments perform monitoring and scrutiny tasks.** The negotiations with the EU Member States and EU institutions fall primarily in the responsibility of the executive, however the position represented by the government should be based on support gained from the parliament. Therefore parliaments should closely monitor governmental activities during the whole process. This can also facilitate that governmental activities are based on the widest possible political consensus and broadest possible representation of the interest and opinions of the citizens.
- **Parliaments perform information activities.** Parliaments as institutions and their members elected by the citizens (the Members of Parliaments, MPs) should serve as information source for the general public on EU integration. Through political debates and other means the parliaments and the MPs have to raise the awareness on European issues by strengthening the openness and transparency of the EU accession related parliamentary activities, especially of their bodies dealing with EU affairs.
- **Parliaments perform international and inter-parliamentary cooperation tasks.** Although diplomacy often considered as a sole privilege of the executive branch, there are a lot of opportunities in parliamentary diplomacy which can strengthen and accelerate the integration process. This can widen the support for the country by convincing its partners on EU side about the results achieved. Parliaments in general hold strong and close relation with the European Parliament and also have regular contacts with other EU institutions. In addition, the opportunities in regional parliamentary cooperation could intensify the whole integration process.

How do the BiH Parliaments deal with European issues at present?

Specialized committees are established in BiH Parliaments:

- **Parliamentary Assembly of BiH (PABiH)** - Joint Committee for European Integration (consisting of representatives and delegates of both Houses)
- **Parliament of the Federation of BiH (PFBiH)** - Committees for European Integration of the House of Representatives and House of Peoples
- **National Assembly of the Republika Srpska (NARS)** - European Integration and Regional Cooperation Committee
- **Brčko District Assembly (BDA)** - European Integration Committee

The exact competences of these committees are laid down in the Rules of Procedures of each Parliament/House. In general, their task is to deal with all kinds of issues arising from the EU integration process of Bosnia and Herzegovina. The Speakers and the Colleagues of the Parliaments/Houses have an important role in organizing EU-related activities of the Parliaments. In order to start a conversation in EU issues among the BiH Parliaments, a Forum of Committees on European Integration was formed.

What activities could BiH Parliaments intensify in order to accelerate the process of EU integration?

- **Legal approximation:** Further develop parliamentary instruments in order to ensure strategic oversight of the legal harmonization process and to perform parliamentary approximation tasks more efficiently and regularly.
- **Monitoring:** Exercise oversight powers of the committees dealing with EU affairs systematically and in the widest possible scope of the accession process.
- **Information activities:** Parliaments and MPs open discussions throughout Bosnia and Herzegovina on what the European integration means concretely to citizens. MPs act as 'ambassadors' of the elected BiH bodies and spread information on the preparation of Bosnia and Herzegovina and the tasks of the public and private bodies and the citizens to ensure a successful accession.
- **International cooperation:** develop actions aiming at accelerating political impact towards EU membership of BiH.

And a special task also to be performed due to the constitutional complexity of Bosnia and Herzegovina:

- **Coordination and cooperation among BiH Parliaments:** a coordination mechanism among BiH Parliaments established to work in line with the coordination mechanism among the BiH Executive authorities.

The main goal is the successful EU integration process for all citizens of Bosnia and Herzegovina. This can be realized with a strong and continuous coordination of BiH Parliaments.

STAKEHOLDERS OF BIH PARLIAMENTS IN EU INTEGRATION AFFAIRS

Take a look at the members of committees dealing with EU integration affairs in the BiH Parliaments (in November 2015):

Committee on European Integration of the PFBiH House of Representatives

Edin Mušić, Speaker of the House, Chairman of the Committee

Vesna Švancer, Deputy Speaker of the House, Deputy Chairwoman of the Committee

Mladen Bošković, Deputy Speaker of the House, Deputy Chairman of the Committee

Members:

Ismet Osmanović, Elvir Karadžić, Nasir Beganović, Dženan Donlagić, Boro Krišto, Jozo Bagarić, Salem Halilović, Jusuf Bubica

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Committee on European Integration of the PFBiH House of Peoples

Lidija Bradara, Speaker of the House, Chairwoman of the Committee

Slaviša Sućur, Deputy Chairman of the Committee

Members: Jasenko Tufekčić, Osman Čatić, Tomislav Martinović

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Joint Committee on European Integration of the PABiH

Nikola Lovrinović, Chairman

Ognjen Tadić, First Deputy Chairman

Nermina Kapetanović, Second Deputy Chairperson

Members: Zdenka Džambas, Halid Genjac, Saša Magazinović, Milica Marković, Aleksandra Pandurević, Sifet Podžić, Nebojša Radmanović, Fehim Škaljić, Ljilja Zovko

E-mail address: zkei@parlament.ba Phone: +387 33 28 60 18 Further information: www.parlament.ba

European Integration and Regional Cooperation Committee of the NARS

Branislav Borenović, Chairman

Adam Šukalo, Deputy Chairman

Members: Igor Radojičić, Zoran Adžić, Vanja Bajić, Vukota Govedarica, Darko Banjac

External members: Srđan Mazalica and Neno Dobrijević

E-mail address: odoboreirs@narodnaskupstinars.net Phone: +387 51 338 162 Further information: www.narodnaskupstinars.net



European Integration Committee of the BDA

Srđan Blažić, Chairman

Members: Admir Mujkanović, Ilija Marić, Ivan Krdeļ, Suad Budić, Midrag Peranović, Ratko Stjepanović

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Would you like to learn more on these issues? Visit the following websites:

www.bih-parliamentary-twinning.eu

www.europa.ba

This poster was published in the frame of the Twinning Project *Enhancing the role of Parliaments in Bosnia and Herzegovina in the EU integration context.*

This publication has been produced with the assistance of the European Union. The contents of this publication are the sole responsibility of the implementing partners and can in no way be taken to reflect the views of the European Union.



This project is funded by the European Union

and implemented by the Consortium of the Hungarian National Assembly and the French National Assembly

