

WRITTEN QUESTION E-6264/08
by Adrian Severin (PSE)
to the Council

Subject: EU's undue use of the recognition of Kosovo's independence as a means of pressure in Serbia's EU accession negotiations

When Kosovo unilaterally proclaimed its independence, the EU only asked Serbia to refrain from any violent reaction against that decision, including the recourse to sanctions or obstacles to the regional integration of the newly self-determined entity.

It is a unanimously shared opinion that, despite normal feelings of national humiliation and the disappointment produced by the recognition of Kosovo as an independent state by some EU Members, Serbia avoided any aggressive policy. It did not apply sanctions, did not enhance an economic boycott against Kosovo and did not raise obstacles to the participation of Kosovo in regional cooperation. Moreover, Serbia increased its cooperation with the ICTY and intensified the efforts dedicated to its European integration and its proper preparation for future EU membership.

On the other hand, since the international self-determination of Kosovo was not recognized by the UN and, thus, did not produce full effects in the international legal order, the EU was unable to enhance properly some of its decisions following that separatist act. Therefore, allegedly, the European Council found it appropriate to insist that Serbia shifts from a mere non-obstructionist attitude to an active role. This implies support for the enhancement of the consequences of a decision which, under its Constitution, is not admissible (deployment of EULEX *inter alia*). To this end, representatives of the European Council drew the attention of the Serbian authorities to the fact that their lack of compliance with such new exigencies would exclude the European perspective for the country. Thus, it seems that EU accession has become a tool for unlawful pressure meant to impose the implementation of unilateral decisions which, although maybe justified in substance, were adopted through a procedure and in a format making them hardly acceptable to and enforceable by a sovereign state, namely Serbia.

Against this background, can the Council answer the following questions:

1. Is the information accurate according to which the EU is using the prospect of membership for Serbia as a means of pressure to oblige a sovereign European state to accept the consequences of its partition?
2. Is Serbia's accession to the EU a matter of interest only to that country, the acceptance by Serbia of the Kosovo secession being the sole objective of the EU related to Serbia's membership?
3. Could one expect loyalty from a future Member which obtained its accession to the EU by accepting a unilateral foreign decision which, even if justified, was not enhanced through positive motivation, but imposed through threats and pressure?
4. Is the Council ready to consider a way of bringing the status of Kosovo into the international legal order and the status of Serbia into the EU political order?