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ACCESSION TO THE EU – ADVANTAGES AND POTENTIAL RISKS

Abstract: By signing the Stabilization and Association Agreement with the European Union on April 29, 2008, Serbia committed itself to harmonize its legislation with the *aquis communautaire* of the European Union. Perception of the basic characteristics of the European Union legal system and its understanding is important in the context of harmonization, i.e. in the context of the measures for the establishment of a common and internal market, as well as of a pre-accession strategy of a third country for the accession to this organization. Therefore, a candidate country is expected to create a favourable legal environment for the operation of local economic entities in the internal market. In order to succeed in that, it needs to harmonize its legislation with the *acquis communautaire* gradually, and first of all, it is necessary to be well familiar and have full understanding of the EU regulations which are expected to be transposed by a candidate country.

Key words: European Union, *acquis communautaire*, EU membership, experience of other countries - Slovakia, Croatia, Slovenia.

1. INTRODUCTION

Great efforts are expected from a European Union candidate country. First of all, a candidate is expected to perceive and implement the European Union regulations as well as international regulations which are considered as an integral part of the European legal framework. In line with this, the harmonisation of the local legal framework with the relevant EU regulations should be perceived in this wider context. The harmonisation of the legislation and the integration into the European environment requires great efforts from the Republic of Serbia, bearing in mind that, among other things, expected changes also imply investments into the relevant sectors of economy and society. For sure, the harmonisation with the given regulations is not an objective itself

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but the creation of a modern society functioning in line with European and international standards which is open for cooperation and competition and which is able to overcome potential problems and challenges successfully in all areas of social work and operation.

The analysis of existing rules and principles of international law and of the European Union law in relevant areas enables one to recognise the advantages of the implementation of communitaire regulations for a candidate country as well as potential risks which should be avoided on that path. Therefore, the increase of country's standards and a better quality of life of citizens are reasons which justify the accession to this organisation.

2. THE TERM OF ACCESSION – PRESENT, FUTURE AND EXPECTED OBLIGATIONS

Bearing in mind that a candidate country should harmonise its legislation with very extensive European Union regulations, European integrations represent a challenge which should be faced with a serious approach.

Stipulated obligations, either implemented immediately or with implementation delayed until a certain date represent present obligations. For example, the obligations stipulated by the Treaty establishing the Energy Community from the standpoint of the signatories of the Treaty, i.e. of the European Union, its members and other signatory states which are not members of this organization are considered as such.

In contrast to present obligations, future obligations have a future binding effect and these obligations have to be fulfilled until a prescribed deadline. By signing the Stabilisation and Association Agreement, Serbia committed to harmonise its legislation with the European Union *acquis communautaire* bearing in mind that the accession will be introduced gradually (Lilić, Drenovak Ivanović 2014: 13).

Analysing present and future obligations, one notices interdependence since, for example, a ruling European Union regulation can envisage certain technical standards and their development in line with a procedure which is prescribed in advance. Therefore, one can expect that standards which should be implemented will be developed, i.e. changed in the future.

In addition, one could suppose that certain obligations are yet to arise as a consequence of further European integration process in parallel with attaining a relevant position during the accession process. One can notice independence here as well since the accomplishment of future, i.e. expected obligations may depend on the manner how present and future obligations are met. It is possible to become aware of possible changes related to future obligations as well

as of the introduction of new obligations in advance since work plans within certain segments of the EU legal framework are familiar in advance. In such a manner, it is possible to envisage when certain legal acts will be adopted, enter into force and be applicable regularly. The process of establishment of relevant EU regulations and harmonization among member states and relevant EU bodies is a formal process with its schedule which means that the work on the development and update of the legal framework is performed in a regulated and planned manner (Knežević, Predić 2009: 105-115).

Therefore, in the European Union accession process, present, future and expected obligations intertwine as well as possible modifications of these obligations depending on available technical and economic possibilities. Relevant EU bodies perceive cross effect of present, future and expected obligations and their modifications which is why the most important modifications in practice are expected from their interaction. Envisaging modifications is extremely important for planning in certain areas such as e.g. energy sector, the more so since the modifications in this area cannot be implemented without important and long-lasting preparation.

From the standpoint of the current position of the Republic of Serbia as a country which applied for the EU candidate country status, each possible modification of already existing obligations arising from the above mentioned Treaty establishing the Energy Community creates a binding obligation for Serbia automatically. In this case, we face the situation where an obligation modified or upgraded in such a manner should be implemented.

Entering into different relations with other international organisations, such as e.g. the United Nations organization, the European Union agrees on relevant international obligations referring to member states as well. In addition, member states assume contractual obligations independently from the EU. The given processes not only affect the regulations within the European Union but they may affect planning in countries which are still not the EU members (Lepotić, Kovačević, Kovačević 2010: 22). All this indicates mutual intersection of international law, the European Union law and the national law of member states as well as the impact of these legal systems on national law of the states which are not the European Union members but they enter different relations with international and European organisations (Witte 2008).

The main question related to the European integration which is being asked is what are the benefits of implemented reforms for Serbia? In order to access the EU, all rights and obligations which create the grounds for this organization including the institutional and legal framework it is based on must be accepted. The assumption of the European *aquis communautaire* into the national legal system improves the national legislation which represents a chance for the improvement of competitiveness of a candidate country and a precondition for unhindered assumption of obligations and exercise of rights arising from the EU membership.

As of 2008, new regulations have been adopted in Serbia with accelerated tempo. The National Program for Integration of the Republic of Serbia into the EU from 2008 until 2012 as well as numerous sectoral strategic documents were adopted. Given activities created additional pressure to administration related to the accomplishment of normative tasks. It is undisputable that the process of harmonization of the national legal system with the EU legislation is a multilayer process which requires the interaction of state bodies with the EU institutions, the interaction between the very state bodies, the interaction with the ruling national legislation with the new one which is being adopted during the harmonization process as well as the interaction between national regulations and international obligations of the Republic of Serbia. Therefore, the quantity and quality of the adopted legislation depend to a great extent on the institutional framework, i.e. on the jurisdiction and the method of functioning of the institutions managing this process. (Falke 2012: 247).

3. BASIC CHARACTERISTICS OF THE LEGAL SYSTEM OF THE EUROPEAN UNION

The signing of the Stabilisation and Accession Agreement, which represents a new level of relations between Serbia and the European Union in terms of quality, represents the beginning of the phase where relations are regulated by a comprehensive agreement. Its purpose is to guarantee the perspective for the European Union membership for the state which signed it bearing in mind that almost all aspects of mutual relations are regulated by it, above all, mutual economic relations (Međak-Todorović i dr. 2008). Briefly, it regulates rights and obligations of a country which has initiated the accession process. The two most important obligatioins which the Republic of Serbia assumed by this Agreement are the creation of the free trade zone and the alighnment of the legislation of the Republic of Serbia with the European Union law.

In contrast to the traditional conception of law as of exclusively internal law which regulates legal relations between natural and legal persons wihtin the borders of a state and of international law as of a system of legal rules regulating legal position and relations between international law entitites, the establishment of the European Union law which regulates legal relations between natural persons, legal persons and the state within a common regional market lead to the coexistance of the three legal systems (Vukadinović 2006: 66-82).

As far as the legal nature of the *communautaire* law is concerned, one can say that it is autonomous to a certain degree since it has its own mechanisms, i.e. bodies, sources, procedure for its establishment and the procedure for the implementation of the rules. Based on the given elements, one can conclude

that it is internal law. However, it is international law at the same time as well since it is established beyond the borders of a state (Košutić, Rakić et al. 2013: 145-147). Having a look at it as a whole, it is impossible to give a single answer both to this question as well as to the question of the legal nature of the European communities, i.e. of the European Union as of the creator of the given system of rules. In this sense, there are different standpoints on this, some of them implying that this is a community of sovereign states and some of them implying that this is a federation as a more solid form of connection between member states (Ćeranić 2012: 303-314). One can say for sure that this is a legal system under construction which aligns with modifications imposed by economic processes, climate changes and other developments, thereby having reverse impact on the establishment of international regulations in certain areas.

The European Union law is the law created by the European Communities bodies, i.e. the law which was created within the framework of the European Community, European Coal and Steel Community and the European Atomic Energy Community and this is why one can refer to the legal order of the Union as to the sum of legal systems of these three Communities in the process of creation of the legal system of the Union (Wessel 2003). This is a system which is not complete and brushed up such as state law systems are (Starović 1992: 48), which is why certain authors list openness, indefiniteness and alterability as the basic characteristics of the *communautaire* legal system (Schwarze 1999: 227).

In terms of classifying which regulations are included under the term *communautaire* law, there is no single perception on this in theory. Therefore, starting from a more narrow perception, the given term includes only those regulations adopted by the bodies of Communities based on jurisdiction given by the member states and they include: founding treaties, agreements signed between the Community and third states as well as with international organisations and bylaws. In line with a more broad perception, this term also includes, among the above mentioned sources, the rules of internal law of member states which were adopted by them in order to implement the regulations adopted by the Community bodies (Schmitthoff 1987: 143-157).

With reference to the above mentioned legal nature of *communautaire* regulations, in theory, there is also no single position on this issue. One of them implies that it is international law established based on international agreements and, as such, it is a segment of modern international law (Colins 1990: 2-7). Despite the given perception, more people advocate the theory which implies that the *communautaire* law differs from the international law since, from the standpoint of its content, it resembles more a common internal law in member states rather than the law between them (Kapteyn-Themaat, et al. 1998: 77), while from the standpoint of its sources is is also specific since it includes regulations adopted by Community bodies, general legal rules and basic rights

in contrast to international law whose sources are founded in international treaties and in practice acknowledged as law. Along with the above mentioned perceptions which are completely different, there is also a perception implying that *communautaire* law is at the same time international and internal law, public and private law, material and procedural law, consisting of laws and precedents (Lasok, Bridge 1987: 71). The position on supranational theory of the legal nature of the Community was supported by the Court of Justice in Van Gend en Loos case advocating that, by joining the Community, the member states transferred certain jurisdiction to the Community and simultaneously limited their sovereign rights in these areas. In line with this, as the Court indicated, the right created in such a manner cannot be equalled neither by internal law nor by the international law. It can neither be subsumed under familiar law classification, but it represents an autonomous *sui generis* system with supranational characteristics (Case 26/26, Van Gend en Loos v Nederlandse Administratie der Belastingen, [1963] ECR 1).

Starting from the presented perceptions in the legal theory, one can identify basic characteristics of the *communautaire* law, i.e. that the Treaty establishing the European Economic Community created its own legal order and original law system and, thanks to the rules of direct implementation and direct effect, this normative system was integrated into the legal systems of all member states. Upon this, in line with the superiority rule, *communautaire* law binds national court bodies to implement it fully and efficiently while member states are obliged to secure the exercise of the law of European Communities and to protect it within their competence (Vukadinović 2006: 74-75).

The cohesion between the European Communities law and the European Union law is an issue that split authors (Weatherill 1992: 40-46) into those who think that the Union and the Community form a single social and legal system starting from Articles 3 and 5 of the Treaty on European Union referring to a single institutional framework. Another group of authors opposes to this view by advocating that the institutional unity does not have to imply a single legal system which requires the existence of a single legal instance equipped with competences in terms of adoption of final decisions and coordination of different areas of law. The latter view is supported by the fact that the Court of Justice has a limited jurisdiction in terms of judicial review of the Treaty on European Union.

In any case, although one cannot draw a conclusion on the existence of a single legal system of the European Communities and the European Union, one cannot dispute their correlation and mutual impact. The above given is deduced from Art. 28 and 41 of the Treaty on European Union that directly refer to the implementation of certain provisions of the Treaty on European Union. In the end, bearing in mind the solutions from the proposed constitution of the European Union, one can conclude that the given legal systems will be joined into a single legal system of the European Union (Vukadinović 2006: 78-79).

With reference to the sources of the European Union law, the most important of them include international treaties by which the European Communities were established and by which the new legal system was created at the same time and they include: Treaty establishing the European Community, Treaty establishing the European Atomic Energy Community and Treaty on European Union (Knežević Predić, Radivojević 2011: 295-302). These are formal sources of *communautaire* law which served as the basis for the adoption of bylaws. In addition to founding treaties, formal sources also include the agreements between member states, international agreements between Communities and third states, verdicts of the Court of Justice, general rules of the law and basic human rights based on constitutions of the member states, recommendations adopted based on the Treaty on EC if they serve for the interpretation of national regulations and certain non-binding acts such as joint Commission and Council declarations which can be used for the interpretation of national and *communautaire* law (Wyatt & Dashwood 1987: 60).

4. EXPERIENCE OF COUNTRIES WHICH COMPLETED THE ACCESSION PROCESS

The experience of countries which completed the accession process is of great help to the states which are going through this process. Since a whole society joins the European Union, it is important to establish mechanisms which will contribute to the provision of support to citizens and to the greater information-flow as well as to the achievement of the general cause, i.e. to the better understanding of the very process.

The most intensive enlargement of the European Union occurred on May 1, 2004 by the accession of ten new members following successfully concluded accession negotiations during the Copenhagen Summit on December 13, 2002. The enlargement process has gone through several different phases which reflected policial and economic circumstances in candidate countries and in the EU member states. On one hand, the EU provided significant financial and political assistance to candidate countries and, on the other hand, it intensified the process of its transformation by the adoption of the Treaty of Nice and of the European Constitution. Financial assistance was intended for infrastructure, regional development, subsidies in agriculture, public administration, border protection and improvement of nuclear safety. In contrast to the expectations, newly-admitted member states experieced a set of positive effects of the accession such as: consumption growth, foreign direct investments, follow-up of initiated economic reforms, further development of market economy. With reference to this, enlargment should be seen as a process which has helped many European countries to implement economic, political and legislative reforms (Siriški 2005: 529-549).

4.1. EXPERIENCE OF THE SLOVAK REPUBLIC

In order to manage pre-accession funds efficiently and thereby prepare themselves for the use of the EU Structural Funds, it is important for the countries accessing the EU to create adequate administrative capacities. Practical experience of the EU member states which were admitted during the fifth enlargement (in 2004 and 2007), particularly the experience of the Slovak Republic in the EU funds management indicates that this preparation phase is extremely important precisely for the fact that the greatest challenges were identified in the public sector, especially in terms of professional and qualified staff, as well as in the coordination between ministries and delays in the preparation of projects and strategies. Serbia faced similar challenges. In other words, institutions and human resources that should address EU funds management, programming and implementation in a country represent a key indicator of absorbtion capacity of the country which enables it to use the EU funds efficiently. In line with this, beneficiary countries which use the EU funds adequately have a fairly good opportunity to implement necessary reforms and improve their own economic development and social cohesion.

Since it gained independence on January 1, 1993 up until the compliance with all necessary conditions for the EU membership in May 2004, the Slovak Republic went through the process of transition and insitutional reforms. One can say that this member state was fully involved in the development of strategic and legislative environment. Therefore, its experience as a full EU member state can indicate certain priorities and stress the need to eliminate possible risks.

Apart from the importance of EU pre-accession instruments which played an important role in the process of European integration of the Slovak Republic, one should also mention the importance of Twinning Projects which proved to be successful in many priority areas and assisted the Slovak Republic to get prepared for the implementation of the EU policy and laws (Commission staff working document Annexes to 2004 report on PHARE). One of the problems which were recognised in this country was the fact that the Slovak administration was not prepared adequately in the field of drafting programme documents and, for this reason, those were drafted by foreign consultants in most cases. In addition, the public sector faced big problems in keeping highly qualified and motivated staff capable to manage the EU Structural Funds in an effective and efficient manner. In this area, the Slovak Republic had the poorest results while the best results in terms of available staff equipped to manage the EU funds were recorded with Hungary and Estonia. There was also a problem in terms of administration and human resources both in regional and local administration as well as delays in the process of legislation harmonisation. This is why the Slovak Republic continued using both the pre-accession assistance and the assistance meant for the EU member states even during the first year of its EU membership

in order to comply with the remaining conditions related to the institution building and implementation of the EU aquis communautaire. (Knežević 2010).

4.2. EXPERIENCE OF THE REPUBLIC OF CROATIA

One of the challenges Croatia faced in the accession process was the constant distrust expressed by the citizens towards the EU. In the first place, there was an issue of the position Croatia holds in Europe, comparing the data on its politics and institutions with the situation in the EU member states, other candidates and the countries in the western Balkans. The problem was the lack of reliable statistical data which is why the results which were metered were unreliable and ranged from high positions to fully opposing ones. In addition, comparing the tempo by which Croatia urged to enter the EU, a conclusion was drawn that if an accelerated agenda in terms of preparation of reforms was to be followed without compromises, it may result in low quality legislation, policies which would not have been well prepared, overburden of the state institutions and counterproductive results. Another problem which was noticed in Croatia was the role the state had in the ownership structure and in the management of economy which was too extensive, slow privatization process, poor progress in restructuring big state-owned enterprises (especially in the fields of shipbuilding, railway and energy), strengthening financial discipline of state-owned enterprises, inadequate education of staff and insufficient competence of public administration. For sure, the weakest point was the inability of institutions to adjust to the requirements of modern and open societies. The implementation of reforms, i.e. harmonization with the EU requirements was not efficient since the public administration was not competent enough to implement the laws (there was an issue of independence), legal uncertainty and weakness of sectoral ministries (Budak 2004: 518-525).

In this state, regulatory reform was implemented under the title "*Hitrorez*/ Rapid Cut" and it included 1,500 regulations and 9,000 norms in the field of operation. *Hitrorez*, a separate unit of the Croatian Government was established in order to offer recommendations to the Government based on which useless and unefficient regulations would be simplified or revoked. The task was to reduce the scope of impact that the extensive and long-lasting administration has on operations. Divided into several phases, the given reform was initiated on September 28, 2006 and the final recommendations were given to the Government on July 1, 2007. In the first phase, all national regulations were listed. Upon this, they were reviewed in terms of their usefullness for operations and necessity to harmonise them with the EU regulations. In the second phase, working groups were established and they engaged representatives of the chamber of economy, employers' association and importers' association (general public was particularly involved whereby citizens had access to the single register of ruling regulations, i.e. to the

e-register). There were 1,071 comments and suggestions made either by enterpreneurs or by citizens and 5,264 forms were completed (forms were used in order to provide an opportunity to citizens and companies to submit information on individual regulations which represent an obstacle for operations with concrete suggestions for their simplification or with justification for their revoke). In the third phase, the Government decided on the recommendations of *Hitrorez* and forwarded them to the Parliament. A detailed analysis of regulations provided answers to questions whether all regulations were necessary and adequate for operations. The result proved that it was necessary to simplify or revoke 55% of reviewed regulations (Juričić 2007). Croatia addressed recognized weaknesses and problems successfully and became a full EU member state on July 1, 2013.

4.3. EXPERIENCE OF THE REPUBLIC OF SLOVENIA

In contrast to Croatia, Slovenia joined this organisation much earlier. As early as in 1997, the European Commission considered that the state administration structure contributes to a more efficient performance of duties (there were 15 ministries that year) but that the communication between ministries should be improved so as Slovenia could have adequate resources for efficient implementation of the *aquis* upon the completion of accession negotiations. During the first years of negotiations, a need to have detailed regulation of jurisdiction and responsibilities of administrative bodies was mentioned in reports as well as the need to adopt a Law on Government, Law on Civil Servants, Law on Public Sector Salaries and Law on Public Agencies and a need to make these agencies the least prone to political impact possible. Until 2002, the number of ministries and of Government offices was reduced. In addition, it was necessary to implement the e-administration project successfully in order to make the administrative procedure serve to the citizens to the greatest possible extent and enable them to exercise their rights in due time and with as little administrative burden as possible. In the end, one should mention that Slovenia accepted a special legal regime for civil servants which is different from the general job-related legislation despite strong resistance to it and they did that in the last phase of negotiations. In 2003, Slovenia even established a Faculty of Adminstation (Herak 2011: 793/816).

5. CURRENT PROBLEMS RELATED TO THE PROCESS OF ACCESSION TO THE EUROPEAN UNION

When it comes to the Western Balkans countries, one may conclude that the basic problems in the accession process are the overambitious goals of the EU for this region as well as the criteria which have been changing continuously.

On the other hand, the countries of the region do not have clearly defined goals which is why reforms are not implemented with satisfactory dynamics.

Facing specific transition circumstances, the given countries have strived to adjust as much as possible gradually and to comply as much as possible with numerous conditions which have been set in order to come closer to the membership of this organization. At the moment, the European Union is facing internal crisis which led to priority change which is why the main focus is no more on the implementation of the reforms in candidate countries (Radić, Milosavljević 2019: 5).

One of the methods for the accession to the European Union in the energy field for the Republic of Serbia was via its membership in the Energy Community since, via this process, our country became a part of a common EU energy market considerably sooner than formally accessing the EU. With reference to this, our country has been harmonising its legislation with the EU legislation in the field continuously which is not an easy task since it is a complex system which is constantly growing. Harmonising with the given legislation in the field, our country adopted the Energy Law in 2011 which enabled the full implementation of the Second EU Energy Package and segments of the Third EU Energy Package. On December 29, 2014, the National Assembly of the Republic of Serbia adopted the Energy Law („Official Gazette of RS", No. 145/14) so as to enable the full implementation of the set of the EU energy regulations titled the Third Energy Package. Finally, the Fourth Legislation Package titled „Clean Energy for All Europeans" addresses climate and energy framework for 2030 by amending electricity market rules in order to enable a higher share of renewable energy sources within the total energy mix, first of all, to the detriment of fossil fuels. This legislation package which intertwines the energy and environment sectors strives to make Europe climate-neutral until 2050. However, the objectives which are set also require the involvement of other sectors such as transport, industry and housebuilding. Therefore, the new concept requires decarbonisation of the energy sector even via the reduction of 90% of emissions in the transport sector until 2050 which will affect all types of transport (water, air, railway and road traffic) and transport prices which have to include the emission-related damage caused to environment and human health.

In addition, the European Union energy policy represents a process which is constantly developing and being changed on one hand, but it also reflects arduous and slow harmonisation and resistance by national policies on the other hand. It is evident how complex and extensive this field is from the fact that it encompasses energy supply, infrastructure, internal energy market, customers, renewable energy sources, energy efficiency, nuclear energy, nuclear safety and protection from radiation. The 2016 European Commission Progress Report for the Republic of Serbia which was forwarded to the European Parliament, Council, European Economic and Social Committee acknowledged that Serbia

is to a great extent prepared in the energy field since certain progress was made in the field of internal energy market. It was also stated that there is a high level of harmonisation in terms of security of electricity supply. In February 2016, so as to develop electricity market with neighbours, Serbia established South Eastern Europe Power Exchange (SEEPEX) which represents an important step in the creation of a regional trading platform.

The European Union legislation regulating energy activities and the use of energy in a manner which provides for the reduction of pollution, increased use of renewable energy sources and a higher level of energy efficiency became an obligatory part of the legal framework of the Republic of Serbia via provisions of the Treaty establishing the Energy Community.

Measures related to the increase of energy efficiency and switch to renewable energy sources are taken since energy crisis is an ever more present problem worldwide and assumptions say that it will grow bigger as years go by. (Coyle, Simmons: 2014). Therefore, this field becomes ever more important.

In 2020, since the beginning of accession negotiations which were initiated in Brussels on January 21, 2014 by the first inter-governamental conference between Serbia and the EU, not one negotiation chapter was opened. This was for sure influenced by the situation caused by Covid-19 virus which affected the whole world. The Council of the European Union concluded that further activities should be taken in the field of the rule of law, freedom of speech and media in order to open new chapters. On the other hand, according to the research of the Belgrade Centre for Security Policy from 2020, more than half of respondents consider that Serbia should base its foreign policy on deeper relations with China and Russia which is a big drop in comparison to 2009 when most citizens in Serbia believed in the prosperity caused by the Serbia's accession to the European Union (Srbija, Evropska unija i pregovori: Tapkanje u mestu na kraju godine pandemije).

In any case, if we perceive the accession process from the very beginning till today, we may say that it has not yielded expected results for the Western Balkans countries. On the contrary, there has been a delay in the accession. Therefore, 2025 is the year cited as possible for the next round of accession when one of these countries could become a member.

6. CONCLUSION

Our country also faces all the challenges accompanying the accession to the European Union, in terms of improvement of the state administration performance, restructuring of big public enterprises, recruitment of adequate staff for relevant job positions, adoption of relevant regulations in order to have efficient implementation of the *aquis*, introduction of the e-administration and numerous other challenges. Generally speaking, transition has assigned civil servants

with tasks they were neither prepared for nor accustomed to perform them in a newly-established manner. Some of them were not educated and skilled for them, too. Since this moment and in the future, the performance of public duties has to be efficient and administrative procedures have to be transparent.

On the other hand, the challenges that the European Union is facing represent an additional problem. Namely, due to the crisis, especially the financial one, but also due to the experience following the latest enlargement processes, the scepticism among citizens of member states in terms of new enlargement grew. The growth of Euroscepticism can be also understood in the light of tough economic circumstances felt throughout the continent. These are serious problems and long-term, systematic solutions have not been found to address them in the very European Union yet. Tough economic circumstances in the EU member states and the response of European institutions in solving these problems may impact the general position of the public on the European Union. At the same time, the Republic of Serbia could not escape negative economic trends which are present in all societies going through transition.

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ПРИСТУПАЊЕ ЕВРОПСКОЈ УНИЈИ – ПРЕДНОСТИ И ПОТЕНЦИЈАЛНИ РИЗИЦИ

Резиме

Потписивањем Споразума о стабилизацији и придруживању са Европском унијом 29. априла 2008. године, Србија се обавезала на усклађивање свог законодавства са правним тековинама Европске уније. Сагледавање основних карактеристика правног система Европске уније и његово разумевање важно је у контексту хармонизације, односно мера за успостављање заједничког и унутрашњег тржишта, као и предприступне стратегије треће државе за пријем у чланство у ову организацију. Стога се од државе кандидата за чланство очекује да створи повољно правно окружење за пословање домаћих привредних субјеката на унутрашњем тржишту. Да би она у томе успела, потребно је да постепено усаглашава своје законодавство са acquis communautaire, а пре свега неопходно је добро познавање и разумевање прописа Европске уније чије се преношење од земље кандидата за чланство очекује.

Кључне речи: Европска унија, комунитарни прописи, чланство у ЕУ, искуства других земаља – Словачке, Хрватске, Словеније.

Рад је предат 25. фебруара 2021. године, а након мишљења рецензената, одлуком одговорног уредника *Баштине*, одобрен за штампу.