



Sveučilište u Zagrebu

Fakultet političkih znanosti

Juraj Jerin

**DJELOTVORNOST INSTRUMENATA
UVJETOVANOSTI VLADAVINOM PRAVA U
POLITIKAMA PROŠIRENJA I SUSJEDSTVA
EUROPSKE UNIJE – POREDBENA
STUDIJA SRBIJE I UKRAJINE**

DOKTORSKI RAD

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**THE EFFECTIVENESS OF THE RULE OF
LAW CONDITIONALITY INSTRUMENTS IN
THE EUROPEAN UNION'S ENLARGEMENT
AND NEIGHBOURHOOD POLICIES - A
COMPARATIVE STUDY OF SERBIA AND
UKRAINE**

DOCTORAL THESIS

Supervisor:

Prof. dr. sc. Igor Vidačak

Zagreb, 2024

Sažetak

U fokusu rada nalazi se tematika razvoja i primjene koncepta uvjetovanosti vladavinom prava u okviru politike proširenja Europske unije i Europske politike susjedstva. Namjera ovog rada jest istražiti djelotvornost instrumenata uvjetovanja EU-a, u okviru dviju navedenih politika, u području vladavine prava s posebnim naglaskom na borbu protiv korupcije, te razmotriti ulogu svjetskih i europskih kriza na europeizaciju susjedstva Europske unije. Provedena je komparativna fokusirana studija učinaka korištenja ovih instrumenata na slučajevima Srbije i Ukrajine, a provedeno je i četrnaest polustrukturiranih dubinskih intervjua s predstavnicima europskih institucija uključenih u oblikovanje i provedbu politike proširenja i Europske politike susjedstva, predstavnicima organizacija civilnoga društva, akademske zajednice te projekata tehničke pomoći EU-a u području vladavine prava.

Rad daje pregled evolucije politike proširenja EU-a, s fokusom na kriterije za pristupanje, reforme metodologije pristupnog procesa te kriznu dinamiku koja je utjecala na samu EU i države kandidate, kao i pregled razvoja Europske politike susjedstva, njenih instrumenata i metoda, a u svjetlu dvaju preispitivanja politike. Razrađuje se i koncept europeizacije koji čini širi teorijski okvir rada, ključne značajke politike uvjetovanosti s fokusom na tzv. model vanjskih poticaja, vladavina prava kao temeljna vrijednost EU-a i jedan od ključnih političkih kriterija za članstvo te borba protiv korupcije u kontekstu dviju politika. U svom empirijskom dijelu, rad donosi analizu i usporedbu nalaza o napretku u područjima vladavine prava i borbe protiv korupcije u Srbiji i Ukrajini u razdoblju od 2014. do 2022. godine, te usporedbu djelotvornosti instrumenata uvjetovanosti u politici proširenja i Europskoj politici susjedstva. U radu su utvrđeni bitni čimbenici utjecaja na djelotvornost instrumenata uvjetovanosti zajednički za obje politike, opovrgnuta je pretpostavka o većoj djelotvornosti instrumenata uvjetovanja u zemljama s perspektivom članstva u EU-u, a potvrđena ona prema kojoj u zemljama s niskom podrškom javnosti EU-u i izraženim unutarnjim krizama politički troškovi usklađivanja u području zaštite vladavine prava ugrožavaju djelotvornost instrumenata uvjetovanosti. U konačnici, daje se interpretacija nalaza u širem kontekstu europskih politika i teorija o proširenju i susjedstvu, kao i razmatranje teorijskih i praktičnih implikacija rezultata.

Ključne riječi: politika proširenja EU; Europska politika susjedstva; europeizacija; politika uvjetovanosti; vladavina prava; borba protiv korupcije; Srbija; Ukrajina.

Summary

The focus of this dissertation is the topic of development and application of the concept of rule of law conditionality within the framework of the European Union's enlargement policy and the European Neighborhood Policy. The purpose of this dissertation is to investigate the effectiveness of the EU's conditionality instruments, within the framework of the two aforementioned policies, in the area of the rule of law with a particular emphasis on the fight against corruption, as well as to consider the role of global and European crises on the Europeanization of the EU's neighborhood. A comparative, focused study of the effects of using these instruments was conducted on the cases of Serbia and Ukraine, and fourteen semi-structured in-depth interviews were conducted with representatives of European institutions involved in the design and implementation of the enlargement policy and the European Neighborhood Policy, representatives of civil society organizations, the academic community, and EU technical assistance projects in the area of the rule of law.

The dissertation provides an overview of the evolution of the EU enlargement policy, with a focus on the accession criteria, the reform of the accession methodology and the crisis dynamics that affected the EU and the candidate countries, as well as an overview of the development of the European Neighborhood Policy, its instruments and methods, in the light of two policy reviews. The concept of Europeanization, which forms the broader theoretical framework of this dissertation, is also elaborated, as well as the key features of the conditionality policy with a focus on the External incentives model, rule of law as a fundamental value of the Union and one of key political criteria for EU membership, and the fight against corruption in the context of two policies. In its empirical part, the dissertation provides an analysis and comparison of findings on progress in the areas of the rule of law and the fight against corruption in Serbia and Ukraine in the period from 2014 to 2022, and a comparison of the effectiveness of conditionality instruments in the enlargement policy and the European Neighborhood Policy. The dissertation identified important factors influencing the effectiveness of conditionality instruments common to both policies. The hypothesis about greater effectiveness of conditionality instruments in countries having a membership perspective was disproved, and the one according to which in countries with low public support

and pronounced internal crises, the political costs of harmonization in the area of rule of law threaten the effectiveness of conditionality instruments, was confirmed.

Finally, an interpretation of the findings in the wider context of European policies and theories on enlargement and neighborhood is given, as well as a consideration of the theoretical and practical implications of the results.

Keywords: EU enlargement policy; European Neighbourhood Policy; Europeanization; conditionality policy, rule of law; fight against corruption; Serbia; Ukraine.