

**Conference**  
**„AP Vojvodina in Process of European Integration and Interregional  
Cooperation“**

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## **1. The Trend towards Decentralisation and Regionalisation in Europe**

Undoubtedly in Europe a process of decentralisation and regionalisation of political competences and public bodies is going on. Regional and municipal self-administration is being increasingly strengthened also in countries that so far had been considered as centralised states such as France and the United Kingdom for example. To this process the ongoing European integration has surely considerably contributed and this tendency will still be enhanced by the Reform Treaty of Lisbon with its emphasis of the principle of subsidiarity. National states have reached limits of their administrative and political capacities and many have recognized that political decentralisation of responsibilities, competences and powers adds to a relief and therefore to a strengthening of the whole state. After all, the financial and economic crisis shows that globalisation and centralisation are not really able to protect prosperity. Decentralization and regionalization of a state is an incentive for municipal, regional and cross-border cooperation, which, under the circumstances of the global financial crisis, is yet another way to attract both domestic and foreign investments.

The future frame of EU, on which a huge discussion is going on right now, is going to strengthen the principle of subsidiarity and proximity and thereby also regions and communes significantly.

It is not the competence of the EU to dictate the member states how to regulate their internal political and administrative structure. But the EU is intensively interested in Good Governance and Credibility of Politics within the member states respectively candidate or pre-candidate states. In order to reach good governance and enhanced trust of citizens in politics, it is necessary that not only national but also regional and local political authorities get assigned with competencies and that they get instructed so they can fulfil their responsibilities. And the bodies at the sub-national level need the required financial bodies to fulfil the expectations of the citizens.

For generally establishing credibility in politics it is necessary to devise decisions close to citizens as well in a transparent and comprehensive manner. Therefore it is crucial to leave as many decisions and political competences as possible to the regional and local level and if necessary to transfer them to that levels.

So first of all let me say that for Good Governance and for Credibility of Politics three preconditions are important:

Decentralisation of public tasks to regional and local entities,  
Fitting those with sufficient financial strength as well as  
Human capacity and qualification of acting persons.

The EU shows that over 20 European states adopted some solution for regionalisation, while the process is underway in others. Sweden, Holland, Germany and Great Britain adjusted the existing institutions according to regional division. In France and Greece, authorities of the regions are responsible for fields such as education, culture and economic development. The major progress was made by Italy and Spain whose regions have certain political autonomy and participate in the establishment of central organs of power, yet they do not have constitutional possibilities to jeopardize territorial integrity and sovereignty of the state.

## **2. Serbia and Regionalisation**

Serbia has a very changeful history concerning centralisation and decentralisation. The Autonomous Provinces got their greatest autonomy in 1974 under Tito and lost it 1990 under Milošević. If we consider the recent history of Serbia with the collapse of the Second Yugoslavia, Montenegro's and Kosovo's declaration of independence I can partly understand that some political elites in Belgrade are largely affected by the trauma of the territorial disintegration of Serbia and impute the intent of separatism to all attempts of AP Vojvodina for more autonomy.

Vojvodina is a special case. But unfortunately the constitutional fate of AP Vojvodina was always virtually inseparably linked to Kosovo. While Kosovo, however, strived after becoming an independent state, Vojvodina left absolutely no doubt to be and to stay a constitute part of the Republic of Serbia. I understand that the wounds caused by Kosovo are deep, but one must not confuse the issue of Vojvodina's status with Kosovo's. Those are different things. Vojvodina does not want secession.

In 2002 AP Vojvodina could recover some few competences, received financial betterment through the Serbian constitution in 2006 and is now dedicated to expand its autonomy by a new statute.

The Serbian constitutional law from 2006 which calls for the statute to be adopted by the end of 2008 is the basis of the draft statute of AP Vojvodina. The draft statute is in accordance with the Constitution of Serbia.

### **3. The new Statute of AP Vojvodina**

In October 2008 the Assembly of Vojvodina adopted the draft of the new Vojvodina statute and then the document was forwarded to the National Parliament of Serbia for approval. Provided the proposed text is adopted by the Serbian Parliament, the document will be returned to the Vojvodina Assembly to be proclaimed and officially put into effect.

Provided the proposed text is adopted by the republican parliament, the document will be returned to the Vojvodina Parliament to be proclaimed and officially put into effect. It seemed that the adoption of the statute by the national parliament would happen realistically before the end of 2008.

After nearly four months the Statute has not yet been ratified by the Serbian Parliament and therefore has not come into force.

We have to realise that there are some powerful forces blocking the adoption in Serbian Parliament. Blocking the draft statute although is far from the Serbian Constitution of 1974, which guaranteed legislative power for the province, as well as courts, police and provincial insurance funds. None of which is provided for in the new statute. So the draft statute does not guarantee the greatest level of autonomy in Vojvodina's history.

Let me mention the main reasons for rejecting the draft statute I have read:

The statute draft would give Vojvodina exclusive powers, considerably higher than what is given to other regions.

If you compare the Vojvodina statute with other regional statutes or constitutions in Europe you can see that the Vojvodina statute is rather moderate. At the best it is at the medium level of European standard of regionalisation. For example it does not give legislative competence to the regional assembly. The statute itself has not the level of constitutions like the regional constitutions for example in Germany or in Austria.

Some of the politicians say, the statute is anti-constitutional and not in line with the Serbian Constitution.

That is not true. If you consider it legally and not politically you have to realise that it is based on and in accordance with the Serbian Constitution. Even the European Commission's „Serbia 2008 Progress Report“ attests officially that the new statute is „in line with constitutional requirements.“ (p. 6).

With the new statute Vojvodina would become a „state within a state“.

That is not true: The statute explicitly declares in Article 1, that Vojvodina is a „constitute part of the Republic of Serbia“ and the citizens of APV exercise their rights and perform their duties stipulated by the Constitution of the Republic of Serbia, law and statute (Article 5). The statute and amendments of the Statute has to be confirmed by the Serbian Parliament. The statute does not envision finance control, police, an army, state security or foreign policy for Vojvodina.

The draft statute goes toward territorial decentralisation and is the basis for separatism.

Article 3: The territory of the APV shall consist of Backa, Banat and Sylvania within its geographical areas, stipulated by Serbian law at the time of coming into force of this statute.

Well-understood regionalisation is the contrary of separatism.

The executive body should not be called „Provincial Government“.

The current name „Secretariat“ or „Secretary“ or „Executive Council“ is degrading and not European standard for regional executive bodies. Regional or Provincial Government, Regional Ministry etc. are the current European terms.

Vojvodina should not have the right to open a mission at EU headquarters in Brussels.

This is ridiculous: Even regional bodies of centralistic states in Europe have the right to open offices in Brussels and other European regions. Article 16: Representation Offices (not „Missions“) in European Regions and Brussels for the purpose of promotion and enhancement of its economic, scientific, educational, cultural and tourist capacities. All European regions have such representative offices. The goal is to be closer to European funds and compete for those assets in a timely manner. Not for own foreign policy reasons! These are not embassies. But I think there is only a misunderstanding.

The draft statute is trying to destabilise Serbia, to fragment the country, to pull it apart.

The contrary: The new statute would satisfy the citizens of Vojvodina, they would still be loyal citizens of Serbia and in this way strengthen and stabilise the whole republic. Rejecting the draft would however create a big constitutional crisis and destabilisation. Should, however, the urgent wish for a new provincial statute not be granted by the Serbian Parliament, there would indeed be the danger of destabilisation.

#### **4. Serbia and the importance of regionalisation for the EU accession**

Serbia is preparing EU-accession and has done a lot of successful steps and substantial progress. Although representatives of the European Commission and the European Parliament generally and officially consider the issue of the Vojvodina Statute to be an internal affair, they confirm that Serbia's association with the EU is combined with the question of consolidation of relations within Serbia, which includes decentralisation and the return of assets to Vojvodina and local self-administration. During the EU-accession process, Serbia will have to experience decentralisation and regionalisation. The future decentralisation of Serbia, regardless of the selected form, should be in accordance with European standards that enable regions in the EU to carry out a great portion of cooperation among regions, and not only among states.

The Committee of the Regions of EU has stressed in numerous opinions the importance of decentralisation and distribution of state power in the states of South Eastern Europe. It is necessary not only to bolster the central institutions but also to accept the autonomous decision-making of regional and local authorities and institutions. The CoR supports the close collaboration between the regional and local authorities of the Western Balkan in cross-boarder and regional projects and cooperation and recommends the elaboration of a strategy

for decentralisation in Serbia and stresses the need to fortify Serbian regional and local institutions.

I am sure that Serbian authorities will realise that the adoption of the Vojvodina Statute is a very important step towards EU accession, which – in the global economic crisis – can bring Serbia assistance and support.

On the basis of the Stabilisation and Association Agreement with the European Union Serbia has agreed „to contribute to political, economic and institutional stability in Serbia, as well as to the stabilisation of the region“ (Art. 14, 1, 2b). I am convinced that the new statute of APV will be adopted by the Serbian Parliament very soon as a crucial contribution to political, economic and institutional stability in Serbia and in South Eastern Europe.