

**Speech by H. E. Mr. J. M. Lloveras at the Palace of Justice opening
Belgrade 23rd June 2005.**

Dear Minister
Distinguished President of the Supreme Court
Distinguished President of Belgrade District Court

I welcome the opportunity to be present at this ceremony today for a number of reasons. The renovation works on the Palace of Justice are both deeply practical and symbolic.

At a practical level they will make the working of the courts more efficient. They are also a concrete example of the support which the EU, through the European Agency for reconstruction, is providing to Serbia and Montenegro in the area of Justice and Home Affairs: €1 million specifically for this building out of over €13 million of ongoing or planned assistance for the justice sector from both CARDS national and regional programmes

Symbolically the changes in the physical court building represent the changes which have been and which still need to be undertaken in the judicial system.

The rule of law and a functioning judiciary, applying the new laws impartially, are crucial for the functioning of a young democracy like yours. But they are of particular importance for a country which sees its future as a member of the European Union. And the European Council last week has confirmed this perspective.

Progress in this respect was assessed in the recent feasibility study which found that, while the reform of the judiciary has started in both Republics, the independence as well as the efficiency of the judiciary remain weak and need to be strengthened.

This is important for the day to day life of the citizens for a functioning legal system shall give a sense of security and the application of the rule of law shall insure that all citizens are treated equally, fairly and transparently.

The respect of the rule of law is also of critical importance for the process of European Integration. The European Union is a treaty based organisation. It functions through the treaties and laws which established it and which it keeps adopting over time. This requires that such laws are respected and upheld. The current difficulties in ratifying the EU constitution do not alter this reality in any way whatsoever.

It is therefore only a natural requirement that no country can become a member of the European Union, or even commence negotiations for accession, unless it is a functioning democracy with full respect for the rule of law and fundamental human rights. Here again the judiciary has a vital role to play as the guardian of those rights.

The respect of these fundamental rights is the corner stone of what Commissioner Rehn has called, on his visits to Serbia, the European Community of values. It is also an extension of the point made by Commissioner Patten, when he visited this site some two years ago and recalled that *The EC is a community of law, which means that those who want to join it must respect the same principles.*

The EU identified the key priorities in the European partnership which was adopted by the 25 member States of the EU last year. The government in its action plan has set out how it will fulfil those priorities. In the autumn the Commission will in its annual report provide an assessment as to how these efforts have progressed. We hope that we will be able to report continued progress since the assessment made in the Feasibility Report.

As we are here in a Court which has been equipped to deal with some of the most serious cases in Serbia, in particular concerning war crimes and organised crime, it is important to remember that there can be no flourishing democracy with unchecked organised crime in its midst.

As the European Commission we are working closely with the authorities in this respect. In addition to the assistance I have already mentioned, there are annual Ministerial level meetings and frequent technical consultations. Indeed, literally as I speak, representatives of all ministries involved in justice and home affairs issues are meeting in Brussels with their counter parts from the Commission in a working group meeting on justice, freedom and security.

I should like to finish by drawing a parallel. We are celebrating here today the successful completion of the works at this court, but the work which Serbia has to undertake in the Judicial field continues well beyond. I am confident that through our joint efforts and in particular those of the government Serbia, we will be able to see the same progress in the field of justice and home affairs as has been made in completing this building.