



Policy Paper

The EU and the Western Balkans 6: a difficult wedding

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1. Background

1.1 Why Western Balkans?

The Balkan Region, and particularly the Western part closer to the EU, consisting of the so-called WB6 – Albania, Bosnia and Herzegovina, Kosovo, Macedonia¹, Montenegro and Serbia – has always had a fundamental role within the international geopolitical chessboard. Since its geostrategic position between the EU, Russia and Turkey, the relevance this area holds might be better understood with a sight to the containment and management of the current international challenges.

Since the demise of the Federation of former Yugoslavia in 1991 and the subsequent rise of nationalistic tensions claiming higher level of autonomy, this area became the centre of interest for several international actors such as the EU, US, Russia and Turkey. The aim these actors pursued has constantly been presented as the need to develop an adequate level of security and stability in the region, although their actions have often been inspired by their national geopolitical interests.

1.2 Initial European approach

After Kosovo war and NATO interventions in Serbia, the European Union's ambitions for the Balkan region started to concretize through the mechanism of the Stabilisation and Association Process (SAP). The latter was formed in 1999 and then officially launched in 2000: this was added to the already existing EU's Stability Pact for South Eastern Europe.

The Stability Pact for South Eastern Europe was an institution aimed at strengthening peace, democracy, human rights and economy in the countries of South Eastern Europe from 1999 to 2008. It designed a framework for regional cooperation, which was then replaced by the Regional Cooperation Council in February 2008.

The goal of the SAP was to provide a political and legal basis for bilateral relations between the EU and the Western Balkans through the promotion of regional stability and economic prosperity, in order to facilitate their European integration. This initiative presented the EU's interest in helping these countries after a decade of regional clashes, by enhancing their hope and trust on this possible roadmap toward the EU.

The first EU step in this regard was the summit held in Zagreb in November 2000, which occurred after the fall of the Milosevic dictatorship. EU politicians considered him as the main impediment to any future cooperation with the region, without considering the ethnic claims and the virulent nationalisms still present among the

¹ Since the international status of the country has still not been determined, as a matter of ease I will use the term Macedonia to refer to the Former Yugoslav Republic of Macedonia.

locals after the rough breakup of Yugoslavia. The Zagreb Joint Declaration formalized the EU's willingness to grant the countries covered by the SAP the status of potential candidates for membership.²

Afterwards, at the 2003 Thessaloniki summit, a new agenda for interacting with the Western Balkans was launched. The aim was to increase the relevance of the previous SAP as well as provide financial help and a set of standards and values to be respected in order to proceed towards European integration.³ The EU representatives specified that each State would have been judged according to its own progress in fulfilment of the Copenhagen criteria.⁴

The Thessaloniki final declaration reported that “the future of the Balkans is within the European Union”.⁵ This meant that both the counterparts, the EU and the WB6, agreed in strengthening their partnership. It was added that “the EU reiterates its unequivocal support to the European perspective of the Western Balkan countries”.⁶ As a consequence of the Thessaloniki summit, the hope and the enthusiasm of the Balkan people got stronger.

1.2 Fifth enlargement and EU fatigue

In 2004, the EU's enlargement appetite reached its peak, with the largest enlargement realized so far. It brought into the Union eight former communist countries together with Cyprus and Malta. Initially, it was considered as a great success for the EU, which was able to foster its core values and the reform processes in the new member countries and reduce the Russian influence over them. Afterwards, the public opinion started shifting against enlargement.

Public opinion may have changed because of the shortcomings of the Bulgarian and Romanian accession⁷, as well as how little attractive the Europeans considered the remaining countries on the enlargement agenda, i.e. Western Balkans and Turkey. After many years, the European Court of Auditors (ECA) revealed that Bulgaria and Romania were not ready to accede to the EU, emphasised by their misuse of European Union funds aimed at reforms and fighting corruption.

A member of the ECA Istvan Szabolcs Fazaks, who was the Chairman of the European Parliament Committee on Budgetary Control in 2006, reported a comment of the former Commissioner for Enlargement policy Olli Rehn, who said “it's too late, my hands are tied”.⁸ Then, Commissioner Rehn added that “the political decision for Bulgaria and Romania to join by 1 January [2007] has been taken by the

² <https://www.esiweb.org/pdf/bridges/bosnia/ZagrebSummit24Nov2000.pdf> .

³ http://europa.eu/rapid/press-release_PRES-03-163_en.htm.

⁴ https://eur-lex.europa.eu/summary/glossary/accession_criteria_copenhagen.html.

⁵ Declaration, EU-Western Balkans Summit, C/03/163, Thessaloniki, 21 June 2003, 10229/03 (Presse 163).

⁶ Ibidem.

⁷ http://ec.europa.eu/economy_finance/publications/pages/publication_summary14301_en.htm.

⁸ <https://www.euractiv.com/section/enlargement/news/auditors-romania-and-bulgaria-were-not-ready-for-accession/>.

Member States, upon recommendation by the European Commission”.⁹ It shows that various sources of pressure affected the EU administration to proceed to the accession.

A similar case was the accession of Croatia, that occurred in 2013. At that time Croatia fulfilled the necessary requirements for accession to the EU, but still presented the need to implement its reforms with regard to the rule of law, the solution of the border dispute with Slovenia as well as the transparency and standardization of the judges’ nomination in order to prevent the impunity for War Crimes.¹⁰

Perhaps due to the realities of the “enlargement fatigue”¹¹, that was felt more after the accession of the aforementioned countries and due to the WB6 delay in fulfilling the requirements to open the negotiations, it took almost ten years for the EU to seriously consider the accession of the Western Balkans once more.

Under the guidance of the German and Austrian governments, the “Berlin Process” was launched during the 2014 Conference of Western Balkans States, chaired by the president of the European Commission José Manuel Barroso. He stated that he wanted “to see the Western Balkan countries ultimately join the European Union. “This is in our joint political, economic and geostrategic interest”¹², Barroso said, stressing how it would have been helpful for the Union.

This proposal contained a “Win-Win” scenario. The European Union would have increased its internal stability and prosperity. The Western Balkans would have had the opportunity to take advantage of the EU’s help in their political and economic rebuilding.

1.3 The Berlin Process and the new credible strategy

The Berlin Process is based on a diplomatic and intergovernmental cooperation. It has been articulated so far in four conferences with the participation of the representatives of the WB6 and of Germany, Austria, France, Italy and the UK. The aim of the process is to revitalize the multilateral ties between the Western Balkans and selected EU Member States, and to improve regional cooperation in the Western Balkans on issues such as infrastructure, development, interconnectivity and digital transformation. This process was initiated in order to prepare the ground for the start of the EU integration process, in the light of increased Euroscepticism and the allegedly subsequent 5-year suspension of enlargement, announced by the newly elected EC President Jean Claude Juncker¹³.

⁹ibidem.

¹⁰ <https://www.euractiv.com/section/enlargement/opinion/croatia-s-accession-and-the-rule-of-law/>.

¹¹http://www.barnesrichardson.com/4E8FDC/assets/files/News/tbl_s47Details_FileUpload265_126_forgue_fatigue.pdf

¹² http://europa.eu/rapid/press-release_SPEECH-14-574_en.htm.

¹³ http://europa.eu/rapid/press-release_MEMO-14-523_en.htm.

Paradoxically, the start of the Berlin process coincided with Juncker's presentation of the new political guidelines for his presidency. Almost one month after Barroso's declaration, Juncker stated that a further enlargement of the Union was not envisaged in his core agenda, by specifying that "is inconceivable that any of the candidate countries with whom we are now negotiating will be able to meet all the membership criteria down to every detail by 2019"¹⁴. Furthermore, President Juncker said that "the EU needs to take a break from enlargement so that we can consolidate what has been achieved among the 28"¹⁵.

Although most of the Western Balkans were objectively still not ready for the start of the negotiations talks, after Juncker's statement they started to lose their trust in the EU and their hopes to use the enlargement as leverage for their domestic reform.¹⁶

Thus, 2014 was probably the moment where the European Enlargement Policy towards the Balkan area lost its credibility. On the one hand, Barroso supported the accession of the Balkan countries through stressing their relevance to the EU, on the other hand Juncker halted any further enlargement as soon as his term began. The 2015 refugee crisis underlined the role the Balkans play as a transit for the migratory flows. This demonstrated the relevance this region had in terms of stability for the EU as well as the recognition that President Juncker's approach could have been a mistake.

After EU's monitoring activities about the regional trends on the fulfilment of the requested criteria, in February 2018 the European Commission adopted a strategy¹⁷ for "A credible enlargement perspective for and enhanced EU engagement with the Western Balkans". This confirmed the European future of the region as a geostrategic investment in a stable, strong and united Europe, based on common values, once again, the EU clarified its willingness to begin further accession once the individual countries have met the criteria, trying to revitalize their hopes.

The strategy mentioned above sets out an Action Plan 2018-2020 with six specific and concrete flagship initiatives targeting areas of common interest, such as security and migration, rule of law, transport and energy connectivity, digital agenda, reconciliation among neighbours and socio-economic development.

It also calls for an increase of funds under the Instruments of the Pre-Accessions Assistance (IPA) until 2020 and explains the steps these countries need to take in order to reach integration. In particular, it foresees the end of the accession process in 2025 for Serbia and Montenegro, which will strongly depend on internal reforms and the definitive solutions of their regional disputes. The efforts made by Albania and

¹⁴ https://ec.europa.eu/priorities/sites/beta-political/files/juncker-political-guidelinespeech_en_0.pdf

¹⁵ ibidem.

¹⁶ https://www.ecfr.eu/article/commentary_balkans_on_track_for_eu_membership_or_stagnation.

¹⁷ https://eeas.europa.eu/regions/western-balkans/39711/credible-enlargement-perspective-and-enhanced-eu-engagement-western-balkans_en.

Macedonia have been appreciated by the European Commission, who approved the recommendation¹⁸ last June to open the accession talks in June 2019. The perspectives for Bosnia and Herzegovina and Kosovo still look bleak.

2. State of Play

European Enlargement policy shortcomings

It seems clear that the Western Balkans are still not ready to enter the EU because of a lack of internal reforms as well as long standing regional disputes, such as the Macedonian-Greek or the Serbian-Kosovar one.. At the same time, one needs to emphasise some internal and external issues that are undermining the effectiveness of the European Enlargement policy towards the region.

The introductory part of this policy paper outlines how the EU has delayed in taking concrete decisions over the last few years, stretching the hopes of the WB6. The initiatives adopted have often been driven by geopolitical motivations, in response to the advancement of other international actors' strategies in the Balkan region. This might be one of the reasons for the European initiatives' ephemerality. In this regard, the European approach to the region reported within the "credible strategy", could be read as a response to the growth of Russian, Chinese as well as Turkish influence in the area.

Since this region is entirely surrounded by EU countries, the EU has considered the Western Balkans as a region under its implicit "influence", although its geographic position could be a source of vulnerability for the Union.

2.1 Geopolitical pressures

Despite being one of the longstanding actors operating in the region and also the main geopolitical opponent to the EU and US, Russia seems to be losing ground in the Western Balkans. The main links are based on the religious factor - the Orthodox belief is quite present in the region, especially in Serbia - and on the energy factor, since Russia is the main supplier of natural gas. Beyond that, in terms of financial support and political positioning in the international arena, Russia has very little to offer to the region compared to the EU's greater capabilities.

Therefore, especially through the use of soft power, Russia seems intervening where there are advancements in the accession procedures to join the National Atlantic Treaty Organization (NATO), trying to limit the Alliance's expansion. This happens through misinformation campaigns, as during the referendum in Macedonia¹⁹ or through concrete interventions, such as the attempted coup to thwart the NATO

¹⁸ <https://www.rferl.org/a/eu-ministers-mull-starting-membership-talks-with-albania-macedonia/29321769.html>.

¹⁹ <https://www.theguardian.com/world/2018/oct/01/result-of-macedonia-referendum-is-another-victory-for-russia>

accession process of Montenegro²⁰. Also, by increasing relations with politicians, as it was the case in Bosnia and Herzegovina with the newly elected pro-Russian president of Republika Srpska, Milorad Dodik. A common trend is to overestimate the Russian presence in the region: the local populations' reactions are mostly due to a "disillusion" toward the several western failures than to a Russian involvement.

The European position in the Balkans can be hindered by the growing Turkish influence, which the recent regional support towards Turkish President Recep Tayyip Erdogan has demonstrated. Turkey is closely linked to the Balkan region on ethnic and religious bases, particularly in Macedonia, Albania, Kosovo and Bosnia Herzegovina. The links are being strengthened through the Neo-Ottomanist foreign policy espoused by President Erdogan,²¹ in addition to the increase of Turkish investment in the region, aimed at filling the gap left by the EU. The investments largely consist of restorations of mosques, development aid, universities and infrastructure projects.

The SETA think tank reported that the quantity of trade between Turkey and the Western Balkans increased from \$435 million in 2002 to \$3 billion in 2016.²² Moreover, relations between President Erdogan, Serbian President Alexander Vucic and the Bosniak leader Bakir Izetbegovic have strengthened after their meeting in October 2017. The aim was the construction of a highway linking Belgrade and Sarajevo via using Turkish funds.²³

Another fast-developing dynamic is represented by Chinese investments. This giant player entered the region in 2012 with the 16+1 platform as part of its Belt and Road Initiative (BRI).²⁴ The aim is to intensify the bilateral and regional cooperation especially in three main sectors: infrastructure, high technology and green technology.

So far, China has been focusing on infrastructure through several investments all around the Balkan region. For instance, the construction of the Budapest-Belgrade railway, the highway connecting the Montenegrin coast and Belgrade as well as the Pelješac Bridge, fundamental in connecting the Dubrovnik exclave with the Croatian mainland. As a result, the ties between the Western Balkans and China are strengthening.

This increase of investments shows the necessity of a strong EU action plan in the region. In this regard, the main fears coalesce to the nature of the Chinese investments which could harm the recipients' financial condition. Moreover, there is

²⁰ <https://www.politico.eu/article/montenegro-nato-milo-jukanovic-murky-coup-plot/>

²¹ <http://www.atimes.com/erdogans-re-election-and-his-neo-ottoman-foreign-policy/>

²² <https://ahvalnews.com/western-balkans-turkey/turkeys-increasing-influence-balkans-worries-eu>.

²³ *ibidem*.

²⁴ This Chinese initiative involves 11 EU Member States and 5 Balkan countries (Albania, Bosnia and Herzegovina, Bulgaria, Croatia, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Macedonia, Montenegro, Poland, Romania, Serbia, Slovakia, Slovenia).

the risk of an uncontrolled expansion of the Chinese market towards western and central Europe, using the 16+1 platform as a “bridge”. It is important not to forget the Chinese purchase of the Greek port of Piraeus as a point of entry in the EU, through the Balkans region.

2.2 Lack of internal agreement

Beyond these external factors, some internal issues could influence the effectiveness of the Enlargement policy towards the Western Balkans. For instance, there might be the lack of agreement among EU Member States as well as the length of the accession procedures, which is taking years and years without a concrete deadline in sight.

Immediately after the EC adoption of the “new credible strategy”, the EU Foreign Ministers meeting²⁵ held in Bulgaria proved their general disagreement over the European Commission proposal, aimed at pushing for expansion into the Western Balkans.

For instance, Hungary’s representative Peter Szijjarto emphasised his disappointment for 2025 as a target for the Serbia and Montenegro accession, stressing the necessity of admitting those states as early as 2022, in order to avoid a rise of tensions on the EU’s doorstep.

The Bulgarian Prime Minister Boyko Borisov warned about the necessity of including those countries within the EU membership in order to prevent the extension of Russian influence, saying “If there's no enlargement now, there'll be no other time for enlargement [...] Otherwise what China, Russia, Turkey are planning for the region, they will start today”.²⁶

Italy, Poland and Austria highlighted the need to step up the efforts in order to open the EU to the region. Austrian Minister of Foreign Affairs Karin Kneissl said “who will be first in Belgrade — China or the EU? It is that (which) we have to counteract, as it is our immediate neighbourhood”.²⁷

Based on the previous issues stemming from the accession of Romania, Hungary and Poland in terms of weakness of the rule of law and corruption in their domestic policies, Germany’s initial position was one of reluctance. The French Foreign Minister Jean-Yves Le Drian cautiously said, “it's clear there are conditions and that those conditions are demanding”, stressing the importance of respecting the standards requested.²⁸

²⁵ <https://www.euractiv.com/section/enlargement/news/eu-split-over-expansion-into-western-balkans/>.

²⁶ https://www.dailysabah.com/balkans/2018/02/15/eu-divided-over-western-balkans-expansion?fbclid=iwar3vx8kxasquotosdesd8328lt2duf4id4pt_opznsmrw_dg1dttkvnm9y.

²⁷ Ibidem.

²⁸ Ibidem.

Furthermore, according to the Slovenian Foreign Minister Karl Erjavec, Serbia and Montenegro would not be ready for the membership in 2025 because of their still ongoing border disputes.

Even more disappointing was the European Council meeting in June which proved that deep divisions are still present among EU Member States. In some EU Member States there is the fear that any strong position taken on this topic could affect the political environment, with a sight to the next EU Parliament elections. For instance, as a result of these divisions the hopes for the efforts of Macedonia and Albania to be recognised in terms of reforms adopted were postponed to June 2019, after the EU elections, a blow to their ambitions and motivations.

2.3 Complex bureaucracy

Another EU shortcoming is the length of the accession negotiations, which could lead to a possible turn of the Western Balkans towards other international actors. The EU position regarding this region has constantly stressed the importance of undertaking and concluding the reform paths requested, ensuring that the negotiations start only “after and if” the reforms would be adopted. For instance, as written in the first part of this paper, the negotiation talks started approximately more than 20 years ago with all the Western Balkans.

During this period, while the EU was asking for the normalization of Macedonian-Greek relations, the nature of the Europeans decision-making process allowed Greece to block the Macedonian accession path through the name dispute. Also, the EU is encouraging Serbia to adopt internal reforms to normalize its relations with Pristina, presenting the solution of the territorial issue as a requirement for their accession. Nevertheless, some EU Member States - Spain, Cyprus, Romania, Slovakia and Greece - still do not recognize Kosovo as a state. Finally, the EU is criticising the current situation in Bosnia and Herzegovina for the little progress made so far, while knowing the objective complexity of post-Dayton established system.²⁹

It turned out that the EU used encouraging rhetoric towards the Balkan states and asked for radical changes in return while keeping a lack of responsiveness for the “sensitive” region the Balkan is.

Furthermore, the recent rise of Euroscepticism and the similar issues that some EU Member States and the Western Balkans experience, do not represent a strong incentive for them to accede. For instance, the high level of corruption as well as the low level of rule of law present in Romania or Bulgaria could be a discouraging mean to them.

²⁹ <https://www.theguardian.com/news/datablog/2014/oct/08/bosnia-herzegovina-elections-the-worlds-most-complicated-system-of-government>.

Why should they arbitrarily and transparently solve their territorial issues, which are key factors for their accession, while Croatia and Slovenia, already EU member states, remain embroiled in border disputes?

Why should they drastically address the nationalism which is typical of their region, while the EU does not condemn examples of rising nationalistic movements in its own Member States such as France, Italy, Austria or Hungary? In this regard, comments of some representatives of these countries display their disillusionment. Albanian Prime minister, Edi Rama, referring to the ephemeral EU commitment, recently said “We lived for 50 years with a red horizon which we never reached. We don’t want to live with a blue horizon now”.³⁰

Jadranka Joksimović, Serbian Minister for European Integration recently stated: “We firmly believe that the enlargement process needs to be intensified, which can be clearly demonstrated by the opening of negotiating chapters which are fully technically prepared. The opening of chapters should not be a goal by itself, rather, on the contrary, it should be an additional incentive for strengthening and intensifying the reform agenda in the country”.³¹

These statements show that the complexity of the EU bureaucracy and the length of the pre-accession talks lead Western Balkan nations to live in a constant “waiting room” scenario. In summary, the current European Enlargement Policy towards the Western Balkans turns out to be affected by the pressures coming from the international geopolitical game, the disagreements between EU Member States in their approach to this region, and the stagnation generated by the complexity of the EU bureaucracy.

3. Recommendations

Given the aforementioned reasons, the European Union cannot take the support of the WB6 for granted. Since the first time the EU turned its attention to the region, everything has changed: the EU, the Western Balkans as well as the international framework, given the dynamics of the international relations. In order to retrieve the lost credibility of the enlargement process, we propose several recommendations.

3.1 No bilateral dispute in EU Agenda

Due to the complexity of its history, the Western Balkans region is characterised by long standing disputes, which were caused by nationalist-led territorial partition movements. These disputes represent one of the main causes of the accession

³⁰<https://www.theguardian.com/world/2018/may/18/no-time-soon-eu-dashes-membership-hopes-of-balkan-states-enlargement-sofia-summit>.

³¹<https://seenews.com/news/interview-eu-needs-to-intensify-accession-talks-with-serbia-enhance-support-for-reforms-631351>.

procedure's delay as well as obstacles for the start or the continuation of the negotiations talks.

In order to go on with the accession procedure, the European Commission should keep these bilateral disputes between candidate – or potential candidate – states and Member States out of the accession negotiations. Instead, the foundation of an international mediation mechanism could represent an efficient tool to overcome these stalled disputes. Structured as an agency and with the participation of European representatives and representatives of the states involved, this mechanism could include a wider European involvement, trying to control EU Member States in vetoing any decision. That would allow a different approach to the hands-off one that had limited success in the Western Balkans.

3.2 Increase the regional cooperation

An initiative the European Union could adopt could be related to the implementation of regional cooperation. A wider amount of IPA's funds should be devolved to regional and sub-regional cooperation structures, based on guidelines provided by the EU. These structures could improve the capacity of the region to manage crisis and at the same time to enhance the level of trust between each other. In this context, new special representatives could be appointed solely for these causes.³²

3.3 More rapid procedures

Another important step would be to reformulate the accession milestone. The necessity stems from the changes that have occurred since the adoption of the Copenhagen criteria in 1993 and the Thessaloniki summit in 2003.

The EU should reduce the length of its internal procedure's steps and be more proactive in helping those countries in reaching the requirements demanded. The latter need to be formulated in a way that will not put the Union in the tricky position of asking others what it itself cannot internally handle.³³

3.4 Higher inclusiveness of WB6 in EU policy-making

Although not included within the European Union treaties, the participation of Western Balkans representatives as “observers” in the discussions and policy-making procedures within the EU Council meetings could helpfully contribute. Through this model, the Balkans countries could consider their leaders becoming equal counterparts within the aforementioned process and advocate their rights in the Union framework.

³² https://carnegieendowment.org/files/time_reset_enp.pdf.

³³ http://ier.ro/sites/default/files/pdf/Policy_Brief_nr.%202_Horia_Ciurtin_Left_behind_0.pdf

3.5 Boost the economic investments

The EU should improve the monitoring of how IPA funds are used by the countries. For instance, infrastructure in the Western Balkans is highly underdeveloped. Although within the Berlin Process framework regional investments in several sectors have been discussed, no tangible results can be observed in the education, innovation, transport and energy sectors. Its relevance is due to the risk that the region may never become able to withstand the competitiveness of the EU.³⁴ Finally, in order to guarantee a responsible use of funds, such as the IPA II, the EU should invest more in training of public officials at regional and local levels to guarantee an effective management of the pre-accession assistance.

3.6 Open dialog with other international players

Given the presence of several actors in the Western Balkans, the EU should better coordinate its effort with them. For instance, the US influence is still present in the area and therefore it remains a crucial partner for the region as well as for the EU. Round tables could be opened with Turkey, China and Russia, trying to persuade the latter to end its zero-sum approach to the common neighbourhood.³⁵ The geopolitical games should give way to real offers of cooperation.

3.7 Make the EU Attractive again

Joining the European Union has always been seen as an attractive goal to be reached by non-member states, in this specific case by Western Balkan countries, because of the core values the Union is based on. These include democracy, rule of law, respect of freedoms and human rights as well as a stable economy.

The recent economic crisis, the rise of nationalist and populist movements, the subsequent different views on international issues such as immigration or even Brexit, are undermining the European strength. In order to incentivize Western Balkans in their path to reform, the EU should manage its internal issues more resolutely to make Europe attractive again.

³⁴ <http://wb-csf.eu/wp-content/uploads/2017/11/Western-Balkans-and-the-EU-Beyond-the-Autopilot-Mode-%E2%80%93-BiEPAG.pdf>

³⁵ https://carnegieendowment.org/files/time_reset_enp.pdf

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