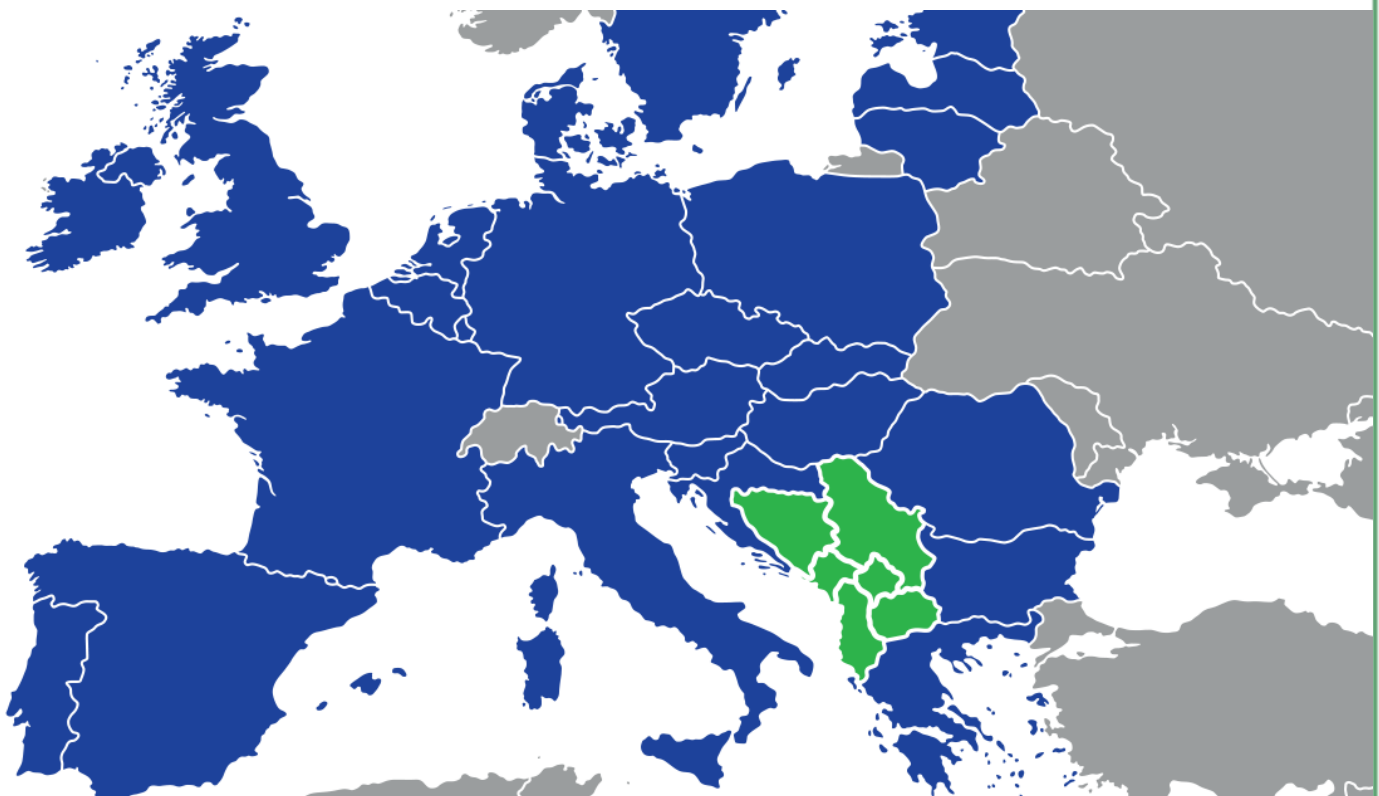


EASTERN MONITOR

The European Dream of the Western Balkans – 20 Years in a Limbo

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- **Despite the encouraging statements by European Commission's President Juncker in 2017¹ following the introduction of the European Commission's Strategy for Western Balkans², this year's developments are a testament to continued enlargement fatigue amongst EU Member States.**
- **Since the acknowledgement of the Western Balkan countries as potential candidates for EU membership at the European Council Summit in Feira in 2000, it could seem that the region has not progressed remarkably.**



Lack of Reforms in the Western Balkans and Lack of Acknowledgement from the EU

The progress in the already ongoing accession process of Montenegro and Serbia, the “frontrunners”, has slowed down significantly this year, perhaps in part as a result of getting to the point where the easier and technical issues have been successfully resolved and more difficult chapters are now on the table. Neither country, despite their relative advancement on their EU paths in comparison to the rest of the region, can continue showing efforts in technical issues to hide the absence of willingness to deliver on the fundamental reforms in substantial and more problematic areas (such as Chapters 23 and 24 or in the case of Serbia also Chapter 31)³.

On the other hand, the other two candidates for EU membership, Albania and North Macedonia, have been prevented in October from starting their accession talks by several EU Member States. In the case of Albania, the decision of EU leaders did not come as a big surprise since the opposition among Member States was quite strong, with the Netherlands calling into question even the visa-free regime between EU and Albania on the basis of Albanian leadership not being able to handle organized crime groups in their country.⁴ However, the decision to block negotiations with North Macedonia could be expected only in the darkest scenarios and has been termed a “historic mistake” by top EU and US representatives.⁵

Since the government led by Zoran Zaev in 2017 replaced PM Gruevski’s rule based on authoritarian practices, North Macedonia has achieved admirable progress in meeting the EU conditions and respecting European values. The current government has contributed to regional stability in a way unprecedented for this region. The Agreement for friendship, good neighbourly relations and cooperation with Bulgaria was signed last year, and the historical Prespa Agreement with Greece was reached after North Macedonia adopted its new name for the sake of completing the agreement and ending a decades-long dispute with its neighbour. Furthermore, it has also made significant progress in dismantling the state capture of the previous government. Despite the current North Macedonian government having demonstrated very clearly that it respects and wants to adopt the values, norms and conditions of the EU, the opening of accession negotiations was again postponed.

It did not take long for other geopolitical powers to use this window of opportunity created by the EU. Less than two weeks after the decision, Russia invited Albania and North Macedonia to join the Russia-led Eurasian Economic Union.⁶ Another potential undesired consequence lies inside North Macedonia as the veto could lead to the current government losing popular support to the nationalist forces represented by VMRO-DPMNE, former PM Gruevski’s party, which portends badly for the EU accession process as well as the EU in light of the upcoming snap elections in April 2020.

Bosnia and Herzegovina and Kosovo are both still at fledgling steps of their EU integration paths despite

¹ For example in his address to the European Parliament – Juncker Urges EU to Integrate Balkan States, *Balkan Insight*, September 2017, <https://balkaninsight.com/2017/09/13/balkan-states-back-high-on-eu-agenda-juncker-09-13-2017/>.

² European Commission, “A credible enlargement perspective for and enhanced EU engagement with the Western Balkans”, https://ec.europa.eu/commission/sites/beta-political/files/communication-credible-enlargement-perspective-western-balkans_en.pdf.

³ Chapter 23: Judiciary and fundamental rights, Chapter 24: Justice, freedom and security, Chapter 31: Foreign, security and defence policy

⁴ SchengenVisaInfo.com, “EU Commission Starts Evaluation for Suspending Visa-Free Travel for Albanians, on the Netherland’s Request”, [https://www.schengenvisa.info.com/news/eu-](https://www.schengenvisa.info.com/news/eu-commission-starts-evaluation-for-suspending-visa-free-travel-for-albanians-on-the-netherlands-request/)

[commission-starts-evaluation-for-suspending-visa-free-travel-for-albanians-on-the-netherlands-request/](https://www.schengenvisa.info.com/news/eu-commission-starts-evaluation-for-suspending-visa-free-travel-for-albanians-on-the-netherlands-request/).

⁵ Juncker: EU’s North Macedonia, Albania rebuff is ‘historic mistake’, *Politico*, <https://www.politico.eu/article/jean-claude-juncker-eu-north-macedonia-albania-rebuff-historic-mistake/>, U.S. Envoy: EU Snub Of North Macedonia, Albania ‘Historic Mistake’, *Radio Free Europe/Radio Liberty*, <https://www.rferl.org/a/u-s-envoy-calls-eu-s-snub-of-north-macedonia-albania-a-historic-mistake-/30252546.html>.

⁶ Russian Representative to EU invites N. Macedonia and Albania to join EEU instead, *European Western Balkans*, <https://europeanwesternbalkans.com/2019/10/30/russian-representative-to-eu-invites-n-macedonia-and-albania-to-join-eeu-instead/>.

strong EU involvement in these countries through special EU missions and the posts of Special Representatives. Bosnia and Herzegovina submitted its application for EU membership in 2016, however, it has not been granted the candidate status yet. The main reason why the decision on Bosnia and Herzegovina's candidate status has been postponed is the fact that its leaders have not been able to agree on formation of the government even more than a year after the national elections.

Kosovo finds itself in an even direr position, falling far behind the rest of the region. The youngest country of Europe is still waiting even for the visa liberalization approval from the EU leaders. For Kosovo, similar to the recent case with North Macedonia, the entire EU conditionality and credibility of the EU integration process is called into question in the aftermath of Albania and North Macedonia's rejections. Kosovo had to meet more than double the number of conditions on its path towards visa-free regime with the EU⁷ compared to the rest of the WB countries, and it was additionally asked to ratify the border demarcation agreement with Montenegro and improve its track record in fight against corruption and organized crime. Despite repeated evaluation by the EC that Kosovo has met these two additional conditions and recommendations to abolish the visa regime⁸, supported repeatedly by the European Parliament⁹, the decision is still blocked by the Council.

All these developments have led to a decrease in the credibility of the EU in the Western Balkans; as a corollary, citizens of the Western Balkan countries believe less and less that their future EU membership is a realistic scenario.¹⁰ From an EU perspective, enlargement fatigue is seemingly becoming more entrenched; despite the initiatives the last year,¹¹ neither enlargement nor the Western Balkans are amongst the EU's priorities as EU leaders are reorienting their focus towards the Union's internal problems and seek consolidation of the increasingly divided Union. The Western Balkan region gains more attention usually just in relation to issues vitally important for the EU, such as migration, security and geopolitical competition due to growing assertiveness of Russia, China and Turkey.

The EU Member States – United in Paralysis?

Enlargement has become yet another divisive issue on the European scene. While some countries are broadly against any future enlargements, referring to their populations' opposition to accepting new members¹², others are writing joint letters to EU leaders, pleading for

⁷ 95 conditions in case of Kosovo, 40 to 42 conditions for other WB6 countries.

European External Action Service, "Visa Liberalization with Kosovo Roadmap", https://eeas.europa.eu/sites/eeas/files/visa_liberalisation_with_kosovo_roadmap.pdf. Visa Liberalization Roadmaps for Serbia, Montenegro, Macedonia, Albania and Bosnia and Herzegovina are available for download at European Stability Initiative website at <https://www.esiweb.org/index.php?lang=en&id=352>.

⁸ European Commission, European Commission proposes visa-free travel for the people of Kosovo, http://europa.eu/rapid/press-release_IP-16-1626_en.htm, European Commission, Visa Liberalisation: Commission confirms Kosovo fulfils all required benchmarks, http://europa.eu/rapid/press-release_IP-18-4562_en.htm.

⁹ European Parliament, Parliament in favour of lifting visa requirements for Kosovars, [https://www.europarl.europa.eu/news/en/press-room/20180912IPR13304/parliament-in-favour-of-lifting-visa-](https://www.europarl.europa.eu/news/en/press-room/20180912IPR13304/parliament-in-favour-of-lifting-visa-requirements-for-kosovars)

[requirements-for-kosovars](https://www.schengenvisa.info.com/news/eu-parliament-confirms-its-support-for-kosovo-visa-liberalization-for-the-third-time-in-a-year/), SchengenVisaInfo.com, "EU Parliament Confirms Its Support For Kosovo Visa Liberalization for the Third Time in a Year", <https://www.schengenvisa.info.com/news/eu-parliament-confirms-its-support-for-kosovo-visa-liberalization-for-the-third-time-in-a-year/>.

¹⁰ Regional Cooperation Council, "Balkan Public Barometer", <https://www.rcc.int/seeds/results/2/balkan-public-barometer>.

¹¹ EC Strategy for the Western Balkans and the EU-WB Summit in Sofia, first meeting of EU and WB leaders since the 2003 Thessaloniki Summit

¹² Most vocally probably the Netherlands. Zweers, Wouter, 'Strict – but Fair?': Dutch Approach to EU Enlargement, *Balkan Insight*, <https://balkaninsight.com/2019/10/25/strict-but-fair-dutch-approach-to-eu-enlargement/>, [BSF Interview] Wiersma: EU should be more aggressive to leaders like Vučić and Đukanović, *European Western Balkans*, <https://europeanwesternbalkans.com/2019/10/22/bsf-interview-wiersma-eu-should-be-more-aggressive-to-leaders-like-vucic-and-djukanovic/>.

its continuation¹³. However, these pro-enlargement countries are not alone in their endeavour. The civil societies from the whole region wrote a joint letter to the EU representatives as well, arguing for opening accession talks with Albania and North Macedonia.¹⁴ Despite these efforts from politicians, diplomats and civil society, the current voting system in enlargement policy still allowed three Member States to block the opening of the negotiations against 25 other members; the consequences remain to be seen.

However, the failure of the EU leaders to recognize progress achieved by both Kosovo and North Macedonia points to some problematic but important trends. One is the politicization and nationalization of the enlargement process and the fact that the whole process, in theory technocratic and relying on objective conditions and evaluations of their fulfilment, is becoming a hostage of Member States' domestic interests and tensions. Domestic political competitions and interests of EU Member States' leaders are thus becoming established as an important factor influencing the enlargement process. Second trend, tying closely to the previous one, is the apparent lack of trust of Member States to the European Commission's evaluations and recommendations, leading to their rapidly decreasing relevance. The enlargement process has traditionally been a domain mainly of the European Commission, which is closely engaged with the candidates and potential candidates, gathers information from the region through its missions and delegations, as well as contacts with a spectrum of actors on the ground. It conducts regular monitoring in order to provide proper assessment and recommendation to the European

Parliament and Council. While there is naturally space for improvement in EC's monitoring and evaluating capacities and tools, the fact that the EU Member States repeatedly act against EC's recommendations (and also the European Parliament's position) is alarming and points to fundamental and structural problems in cooperation and trust between the institutions and, indeed, Member States.

How to solve the blank spot on the map of Europe?

The enlargement fatigue, and the problems it brings not only for the Western Balkans but also for the EU, has been a topic of expert discussions for the past several years. However, this year, with the failure to open the accession talks with Albania and most importantly North Macedonia, a number of proposals on how to reform the enlargement/accession process in a more or less radical way have been presented.¹⁵ The main issues addressed by these proposals are usually the absence of interim rewards in the current lengthy accession process on one hand, and on the other hand the difficult progress of the process due to required unanimity in the Council in voting during all phases of the accession process, subsequently discouraging the Western Balkan countries as the Council's decision does not always reflect the actual progress achieved.

The most recent and certainly most discussed proposal on accession process reform came from France in the form of the leaked "non-paper"¹⁶. The French proposal consists of seven policy blocks or stages, replacing the current system of chapters – 1) rule of law, fundamental

¹³ 6 countries write to Juncker to support EU enlargement reform, *Politico*, <https://www.politico.eu/article/6-countries-write-to-juncker-to-support-eu-enlargement-reform/>.

¹⁴ CSOs urge EU not to postpone negotiations with Albania and North Macedonia, *European Western Balkans*, <https://europeanwesternbalkans.com/2019/04/25/csos-urge-eu-not-postpone-negotiations-albania-north-macedonia/>.

¹⁵ For example by Milica Delevic and Tina Prelec, "Flatter and faster: New Western Balkans pathways to the EU", European Council on Foreign Relations, https://www.ecfr.eu/article/commentary_flatter_and_faster_new_western_balkans_pathways_to_the_eu, Milena Lazarević, "Away with the enlargement bogeyman", European Policy Center, <https://cep.org.rs/wp-content/uploads/2018/07/Away-with-the->

[Enlargement-Bogeyman_CEP-1.pdf](#), Nikolaos Tzifakis, "The French have got it wrong: An eccentric counterproposal", *European Western Balkans*, <https://europeanwesternbalkans.com/2019/11/19/the-french-have-got-it-wrong-an-eccentric-counterproposal/> or the paper "From Enlargement to the Unification of Europe: Why the European Union Needs a Directorate General Europe for Future Members and Association Countries", Open Society Policy Institute, <https://www.opensocietyfoundations.org/uploads/42290bc0-c7f1-43cc-9932-c1bd6901a136/from-enlargement-to-the-unification-of-europe-20190628.pdf>.

¹⁶ Published by Politico, <https://www.politico.eu/wp-content/uploads/2019/11/Enlargement-nonpaper.pdf>.

rights, justice and security; 2) education, research and space, youth, culture, sports, environment, transport, telecommunications and energy; 3) employment, social policy, health and consumer protection; competitiveness; 4) economic and financial affairs; 5) internal market, agriculture and fisheries; 6) foreign affairs; 7) other matters. While the French non-paper justly addresses several shortcomings of the current accession process, it fails to acknowledge some of the crucial obstacles to successful and efficient progress of the Western Balkan countries on their EU paths. The proposal addresses the first of the abovementioned issues, namely the lack of gradual interim rewards in the process, by offering access to different policy areas and tools according to the advancement in each stage. It also introduces the principle of reversibility, so that a country, which does not fulfil the criteria of the previous stages, can be punished accordingly (with suspension of the process in the worst case).

However, the proposal does not address some of the main issues hindering the progress of the Western Balkan countries towards the EU. While putting the rule of law and fundamental rights clearly as a priority (as the first stage), the non-paper fails to mention the fact that the Western Balkans, and especially the current “front-runners” Montenegro and Serbia, suffer from a serious state capture.¹⁷ It is important for the success of the process to acknowledge and address this problem appropriately since in the case of a state capture, the political elites, who are expected to be EU’s partners in the “profound political, economic and social transformation”, are simultaneously the primary obstacles preventing real reforms from being achieved. It also does not address the problem of politicization and nationalization of the process on the side of the EU Member States. Unless this factor is considered, ideally resulting in introduction of the qualified majority voting system into the enlargement policy area, the process will remain as unpredictable and inconsistent as it is now.

In general, the ideas expressed in the French proposal needs to be clarified much more to represent a

feasible replacement for the current setting. The non-paper mentions “stringent conditions” which would allow for objective verification of their fulfilment, assessed by the EU institutions. It is not, however, very clear on what the division of tasks and roles of the EU institutions would be. It states that the EC would still monitor the progress and provide evaluations, but that these evaluations would be subject to a review by the Member States. This can arguably only further weaken the role and credibility of the EC in the process, although it is the institution which is responsible for the monitoring of the candidates’ progress. It is also not specified where the civil society from the region would stand in the new setting, currently being closely engaged with the EC as an important source of information on the actual implementation of the required reforms and needs of the Western Balkan societies.

The discussion on enlargement also has to be tied closely to the proposed Conference on the Future of Europe¹⁸ and the EU must avoid the ever-present perceived dilemma between deepening versus enlarging. It is obvious that there is no plan B for the Western Balkan countries to their full membership in the EU and even the French non-paper reflects this. The Conference should thus serve as an opportunity for preparation of the grounds of an enlarged EU. At the same time, it would be certainly beneficial to include the Western Balkan leaders as well as their think tanks, civil society organizations and general public in discussions on the future of the EU. Such a step could contribute to bridging of the gap between the “elite club” of the EU Member States and the (potential) candidates by presenting the European integration as a joint project assuming interest and responsibilities of all parties involved. Additionally, engaging public from the Western Balkans in the discussions, in line with the French call for a more democratic Union closer to the citizens, could reduce the wide-spread feeling in the region that the EU does not really count with their membership and their European perspective being just an empty promise.

¹⁷ Openly addressed in the European Commission’s progress reports.

¹⁸ “Conference on the Future of Europe: Franco-German non-paper on key questions and guidelines”, *Politico*,

<https://www.politico.eu/wp-content/uploads/2019/11/Conference-on-the-Future-of-Europe.pdf>.

For the enlargement policy to become credible again, it is also important that any future plans for reform take into account and openly acknowledge the state capture prevailing in the Western Balkans. During meetings with the Western Balkan leaders, the EU representatives have typically been praising the progress achieved, although usually only minimally and not substantially, while ignoring the grave failures to advance in crucial areas such as rule of law, democratic governance or freedom of media. This approach sends a very bad message not only to the experts, civil society actors or journalists observing or even suffering under the restrictive regimes, but also to the general public. In this regard, the new, more open and critical, tone of the EC's progress reports is a step in the right direction. However, the Western Balkan leaders have to be called out on the existing shortcomings more openly.

Simultaneously, more guidance and assistance should be provided by the EU to the Western Balkan countries in the pursuit of necessary reforms, including increased funds. The EU also needs to strengthen its cooperation with all actors in the candidate or potential candidate countries as they represent key partners for successful monitoring of the situation on the ground and in cases when the ruling political elites rather hinder than lead the reform processes.

A more insightful and tailored approach should be adopted by the EU towards individual Western Balkan countries to be able to adequately support those actors who actually demonstrate the will to change things in their country. Such a change would help the EU to truly move towards a more merit-based approach in the enlargement policy and prevent unjustified generalizations like the Council's decision to not open of negotiations with North Macedonia and Albania, supported by the argument that the current ongoing accession process with Montenegro and Serbia – both states captured by the ruling elites – is not delivering satisfactory results. This situation represented an example of the EU leaders failing to acknowledge the specifics of individual Western Balkan countries, resulting in punishing some candidates for the mistakes of their peers, regardless of the different domestic contexts.

Conclusion

The structural grounds leading to the infamous saying that “the Western Balkan countries pretend to want to reform and the EU pretends it wants them to join the EU” need to be buried. While it is true that the Western Balkans have to deliver more concretely and ambitiously, the EU urgently needs to re-evaluate its approach. The current discussion opened by the French “non-paper” creates a unique opportunity. However, the final reform has to go far deeper than what is reflected in the French proposal, and must reflect the underlying issues that are the true obstacles to Western Balkans’ progress towards the EU –

the existing state capture by leaders not willing to give up their power, and the inconsistency and unpredictability on the side of the EU. The current enlargement policy and accession process is clearly not delivering – but it is not due to faulty methodology or the chapters-based system. Until now, the EU has allowed those countries in which rule of law and democracy is deteriorating the most to progress steadily in the integration process. Meanwhile, the EU does not similarly reward those countries where the situation is evidently improving, although still far from being satisfactory.¹⁹ A more sensitive and tailored approach will be needed in the future to avoid failure of the enlargement policy and establish enlargement as a truly merit-based process.

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Co-funded by the
Europe for Citizens Programme
of the European Union

¹⁹ Freedom House Index, Nations in Transit reports, <https://freedomhouse.org/report/nations-transit/nations-transit-2018>.

The European Commission support for the production of this publication does not constitute an endorsement of the contents which reflects the views only of the authors, and the Commission cannot be held responsible for any use which may be made of the information contained therein.