

The European Union Politics in the Western Balkans

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Abstract

The Western Balkans is a politically, economically, and socially diverse region. It has severe structural development problems that are common in all parts of the region: visible signs of half a century of the socialist Yugoslav system followed by the loss of an entire decade in wars, sanctions, and the displacement of populations. The international factor and in particular the European Union, NATO and the United States were involved in the Western Balkans, motivated by security interests and an increase of their prestige, and have set as their goal the creation of long-lasting stability, peace, and prosperity. The European Union policy towards the region is based on the Stabilisation and Association Process launched in 1999, which has been successful in transforming Central and Eastern Europe. The purpose of the Stabilisation and Association Process is to bring peace, stability, and economic development in the region, and to open the perspective of integration in the European Union. Since the Thessaloniki Summit in June 2003, all Western Balkan countries have been confirmed as "potential candidates" for membership in the European Union. In order to facilitate the fulfillment of required criteria by the Western Balkan countries, the Council of Europe gathered in Thessaloniki in June 2003 and decided to create the so-called "European Partnership" instrument. This instrument seeks to identify the priorities of individual countries in meeting the membership criteria. Currently the Western Balkans is in the stabilisation stage with a peace process that is becoming stronger. The road towards integration in the Euro-Atlantic structures is within reach for the countries of the region, however, several challenges exist.

Introduction

The Western Balkans is a politically, economically, and socially diverse region. It has severe structural development problems that are common in all parts of the region: visible signs of half a century of the socialist Yugoslav system followed by the loss of an entire decade in wars, sanctions, and the displacement of populations. The international factor and in particular the European Union (EU), NATO and the United States were involved in the Western Balkans, motivated by

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security interests and an increase of their prestige, and have set as their goal the creation of long-lasting stability, peace, and prosperity.

Since the beginning of its existence, the EU has been engaged in the modern history of the Western Balkans. On the occasion of signing of the Maastricht Treaty in 1991, European leaders decided for a strict cooperation on the matters of foreign and security policy. The outbreak of war in Yugoslavia in 1991 forced member states of the European Economic Community (EEC) to engage in the region to solve the conflict. The outbreak of subsequent wars in former Yugoslavia stressed the ineffectiveness of the EU activities and the lack of a well determined policy of the Communities and its member states regarding the violation of basic norms of international law during conflicts. Because of their interests and independently of their activities at the European level, the most important members of the EU – France, Germany, and United Kingdom, were actively engaged in solving several conflicts in the Western Balkans. The EU participated in preparing the Dayton Agreement which finalized the first phase of the dissolution of former Yugoslavia. In addition to Russia and the United States, the EU as a whole and some member states: France, United Kingdom, and Germany, were involved as guarantors of the agreement that put an end to the war in Bosnia and Herzegovina (BiH).

To achieve these goals, the development of democracy is needed along with economic development. Therefore, the EU policy towards the region is based on the Stabilisation and Association Process (SAP) launched in 1999², a policy which holds the promise of potential membership for aspiring countries. This policy has been successful in transforming Central and Eastern Europe. The purpose of the SAP is to bring peace, stability, and economic development in the region, and to open the perspective of integration in the EU. Further, it aims to bring peace and stability in the Western Balkans, prompt the sustainability of democratic institutions, ensure the rule of law, and develop and support open economies. Since the Thessaloniki Summit

²In May, 1999, the EU approved a new initiative for the five countries of the region of Southeast Europe (Albania, Croatia, Macedonia, BiH and “FRY”(now separated in two states, Serbia and Montenegro), and it is called the Stabilisation and Association Process (SAP). The SAP is a political structure of the EU in the region to encourage European values and principles and act as an anchor for reforms and opening of the road to eventual membership in the EU.

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I. Political, Legislative, and Economic Developments in the Western Balkans

Despite similar orientations in geopolitical values and interests, the Western Balkans is in the stage of fragmentation because of its past heritage and transition problems regarding integration in the EU. Political and economic developments in the region have been disappointing. Reasons for this include security issues and the slow and unspecified transition (Xhaferaj, 2007). In the beginning of the 1990s, and especially after 1992, the relations between the countries of the Western Balkans and the EU were arranged based on the Trade and Cooperation Agreement. The main purpose of this agreement was to encourage economic and market reforms in order to prepare for an eventual association agreement with the EU. Positively, the agreement says that "the agreement will contribute in leading toward the objective for an association agreement, in an appropriate time when the criteria are met, as well in further development of relations between them" (Xhaferaj, 2007).

In 1993, the Council of Europe of Copenhagen set out political, economic, legal, and administrative criteria for membership in the EU. The political criteria requires countries to have stable institutions that ensure democracy, the rule of law, human rights, and respect and protection of minorities. The economic criteria requires countries to have a functional market economy, as well the capacity to face

the pressure of competition and strength of the internal European market. The legal criteria require candidate countries to make their national legislation compatible with that of the EU and to have the ability to implement³ the EU body of laws and regulations. The administrative criteria requires that the candidate countries have the administrative capacity to implement the laws and policies and of the EU.

As the EU adopted these criteria, creating a foundation for economic, political, legal and administrative development became a top priority for Western Balkan countries. Such a foundation would enable the region to significantly improve the standard of living for its peoples and also bring it closer to the European family. Although the Copenhagen criteria had been established, the region became engulfed in several wars in the 1990s. The wars between Serbia and Slovenia in 1991, Serbia and Croatia from 1991-1994, Serbia and BiH from 1992-1995, Serbia and Kosova-Albanians in 1998-1999, the civil unrest in 1997 in Albania, and the armed conflict in 2001 between ethnic Albanians and the government forces in Macedonia, not only stalled the process of adopting the Copenhagen criteria, but even worse, reversed any progress that had already been made towards integration (Reka and Sela, 2007).

The first efforts of the EU to stabilize the region took place through the Roayaumont Process after the end of the war in 1995 in BiH. The initiative of the French Presidency launched in December 1996 sought to help the implementation of the Dayton Agreement. This initiative enabled regional projects in the area of culture, civil society, and human rights with the aim of mobilising civil society to build a cultural, social, inter-ethnic, and economic life in the region of the Western Balkans. In April of 1997, the Council adopted the so-called “regional concept” to create

³Acquis communautaire is the entire body of common rights and obligations which unites all member states of the EU. This changes constantly and includes: the content, principles and political purposes of the Treaties; the approved legislation in applying the Treaties and the judicial practice of the European Union Court of Justice; approved Declarations and Resolutions of the EU; measures regarding the Common Foreign and Security Policy; measures regarding justice and internal affairs, as well as international agreements that are fulfilled by the Community and agreements reached by the member states between one another in the area of the activities of the EU. Thus, *acquis communautaire* includes the EU law in the strict sense, approved acts according to the second and third pillar of the EU, and common objectives set forth in the Treaties. The EU is engaged in preserving *acquis communautaire* in its entirety and in further developing it. Applying countries should accept *acquis communautaire* before they join the EU.

bilateral relations between the EU and the countries of the region. Within this concept, some concrete steps were taken to ensure the return of refugees, decrease ethnic tensions, and encourage regional cooperation and democratization.

The war in Kosova in 1998-1999 and NATO's air campaign from March to April 1999 resulted in significant changes in the European politics towards the Western Balkans. This change took place after the involvement of NATO and the United States in solving the problem by military intervention, whereas the EU took political and economic responsibility to coordinate peacebuilding efforts in Kosova as well as stabilise the entire Western Balkans. On June 10, 1999 the Stability Pact for Southeast Europe was created with the goal of managing crisis in complex and difficult situations. The dissolution of former Yugoslavia brought about military conflicts and the emergence of new countries which led to animosities among political and social groups and a catastrophic economy in those countries. Hence, the EU took concrete measures to prevent conflicts by adopting the Stability Pact, which started to stabilize Southeast Europe through regional cooperation, political dialogue, cooperation between political parties, security development, mine-clearing, improvement of inter-ethnic relations, and the return of refugees (Bussek, 2008).

As part of the European politics towards Southeast Europe, the creation of the SAP was initiated in 1999. This was a political structure to promote European values and principles. In 1999, also within the regional concept of European politics towards Southeast Europe, was initiated the creation of the SAP, which was a political structure to open the possibility of finding a path to integration in the EU and to create favorable conditions for the implementation of reforms. The EU through this process opened the perspective and the path to integration, and had these goals:

- to stimulate the creation of democratic and sustainable institutions;
- to ensure the rule of law;
- to support and increase economic development through aid and financial programs;
- to assist the democratization of civil society, education and culture;

- to develop common cooperation in the area of internal politics and justice, as well as to intensify political dialogue;

These goals were based on three assumptions. The first assumption is that the perspective of European integration was the most important driving force of overall development in the region. The second assumption is that the Western Balkan countries should normalize relations between them. The last assumption is that bilateral relations between individual countries and the EU should take into account the unique social, economic, and political conditions of each country. During this time, the EU played an important role in the process of stabilising the Western Balkans through military operations (e.g., “Althea” operation in BiH, or “Concordia” operation in Macedonia) and police operations (e.g., “Police Mission of European Union” – PMEUE in BiH). The EU has been participating in the rebuilding and development of Kosovo, as well as in a series of initiatives such as the Regional Partnership, Ionian-Adriatic Initiative, the Process of Cooperation of Southeast Europe, and the Stability Pact of Southeast Europe, which are all of high importance as regards the international relations in this region. The EU politics and its involvement in supporting social and political reforms, solving ethnic conflicts, and pursuing permanent stability, enable it to play a serious role in the Western Balkans.

The Western Balkans is included in the EU’s enlargement policy that automatically provides to the countries of the region the perspective of EU membership and the opportunity to receive considerable financial and technical support. Moreover, Albania, Montenegro, Croatia and BiH are participants in “The Process of Barcelona: Unity for Mediterranean.” All countries of the region are included in international and cross-border cooperation with the member states of the EU (Muš, 2008).

The June Summit in Feira in 2000 resulted in another point of view in relations between the EU and the Western Balkans. Half a year later, in November

2000, the Zagreb Summit⁴, marked a new event in the intensification of developments in the Western Balkans towards EU membership. The Western Balkan countries and the EU agreed to move forward with the SAP as a means of preparing the region for sustainable reforms that are required of the countries to win potential candidate status. This process contained three phases: the achievement of the Stabilisation and Association Agreement, negotiation and implementation of the Stabilisation and Association Agreement, and the support to meet obligations that come from the first phases (Muš, 2008).

1. *Towards Achievement of the Stabilisation and Association Agreement*

The cornerstone of a long-term obligation of the EU is the Agreement for Stabilisation and Association. In this agreement, the EU offers to open its markets, provide significant financial and political assistance for respective countries, and requires them to take serious steps towards political and economic reforms based on the Copenhagen criteria. Before beginning negotiations for this agreement, corresponding countries should show their commitment to undertake political and economic reforms and capability to overcome basic obstacles to peace and stability in the region.

2. *Negotiation and Impelemtation of Stabilisation and Association Agreement*

Agreements for stabilisation and association are designed like the European agreements signed in the 1990s with ten states of Central and Eastern Europe. Such agreements have been signed with Macedonia⁵, Croatia⁶, Albania⁷, Montenegro⁸, Serbia⁹, and BiH.¹⁰

⁴The Zagreb Summit intensified common regional cooperation; participating countries became potential candidates for membership and the CARDS program gave 4.6 billion Euro in financial assistance during 2000-2006.

⁵26 March 2001

⁶9 July 2001

⁷12 June 2006

⁸15 October 2007

⁹29 April 2008

Involvement of the Western Balkan countries in the process of negotiation and signing the Stabilization and Association Agreement in years 2000-2008							
	Croatia	Macedonia	Albania	Montenegro	Serbia	BiH	Kosova
Beginning of SAA Negotiations	24.11.2000	5.4.2000	31.1.2003	10.10.2005	10.10.2005	25.11.2005	/
Achievement of SAA	14.5.2001	24.11.2000	28.2.2006	15.3.2007	7.11.2007	4.12.2007	/
Signing of SAA	29.10.2001	9.4.2001	12.6.2006	15.10.2007	29.4.2008	16.6.2008	/

Source: (Muš, 2008).

The Stabilisation and Association Agreement focuses on respecting key democratic principles and the fundamental elements of the Single European Market. Through a free trade area with the EU, this process will allow the economies of respective states to begin the integration in the EU economy.

3. *The EU Support to the Western Balkans*

The EU provides major assistance to the Western Balkan countries so that they can fulfill the duties of the first and second phase. The EU's support for the countries of the region first began through programs like PHARE¹¹, TACIS¹², OBNOVA¹³, and CARDS¹⁴ - which are designed to address the specific needs of each country during the course of stabilisation and association process. This aid is combined according to the respective needs of each country and focuses on supporting reforms and necessary institutional-bulding to implement their

¹⁰ 16 June 2008

¹¹ Poland and Hungary: Assistance for Restructuring their Economies. On January 1, 2007, EU Regulation No. 1085/2006, of the Council, of June 17, 2006, replaced PHARE with the Instrument for Pre-Accession Assistance (IPA). The main modus of direct financing of the enlargement process is the Instrument for Pre-Assistance (IPA). The support is valid for these spheres: during the transition phase and institutional development, cross-border cooperation, regional development, transportation infrastructure, protection of natural areas, economic development, human resources development, (strengthening of human capacity and preventing social exclusion), and also development of rural areas. In last three spheres, the funds are available only for countries that have candidate status, currently only Macedonia and Croatia.

¹² Technical Aid to the Commonwealth of Independent States. From 2007 to 2010, the EU financial perspective, TACIS program for the countries of the European Neighbourhood Policy and Russia is replaced with the Instrument of European Neighbourhood and Partnership.

¹³ OBNOVA program was established in 1996, by Council Regulation (CE) 1628/96, and from its amendments (CE) 851/98 and (CE) 2454/99. The value of this package between 1996 and 2002 achieved 400 million Euro. The program was opened to BiH, Croatia, and Macedonia.

¹⁴ Community Assistance for Reconstruction, Development and Stabilization.

obligations. Created through these phases of Stabilisation Association Agreement, the process:

- offered “the path to european family” to every Western Balkan country;
- led toward official links with the EU;
- included economic and financial assistance;
- included political dialogue in trading;
- decided for a free trade area;
- decided a level of EU legislation and practice;
- led towards cooperation in justice and internal affairs;

Another important step in developing relations between the EU and the Western Balkans were further enriched during the Thessaloniki Summit in June 2003, which discussed the region’s path to EU membership. In this Summit, the leaders of states and governments of member states, of states that were waiting to join the EU on May 1, 2004, and of states that already were involved in the SAP, confirmed again the EU perspective of the Western Balkan countries, especially for five countries that were part of this process, by agreeing that “the countries of the Western Balkans will be an integral part of the EU after they meet the Copenhagen criteria” («Thessaloniki Declaration». EU-Western Balkans Summit. 21st June 2003). Also, in Thessaloniki, European political actors sent a clear message to countries aspiring for membership that the EU is decisive in further investing in long-term peace, regional security, stability, democracy, and economic development in the Western Balkans. New instruments were initiated in this direction like the European Partnership, additional support for democratic institution-building, promotion of economic development, inauguration of Community programs and agencies (Ibrahimi, 2009).

The European Partnership is another significant instrument that the EU applies towards the Western Balkans. Initiated in March 2004, the European Partnership is an instrument of the SAP which formulates the principles, priorities, and conditions of the agreement between the EU and countries of the Western Balkans. Its objective is to expedite the fulfillment of the criteria for the implementation of the Stabilisation and Association Agreement. These criteria consist of:

- strengthening democratic institutions, increasing the standards of protection of minorities and human rights through development and strengthening of the rule of law;
- providing appropriate personnel for regional stability and political dialogue between parties;
- achieving standards to establish a progressive but effective free exchange zone between the parties;
- increasing economic development and prosperity to pass from transitional economy to market economy;
- intensification of cooperation in areas of justice and internal affairs with the purpose of creating a free zone of security and justice;
- participation and strengthening of regional cooperation;
- training of state institutions to meet the obligations arising from future membership in the EU;

These criteria have been established for each of the Western Balkan countries to prepare them to become potential candidates for EU membership. This instrument aims to help the stability in the Western Balkans by bringing them closer to the standards of the Union through alignment with the *acquis communautaire*.

In addition, a major event was the informal meeting of foreign ministers of the EU and the Western Balkan countries in Salzburg, on March 10, 2006. As preparation for this meeting, the European Commission presented, in close coordination with the Austrian presidency of the EU, a Communication entitled “The

Western Balkans on the Road to the EU: Consolidating Stability and Raising Prosperity.” The document contained a number of proposals for practical measures to make the European perspective clearer for the peoples of the Western Balkans. Among others, these include the reduction of trade barriers, creation of free trade areas, visa liberalization, measures in educational sector, and financial assistance. “The Salzburg Declaration,” independently of the European climate of increased skepticism about enlargement, clearly reconfirmed the perspective of membership for the Western Balkans as indicated by such phrases as “membership as ultimate goal” and “the future of the Western Balkans lies in the EU” (URL: The Salzburg Declaration, 2006) Moreover, the meeting in Salzburg was considered a success because the declaration confirmed the decisiveness of the EU to implement the Thessaloniki Agenda.

Countries of the region - Albania, BiH, Croatia, Macedonia, Serbia, Montenegro and Kosova have already understood that reforms to establish democratic and sustainable institutions, create a functional juristic state, create a market economy, and increase the role of citizens in society are the best route to a new future in peace, stability, prosperity, and freedom. Hence, the EU has been helping the countries of Southeast Europe during the course of transition, particularly the countries of the Western Balkans. This support and assistance aims to plan their accession into the EU as member states as soon as they meet the necessary requirements. The EU has always shown a willingness to promote the membership of the Western Balkans, but the EU’s approach will sustain only as long as this region and the countries individually continue to reform their political and economic systems. The EU always reminds the countries of the Western Balkans that the decision on their membership will be taken on the basis of individual progress, eliminating all doubts that there is another way for the region to integrate in the EU. Therefore, some countries have signed Stabilisation and Association Agreements and others have not. It depends on the countries of the Western Balkans to intensify their efforts in the fight against corruption, and to promote political stability and economic reform in order to receive “a passing grade” in the difficult exams of the EU, which they have just started (Canga, 2005). If we look at the countries of the Western Balkans, it can be clearly seen that of all countries Croatia is

moving faster towards EU membership by meeting the political, economic and legal criteria which are required by Brussels. Croatia is the most ambitious country in the region. Croatia's accession efforts were slowed down because of the war crimes issue. The international community clarified that if Croatia did not turn in to the International Criminal Tribunal for the former Yugoslavia all those suspected of war crimes, Croatia would not be close in gaining EU membership. The United Kingdom and the Netherlands blocked the ratification of the Stabilisation and Association Agreement for a long time, which Croatia signed in 2001, until General Ante Gotovina, suspected of war crimes, be delivered to the Hague. But, what makes Croatia different from other states of the region is that there exists a general thinking that the country should meet EU standards. Croatia's progress toward EU membership is a positive signal for the whole region, but even though an inter-regional stability has already been reached and economic progress has been made to a degree, the overall situation is still complex. The political geography remains to be clarified: Kosova and its development, uncertainty of BiH regarding its existence as one political unit, and with a fragile economy, because of its heavy dependence on outside assistance. Other countries like Macedonia, Albania, Serbia, and Montenegro continue to suffer from high levels of unemployment, organized crime, corruption, austerity measures, and lack of foreign investments. These problems slow down the integration process in European family.

II. The Perspective and Future Challenges of the EU Policy in the Western Balkans

The Western Balkans has been and will remain a priority interest for the EU. Analyzing the current political situation in the Western Balkans and in each country of the region, it can be concluded that after all these efforts and commitments in the field, problems and challenges still exist. The countries of this region must overcome these problems through genuine cooperation with the international community in order to eventually become part of it.

Since the Thessaloniki Summit, as the European institutions stated that "the future of the Western Balkans is within the European Union," (The Salzburg

Declaration, 2006) the positive impact of strengthening relations between the EU and the Western Balkans on the implementation of social and economic reforms is clearly understood. The prospect of EU membership remains a crucial stabilizing factor in the region that also encourages substantive reforms in each country. Furthermore, looking at the dynamics of the European integration, the EU's support for reforms in the region is a test of its ability to influence countries, thus confirming its importance and strength in the international arena.

Despite the fact that all countries of the Western Balkans have achieved progress in their path to EU membership, the dynamics and different conditions of the adaptation process are the reasons why some of these countries have moved closer to EU membership while others are lagging behind. Croatia has been the most successful country in the region in the integration process. It has started membership negotiations as the only country with the potential to become a member state of the EU within a short time. However, the prospect of membership for other countries in the region is less clear and it is difficult to set a timeframe. The accession of the Western Balkan countries to the EU will depend on overcoming major obstacles associated with the constant threat of domestic political instability. This is caused by internal ethnic, religious or political conflicts, some of which have escalated to such a degree that it has paralyzed the implementation of government reforms. In addition, the countries of the region suffer from a weak internal structure, organized crime, and corruption that have produced limited efficiency and effectiveness on the part of public administration and other state institutions. Undoubtedly, a key issue facing the region is to bridge the differences caused by wars and conflicts in the last two decades. Equally important is the successful processes of reconciliation that is needed to ensure the political stability of the region. The economic transformation and implementation of free trade principles will also play a significant role and ensure further economic growth.

Although the consensus among member states of the EU exists concerning the positive impact of the policy of EU enlargement on political stabilization and socio-political development in the Western Balkans, it is expected that the accession of Western Balkan countries will be a challenge to current and new member states.

This explains the differences in the attitudes of European political elites and societies regarding their support for the accession of the region to the EU. It is clear that the implementation of the EU standards by the Western Balkan countries will have a key impact on the readiness for expansion. The effects 'of enlargement fatigue' that would be generated by the accession of the Western Balkan countries and the consequences of delaying the process of internal reform within the EU institutions must be taken into account. This "enlargement fatigue" shows a dilemma the EU member states face. Namely, they have to choose between internal growth and development, which is a priority to the EU, and the continuation of enlargement. It is thought that the most advantageous solution in this regard is the combination of these two goals, profiting from the EU enlargement, in parallel with keeping its cohesion and internal efficiency.

Finally, it must be noted that the EU policy and its influence in the Western Balkans has its merits and shortcomings. In this regard three elements should be noted (Inotai, 2007).

First, transparency and objectivity of the use and application of the principle of conditionality shows the quality of cooperation between Brussels and member states. Every single member state, either directly or through the Council, could undermine the sustainability of this important instrument of the EU. The lack of cooperation between the Commission and the SAP on one side, and activities by Javier Solana and the Council (representing the member states) on the other hand, "have substantially reduced the influence of Europe and the consistency of the EU leadership in the region" (Inotai, 2007).

Second, double standards, the application of separate conditions to each country including the different interpretation of these conditions from country to country are likely to question the key role of the EU in the Western Balkans, including its ability to maintain peace, order, and contribute to the region's sustainable development. Consequently, such a situation would continue each country's efforts to emulate one another by seeking "more fortune", and "less liabilities" and to further decompose the power of the EU.

Thirdly, the EU's ability to create stability and prevent conflicts in the Western Balkans is also a general message. In some parts of the world that are

involved in conflicts, Brussels is seen as an honest mediator that has the possibility to achieve its objectives through peaceful means and in cooperation with local communities. Thus, the success or failure of the EU policies in the Western Balkans has global implications that will affect the acceptance of European integration as a leading force (peacekeeping and peace building).

The prospect of accession and full integration of the Western Balkan countries in the EU have played an important role in political, economic and social stabilization by softening the effects of internal conflicts and systematic transformations. Even if the progress of the Western Balkan countries towards EU integration continues with varying speed, the hope of eventual membership is an important mobilization factor and catalyst to continue reforms.

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