

EU Enlargement to the Western Balkans – limited progress in 2021

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2021 marks another year in the almost two-decade-long road of the Western Balkan region towards EU membership. It was marked by the continuing COVID crisis and some increase in EU interest in the region. However, it has not brought significant developments to the integration process of six (potential) candidates. In this short overview of 2021 developments, we will first give a brief account of the new accession negotiation methodology devised last year¹, and then address the outcome of the 2021 EU-Western Balkan summit held in Slovenia in October 2021. Finally, we will offer a brief discussion of the EU Enlargement Strategy prepared annually by the European Commission and accompanied by individual candidates’ progress reports.

All the countries of the WB region were given prospects of EU membership in 2003, but the EU integration process has since been long and hampered by numerous factors, most notably enlargement fatigue². In the 2018 Enlargement Strategy, the European Commission anticipated possible WB enlargement for 2025, stressing that the EU’s enlargement policy must be “part and parcel” of the larger strategy to strengthen the Union by that year³. However, it was accompanied by the assessment that only Montenegro and Serbia (candidates currently negotiating accession) would have the possibility of concluding the whole process by 2025, with no projection given for remaining four candidates – North Macedonia, Albania, Bosnia and Hercegovina, and Kosovo(*) –, none of which had opened negotiations at that date.

Following the proposals put forward, mainly by France, for revamping the process in 2019, the Commission came up with the new Enlargement methodology in February 2020, with the idea of introducing more dynamism. The Commission envisaged grouping the negotiating chapters in six thematic clusters: fundamentals; internal market; competitiveness and inclusive growth; green agenda and sustainable connectivity; resources, agriculture and cohesion; external relations. The process was envisaged as giving a stronger political steer and increasing the involvement of member states, better predictability of the process (hence six clusters) including improved clarity on the conditions and benchmarks to be achieved. The new methodology should result in the gradual “phasing in” of candidates in EU policies and increased access to funding throughout the process but would also include rolling back in the case of stagnation or backsliding in prospective members⁴. Finally, the new methodology also assumes less

¹ For a more detailed analysis see: M. Milenković, EU Enlargement Strategy 2020 – Paving the Way for Differentiated Integration?, in *OSORIN*, 2020, www.osorin.it/uploads/model_4/files/54_item_2.pdf?v=1608022440.

² See *inter alia*: S. Economides, *From Fatigue to Resistance: EU Enlargement and the Western Balkans*, Dahrendorf Forum IV Working Paper No. 17, 20 March 2020

³ See further: European Commission, *A credible enlargement perspective for and enhanced EU engagement with the Western Balkans*, 6 February 2018, COM (2018) 65 final.

⁴ European Commission, *Enhancing the accession process - A credible EU perspective for the Western Balkans*, 5 February 2020, COM (2020) 57 final.

opportunities to block the advancement of the process before the opening and closing of each of the current 35 negotiation chapters, as decisions are made for six clusters instead of single chapters.

The governments of both Montenegro (all 35 negotiation chapters opened) and Serbia (18 chapters opened) agreed to move to the new cluster format of negotiations at the first political intergovernmental conferences held between the two candidate countries and the EU on 22 June 2021. As underlined by the Commission: «The first intergovernmental conference with Montenegro under the revised methodology provided a political steer on accelerating work to meet the rule of law interim benchmarks – the next milestone necessary to advance in the accession negotiations. The first intergovernmental conference with Serbia under the revised methodology set out the path towards opening clusters based on expected progress by the country, in particular on rule of law reforms»⁵.

The opening of negotiations with North Macedonia and Albania in March 2020 was a major development⁶, but no concrete progress has been made since, i.e. no clusters have been opened by the member states. This has led the Commission to conclude that «[t]he delays in the official launch of accession negotiations with Albania and North Macedonia are having a negative impact on the credibility of the EU. Pending bilateral issues between Bulgaria and North Macedonia need to be resolved as a matter of priority. It is crucial that EU Member States conclude the discussions on the Negotiating Frameworks without further delay and that the first intergovernmental conferences with Albania and North Macedonia are held as soon as possible and before the end of this year»⁷.

Finally, it is important to note that in June 2021, a political agreement was finally reached between the Council and the European Parliament on the proposal for a Regulation on the Instrument for Pre-Accession Assistance (so called IPA III), and the Regulation was adopted on 15 September 2021. It is supposed to serve as an instrument for the enhanced economic and development involvement of the EU in the region following the 2021 decisions to be more involved and the challenges created by the COVID crisis.

On 6 October 2021, the heads of states and governments of the EU held the Brdo summit in Slovenia with the leaders of the Western Balkan candidates⁸, as a part of the “more political steering” of the integration process approach adopted in 2020 and the commitment to hold high level summits with candidates on a regular basis. Expectations

⁵ European Commission, *2021 Communication on EU Enlargement Policy*, Strasbourg, 19 October 2021, COM (2021) 644 final, 2.

⁶ Council of the European Union, *Council conclusions on enlargement and stabilisation and association process – Albania and the Republic of North Macedonia*, 25 March 2020, COM (2020) 57 final.

⁷ European Commission, *2021 Communication on EU Enlargement Policy*, Strasbourg, 19 October 2021, COM (2021) 644 final, 25.

⁸ See further: www.consilium.europa.eu/en/meetings/international-summit/2021/10/06.

of the event were not high⁹, and the resulting Brdo Declaration doesn't go far in promising perspectives of enlargement to the candidates¹⁰.

Indeed, the very discussion between member states on whether to use term “European perspective” or “enlargement” with current candidates, some even negotiating accession, comes as a stark warning of the magnitude of Enlargement fatigue in the block. As underlined at the very beginning of the Declaration: «The EU reaffirms its unequivocal support for the European perspective of the Western Balkans. [...] The EU reconfirms its commitment to the enlargement process and its decisions taken thereon, based upon credible reforms by partners, fair and rigorous conditionality and the principle of own merits» (point 1).

The document places very little emphasis on the accession negotiations, insisting more on the increasing EU aid to the Western Balkans and regional initiatives that are, to a great extent, the result of EU facilitated processes. Importantly, the Declaration underlines that «[t]he EU is by far the region's closest partner, main investor and principal donor. The unprecedented scale and range of this support must be fully recognised and conveyed by the partners in their public debate and communication» (point 3) and that «[t]he EU, together with its Member States, has stood by the Western Balkans throughout the pandemic, with health and socio-economic support for the region totalling an unprecedented EUR 3,3 billion so far» (point 7), finally to conclude that «[f]ollowing the Leaders' call at the Zagreb Summit, the EU put forward an Economic and Investment Plan (EIP) and guidelines for the Implementation of the Green Agenda for the Western Balkans. The Plan sets out a substantial investment package mobilising some EUR 30 billion for the region over the next seven years, comprised of EUR 9 billion in grant funding and EUR 20 billion in investments, leveraged by the new Western Balkans Guarantee Facility» (point 10). This message comes as a reminder that – even though some other major powers are increasingly present in the region, mostly through investments projects and big infrastructural loans – the EU still remains the most important trade partner as well as the biggest transformative power for the region, crucially influencing institutional change and promoting values of democracy and the rule of law.

The declaration also addresses the regional cooperation in the Balkans, with the reminder that «Western Balkans leaders are needed to deliver on their commitment to establish a Common Regional Market, as agreed at the Berlin Process Summit in Sofia in 2020» (point 13). Coined as a «catalyst for deeper regional economic integration and a stepping stone towards the EU Single Market», it is structured around the four freedoms of movement, comprising also aspects of digital, investment, innovation and industry policy, being – in the words of the Commission – «the most ambitious regional integration effort to date in the Western Balkans»¹¹. These efforts are somewhat duplicated by a

⁹ See: www.reuters.com/world/europe/eu-no-longer-agrees-balkan-membership-guarantee-diplomats-say-2021-09-28.

¹⁰ Brdo Declaration, 6 October 2021. Available at: www.consilium.europa.eu/en/press/press-releases/2021/10/06/brdo-declaration-6-october-2021.

¹¹ See further: ec.europa.eu/neighbourhood-enlargement/enlargement-policy/policy-highlights/common-regional-market_en.

parallel initiative, Open Balkan, which to date includes only three countries of the region – Albania, North Macedonia and Serbia – and which has moved forward in 2021¹². Finally, the summit Declaration calls upon WB partners to «make tangible and sustainable progress towards full alignment with EU foreign policy positions and act accordingly, including with positions in international fora as an important part of their European path» (point 19).

There are some sharp criticisms of the outcome of the latest EU-WB summit – «With no real progress in EU enlargement to the Western Balkans, or effective solutions to deal with the region’s fundamental problems, the Union’s promises of support and a shared future are starting to ring hollow. It is unclear where enlargement policy goes from here»¹³. However, there were some overall positive assessments of the summit and its conclusions¹⁴.

As every year, the Commission came up with the regular Enlargement Strategy and individual countries’ progress reports assessing their advancement in various areas of reforms and alignment with the *acquis* and EU policies¹⁵. This year’s documents could only attest to the slow progress of the EU integration process in the Western Balkans, giving accounts of the most pressing problems the countries of the region are facing. The Strategy underlines that «[e]nsuring credible and sustainable reforms in the area of democracy remains a pressing challenge for the enlargement countries. The absence of genuine political will continued to be the main reason for the lack of substantial progress, or even backsliding»¹⁶. It is further underlined that, for the Balkans as a whole, limited or no progress overall was made in terms of freedom of expression, media freedom and pluralism as key pillars of a democratic society¹⁷. In terms of the region’s ability to assume the obligations of membership, varied assessments across countries and policies persist, with the evaluation that «[t]he Western Balkans are, in general, moderately prepared in many areas of the internal market»¹⁸.

In terms of the individual progress of candidates, the Commission offered different assessments. For Montenegro, the frontrunner in the accession negotiations, it concluded that «an overall balance is currently ensured between progress under the rule of law chapters on the one hand, and progress in the accession negotiations across chapters on the other»¹⁹. For Serbia, «an overall balance is currently ensured between progress under the rule of law chapters and normalisation of relations with Kosovo on the one hand, and progress in the accession negotiations across chapters on the other», and also welcomed Serbia’s fulfilment of the benchmarks to open cluster 3 (Competitiveness and inclusive

¹² See further: www.euractiv.com/section/politics/short_news/vucic-rama-and-dimitrov-agree-on-implementation-mechanism-for-open-balkans-initiative.

¹³ C. Stratulat, EU enlargement to the Western Balkans – Three observations, EPC, 2021. Available at: epc.eu/en/Publications/EU-enlargement-to-the-Western-Balkans-Three-observations-4392d4.

¹⁴ S. Subotić, Assessing the 2021 Brdo Declaration Going Beyond the Original Expectations, CEP, 2021. Available at: cep.org.rs/en/blogs/assessing-the-2021-brdo-declaration.

¹⁵ European Commission, 2021 *Communication on EU Enlargement Policy*, Strasbourg, 19 October 2021 COM (2021) 644 final.

¹⁶ *Ibid.*, p. 13.

¹⁷ *Ibid.*, p. 8.

¹⁸ *Ibid.*, p. 17.

¹⁹ *Ibid.*, p. 27.

growth) and cluster 4 (Green agenda and sustainable connectivity)²⁰. For both North Macedonia and Albania, it concluded that the countries continue to fulfil the conditions to open accession negotiations²¹. For Bosnia and Herzegovina, the Commission concluded that «the public political commitment of the authorities at all levels of government to the strategic goal of European integration has not been turned into concrete action, as political leaders continued to engage in divisive rhetoric and unconstructive political disputes», with the 14 key priorities from the Commission’s May 2019 Opinion on the country’s EU membership application still left to be met²². Finally, for Kosovo(*), it affirmed that «limited progress was made on EU-related reforms and SAA implementation»²³.

In line with the adoption of the new Enlargement Strategy, the EU High Representative for Foreign Affairs and Security Policy Josep Borrell, stated: «We have to maintain a credible enlargement process. This is a two-way street: The new methodology is a merit based approach. It puts a stronger focus on fundamental reforms, such as rule of law, fundamental freedoms, economy and the functioning of democratic institutions. Our partners need to address them, in the interest of their citizens and to advance on the EU path. And they need put aside their differences. On the EU side, we need to deliver on our commitments. The EU is not complete without the Western Balkans. It's time we come together and unite in building a stronger Europe»²⁴.

Bearing all the outlined developments in mind, as we have already proposed in last year’s OSORIN entry, it is time to also consider relations between the European Union and the Western Balkans in terms of differentiated integration²⁵, not necessarily as (full) members but credibly included in various EU policies and benefiting both from EU transformative power and the financial assistance to develop infrastructure and fully implement EU standards (such as those in the environment and climate domain). To that end, an interesting initiative has also emerged during 2021 calling for four step “staged accession” to the EU²⁶, a model which should be given more attention by all stakeholders.

Overall, despite the continuing COVID-19 crisis and some smaller steps in various fields it can be concluded that 2021 was a relatively uneventful year in terms of EU-WB relations with no real progress in the Enlargement process being made. Discussions over references to European prospects or enlargement in the Declaration of the EU summit might be one more sign that enlargement is gradually being abandoned, and that after 20 years the European perspective of the region composed of various sectoral initiatives is being rethought.

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²⁰ *Ibid.*, p. 28. Opening of the cluster 4 was anticipated on 8 December. https://www.euractiv.com/section/politics/short_news/eu-to-soon-open-cluster-4-in-negotiations-with-serbia/

²¹ *Ibid.*, p. 28.

²² *Ibid.*, p. 29.

²³ *Ibid.*, p. 30.

²⁴ See: ec.europa.eu/neighborhood-enlargement/news/2021-enlargement-package-european-commission-assesses-and-sets-out-reform-priorities-western_en.

²⁵ Marko Milenković, EU Enlargement Strategy 2020, cit.

²⁶ CEPS, CEP, *A Template for Staged Accession to the EU*, 2021. Available at: www.ceps.eu/ceps-publications/a-template-for-staged-accession-to-the-eu.