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## The Western Balkans, the reform of the accession process and *grands débats* on the Future of Europe: waiting for Godot or engaging more strategically?

### Enlargement is dead, long live enlargement?

The French decision to oppose the opening of accession negotiations with Albania and North Macedonia has caused much discontent all over Europe and opened a debate on the reform of the accession process. France has been accused of committing nothing less than an “historical mistake”, undermining Balkan stability<sup>2</sup>, damaging the EU’s credibility<sup>3</sup> and pushing the Western Balkans into the covetous arms of Russia, China and others<sup>4</sup>.

The French decision is regrettable. North Macedonia and Albania deserved to move forwards. They have played by EU rules and pushed for remarkable reforms in the hope of an elusive reward which has, once more, rung hollow. But let’s be honest. It is not the first time that the Council, influenced by the demands of a single Member State (or a very few of them), disappoints: Greece has blocked North Macedonia for almost a decade and Kosovo’s visa liberalisation remains similarly stalled, in spite of the recommendations of the European Parliament and European Commission. Examples abound. The French decision does not represent any disruption of the EU’s political order. It is, *unfortunately*, quite typical of the EU’s functioning in enlargement matters and other sensitive issue-areas, where intergovernmentalism -rather than farsightedness- prevails.

Does it mean that a more cohesive Union would necessarily bring the enlargement process to a successful conclusion? Not necessarily. Over the past decade, the prospect of EU membership for the Western Balkans Six has become an empty shell. The indispositions of the *Grande Nation* are just the last straw that breaks the camel’s back. Limited progress in the region (if any) have led to “stricter”, albeit not fairer, conditionality and rendered the accession process overly lengthy<sup>5</sup>. Eighty years might be needed *ceteris paribus* for Kosovo to reach the 60%-threshold of GDP per capita relative to EU average at which Croatia joined the EU in 2013. Two decades might be needed for Bosnia-Herzegovina to

meet the governance level of Bulgaria and Romania upon accession<sup>6</sup>. Three decades might not be enough for Albania to adopt and implement the entirety of the EU’s *acquis*<sup>7</sup>. Progress in democracy has remained particularly elusive in Serbia and Montenegro, the so-called “accession frontrunners”<sup>8</sup>. And very little has been achieved by the EU in promoting solutions to border and territorial disputes, internal and external sovereignty strife and reconciliation puzzles<sup>9</sup>. How historical has the 2013 Brussels agreement between Belgrade and Pristina been, after all? Where is the EU’s contribution to the resolution of the naming issue? How successful has the Regatta principle been in crafting closer ties within the region (in comparison to the Berlin Process)?

Actual convergence (in political, democratic, socio-economic and societal terms) is rare commodity in the region. Vested interests and informal networks of influence are keen on disrupting the EU’s transformative power and hold a great share of responsibility in the failure to speed up the Western Balkans’ accession process<sup>10</sup>. Lengthiness is a delusive consolation for the advocates of the EU’s transformative power.

This limitation is not the only one. Unpredictability on the EU’s side has also undermined the credibility of the process. The re-nationalisation of EU politics, demise of Community approach and resurgence of populism have made enlargement contingent on a series of variables that are hardly related to the Western Balkans. These major shifts in EU politics, however, have not permeated the policy approach (yet). The EU strategy towards the Western Balkans has remained quite constant over time, notwithstanding minor amendments in 2006 (renewed consensus) and 2011-2012 (new approach). In this context of rising unpredictability, the 2018 Western Balkans strategy only succeeded in offering a (still-born) “best-case scenario” (*sic*).

Today’s outcry over France is understandable. But the EU’s strategy towards the Western Balkans

hitherto was no Philosophers' Stone. It was predicated on the acceptance of lengthiness and unpredictability as variables shaping the fate of the Western Balkans – two concepts that are clearly at odd with a more strategic engagement. Most analysts in the EU and Western Balkans Six for these reasons and others agreed that a new approach was needed<sup>11</sup>. Well, the good news is that this time might have come. But how far will the EU and its current and future Member States be ready to go? How much strategic thinking is there on the table now and what would be needed to really make a difference?

### **Reform or not, lengthiness and unpredictability are here to stay**

The debate on the reform of the accession process has already received proposals from Paris as well as from members of the Tallinn group, and the European Commission is due to deliver its own proposal by the end of January. These proposals list a series of (new and above all not so new) ideas on how to change the procedure, sequencing and functioning of the accession process. What they fail to do is to revamp the strategy of the EU and factor in lengthiness and unpredictability in the strategic equation.

In its non-paper, France presented a “renewed approach based on four principles: gradual association; stringent conditions; tangible benefits; reversibility”. Already widely discussed<sup>12</sup>, the French proposal may eventually find its way to the European Commission. But a re-sequencing of the accession process into seven successive stages is unlikely to make the process less lengthy and unpredictable. On the contrary, an approach applying more “stringent [ex ante] conditions” across fewer stages might end up creating stronger opportunities for veto-players to block progression at pivotal times; it might end up disempowering reformist forces ready to engage across all stages; and over all slowing down the whole process. Likewise, with the Council's role being “strengthened as candidate countries are increasingly involved in sectoral policies”, little hope remains that the renewed approach will prove less unpredictable, unless the reform of the accession policy is mirrored by a reform of the enlargement policy (e.g. introduction of qualified-majority voting<sup>13</sup>).

While adopting some of the proposals of the French non-paper (more-for-more and less-for-less principles), the non-paper prepared by nine members of the Tallinn group sets a different tone with regard to

the sequencing of accession (opening “groups of chapters in parallel and not consecutively”) and reasserts the importance of key elements already anchored in the existing approach (strict and fair conditionality, regional cooperation, civil society involvement). More innovatively, it calls for including the Western Balkans in the debates on the reform of the accession process and be part of the conference on the future of Europe and urges EU governments to “make a greater effort to explain the benefits of enlargement to their public”. The non-paper remains silent, however, as to how to address the challenges of lengthiness and unpredictability looming over the European perspectives of the Western Balkans.

The Commission's proposal will be an attempt to bridge these approaches and others. But new questions will soon arise. Firstly, on the timing of the reform, the Council will have to decide if its adoption and implementation are a prerequisite to the opening of accession negotiations with North Macedonia and Albania. This question is not anecdotal at all. If so, it is likely that the reform will be carried out with a sense of urgency that badly serves its strategic depth. Secondly, the Council will have to decide on the scope of the reform: should it apply to all the Western Balkan countries alike or only to those which have not opened accession negotiations yet? If this is the case, the reform will create a two-tier system that *de facto* rewards countries that have not shown good progress in democratic transformation (Serbia, Montenegro, Turkey). It would also run against the objective pursued more actively in the past few years of strengthening regional cooperation, and possibly polarise ethno-political relations in the region. Finally, the Council will have to decide what place enlargement should be given in the wider debate on the future of Europe: should the Western Balkans Six be associated to the Conference on the Future of Europe, just as CEE candidate countries used to be in the framework of the European Convention (2001-2003)?

### **What the Western Balkans Six should do (rather than waiting for Godot...)**

The Western Balkans Six would be ill-advised to “wait and see” what *Deus ex machina* solution Paris (and other capitals) will advance. What they need at this critical moment is a more strategic approach from their side, which neither assumes the didactic superiority of the EU nor overestimates its capacity to act strategically. What they need is a plan of

action of their own, creatively putting forth *their* contribution to the making of Europe, their vision of the future of Europe and their place within it.

Their starting point should be contestation. Not so much of the French decision or possible reform (a target too easy and unrewarding), but of the EU's *ordre établi* itself. This *ordre établi* has maintained the Western Balkans at the periphery of the Union for too long while allowing autocratic regimes to thrive<sup>14</sup> and emigration to surge<sup>15</sup>. More importantly, it has surreptitiously disempowered Western Balkans societies by suggesting that the European integration project is the property of the EU; that Europe's Future is the responsibility of the EU; that the EU knows better and that following its lead is therefore most appropriate.

This claim is abusive. The Preamble of the Treaty of Rome "calls upon other peoples of Europe" to join energies in realising a shared ideal. It sees others as active contributors to Europe's destiny, notwithstanding their imperfections. The Western Balkans -and their civil societies in particular- need to remind the EU of the spirit of the Treaty of Rome -which predates the Copenhagen criteria by three-and-a-half decades. They should do so by claiming the right to have a say on the two issues at hand that are so dear to Paris and other capitals these days, i.e. the debate on the Future of Europe and the reform of the accession process. The Western Balkans need to fight for their inclusion in those debates, as a region in Europe duly associated in shaping its own future and the future of the Continent. The second non-paper, prepared by nine members of the Tallinn group, provides an entry point here.

The second step is to bolster engagement in more strategic terms by communicating ideas on Western Balkans's actual and possible contribution to the future of Europe. What is the distinctive contribution that their accession to the EU can possibly make to the deepening of the Union? What is the European Union that they wish to join? An EU leaning towards France, Germany, Poland, Hungary or something else? An intergovernmental Union or a more federal Union? What is their stance on Europe's *grands débats* (EMU governance reform, *l'Europe de la défense*, reform of the Schengen Agreement, the social dimension of Europe, Digital and Industrial Europe, etc...)? Repeating that there is no empirical proof of a negative trade-off between the EU's logics of widening and deepening will not do

the trick for the simple reason that there are different understandings amongst the Member States of what "deepening" means and how it should be pursued.

Little can be achieved in those areas by the countries of the region individually. These lack the resources and expertise to elaborate a strategic vision that goes well beyond enlargement. They also lack a level playing field with the EU that would allow them to advance this strategic vision. The formation of a Western Balkans group could offer a solution though<sup>16</sup>. A region united by a common vision would be stronger and better equipped to tackle Europe's challenges. Of course, this would mean that solidarity should play a central role with game-changing implications for the region and for Europe as a whole<sup>17</sup>.

What would this entail in concrete terms? First, it would mean a recalibration of strategic objectives. The Western Balkans have all adopted their own national strategy for European integration and confidently follow the Regatta methodology. Solidarity in accession would commit them to challenge this methodology and replace it with a more inclusive -and appropriate- approach. Instead of constructive competition, the Regatta principle has fuelled regional tensions and kept reconciliation off the radar. Solidarity in accession would then commit them to defining and adopting a regional strategy, prioritising regional cooperation and mutual support. It would commit them to walk the walk and stand up for one another, as decisions on EU enlargement become more and more uncertain; to coordinate their national approaches, lobby together in Brussels and EU capitals; to pool and share resources and overall present a united front in accession matters and beyond.

Then it would entail making important steps in strengthening regional governance. For instance, a Regional intergovernmental Conference on the Future of Europe could be organised to showcase the Western Balkans' attempt to rejuvenate solidarity as fundamental value for the Future of Europe. That would be *the* major contribution of the region to the European project. Intellectual forces in the region could more generally work at elaborating and publishing a Western Balkans vision for the future of Europe. Also, a regional working group in charge of preparing a Western Balkans European Integration Strategy could be formed under the auspices of the Regional Cooperation Council. And regional inter-

parliamentary meetings could explore further avenues for deeper regional integration. Finally, the nomination of a Western Balkans Special Envoy to the European Union would send a strong signal.

Obstacles would certainly rise against such an initiative. In the EU, the emergence of a Western Balkans front would fuel fears that incumbent Member States might lose their undisputed control over European processes. But a stronger resistance might actually come from Western Balkans elites themselves. Solidarity in accession might allow them to increase their common leverage towards the EU and speed up accession. But at the same time, it would undermine their ability to harness the electoral benefits of ethno-political polarisation. For most of the governing elites in the region, that is a problem, since blaming a neighbour in order to be re-elected along ethnonational lines is often safer than seeking a neighbour's support vis-à-vis the EU.

The good news is that standing for solidarity in the wider context shaped by the debates on the Future of Europe could alter the opportunity structure in the region and allow new political forces to grow. These might be able to convince their citizens that cooperating with one's neighbours along ideological lines (e.g. to have a say in the way the EU and the region's futures are shaped) brings more tangible benefits than remaining encapsulated in ethno-political silos for the decades to come. Certainly, solidarity in the Western Balkans might not be the easiest way to get in the EU. But in the face of adversity, it might just be ambitious enough to actually transform Western Balkans societies along less ethnical lines and to make Europe a better political order.

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