

Croatia's EU Presidency 2020 – A Catalyst for South East Europe?

Predrag Jureković and Sandro Knezović (Eds.)

Study Group Information



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**39th Workshop of the PfP Consortium Study Group
“Regional Stability in South East Europe”**

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Foreword

Predrag Jureković and Sandro Knežović

This volume is composed of articles from the 39th workshop of the Study Group “Regional Stability in South East Europe”. The workshop was conducted in Split, Croatia, from 26 to 29 September, 2019. Under the overarching title “Croatia’s Upcoming EU Presidency – A Catalyst for South East Europe?” 31 experts from the southeast European region and other parts of Europe, international organizations and major stake holder nations met under the umbrella of the PfP Consortium of Defence Academies and Security Studies Institutes and the Austrian Ministry of Defence, represented through its National Defence Academy and the Directorate General for Security Policy. The workshop was supported by the regional partner, the Institute for Development and International Relations from Zagreb.

Croatia, which accessed the European Union (EU) in July 2013, is the youngest EU member state. As one of the political consequences of Brexit it was about to assume its first Presidency of the EU Council already in January 2020. For this small state the Presidency is an extraordinary opportunity to substantially contribute to various EU policies by setting adequate and implementable priorities for the first half of 2020 and undertaking all necessary activities to put them into practice. Beside dealing with overall challenges important for the EU (e.g. consequences of the Brexit, digitalization, climate changes etc.), it has been expected that the Croatian Presidency of the EU Council will undoubtedly invest an additional effort in improving the recently deteriorating enlargement perspectives of its Western Balkan neighbours. They still face large challenges in regard to fulfilling “Copenhagen Criteria” and reaching constructive intra-regional relations in South East Europe, in particular in the Western Balkans.

The countries in Croatia’s southeastern neighbourhood are still coping with serious transitional problems, failing to meet even some basic standards for EU membership. Additionally, intra-regional relations have developed backwards in recent years. Moreover, after the European parliamentary elections a newly formed EU administration has to find modified procedures for the

enlargement process that will be acceptable for both sceptical EU member states and the southeast European candidate countries.

The guiding questions that have been addressed in this publication by the authors are as follows: What are the main potential opportunities and challenges for the Croatian EU Presidency? How can this Presidency foster the continuation of the enlargement process within the EU and implementable reforms in the countries of the region as its fundamental precondition?

In the first instance, these issues are approached by drawing the lessons from previous EU Presidencies. These experiences from EU partner states are followed by analyses that connect relevant developments inside the EU with EU policies towards South East Europe. After that, follows a contribution that evaluates the chances and obstacles for regional cooperation in the context of EU's enlargement policies. The fourth part of the publication contains reflections on democratization processes and intra-state reforms in the southeast European candidate and aspirant countries. The recommendations of the Study Group members are summarized at the end of this publication.

The editors would like to express their thanks to all authors who contributed papers to this volume of the Study Group Information. They are pleased to present the valued readers the analyses and recommendations and would appreciate if this Study Group Information could contribute to generate positive ideas for supporting the still challenging processes of consolidating peace in South East Europe.

Special thanks go to Klara Krgović who supported this publication as facilitating editor.

Abstract

In the first half of 2020, the youngest EU member state, Croatia, holds its first Presidency of the EU Council. This important political role means great responsibility for pushing EU's priorities ahead but could be also a chance to promote the interests of the Western Balkan candidate countries in the EU enlargement process. Both the intra-regional relations in the Western Balkans, but also the EU enlargement process as the main tool for supporting consolidation in this region, have passed through veritable crisis situations.

Against this background, the covered topics in this Study Group Information include the lessons that can be drawn from previous EU Presidencies, relevant developments inside the EU and their consequences for EU's policies toward the Western Balkans, an analysis of the chances and obstacles for regional cooperation in the context of EU's enlargement policies and reflections on democratization processes and intra-state reforms in the southeast European candidate and potential candidate countries.

**PART I:
CROATIA'S UPCOMING EU PRESIDENCY –
PRIORITIES AND PARTNER EXPERIENCES**

Croatia's Upcoming EU Presidency: Perspectives and Challenges (Speaking Notes)

Hrvoje Butković

Apart from the European Parliament the Council of the European Union is the only decision-making body of the EU. The Council is made up of the ministers from each member state and is chaired by the minister from the state which currently holds the Presidency. A decision making process in the EU takes about a year and a half on average due to its complexity of the EU's political system. Therefore, the Lisbon Treaty (2009) has come up with the idea of a trio Presidency, which envisages close cooperation between the three Presidencies (currently Romania, Finland and Croatia). The Croatian government has announced that the Croatian Presidency will be Brussels based, meaning that the majority of operations and meetings – estimated around 1,400 – will be held in Brussels as it was practiced among most member states. Still Zagreb is expected to organize around 25 minister-level meetings, 250 technical meetings and 1 informal meeting of the European Council with heads of EU states and governments (EU Summit). It is going to cost approximately around 70 million euros.

According to Fiona Hayes-Renshaw's and Helen Wallace's seminal work on the Council of Minister¹ the institution may be envisaged as a layered triangle, with the European Council at the top (although now a separate institution), followed by the Council of Ministers, Coreper and other senior preparatory groups and at the base a large number of working groups. Heading each of these levels is the Presidency, and the entire hierarchy is supported by a Secretariat-General. The Committee of Permanent Representatives (Coreper) is responsible for preparing the work of the Council. The Coreper meets in two formations (I deputies and II ambassadors). The Commission is always represented in both formations. According to some calculation about 70 percent of the total number of issues are the subject to agreement at the working group level and are not discussed by the Coreper or the ministers again.

¹ Hayes-Renshaw, Fiona/Wallace, Helen: *The Council of Ministers*, Red Globe Press 2006 (second edition).

The Council of the EU is a single legal entity, but it meets in ten different ‘configurations’, depending on the subject that is being discussed. Each Council is composed of the relevant minister from each member state, as well as a representative of the Commission and a chairman. There is no hierarchy among the Council configurations, although the General Affairs Council (GAC) has a special coordination role and is responsible for institutional and horizontal matters. The Council takes its decisions by a simple majority, qualified majority or unanimous vote, depending on the type of decision that needs to be taken. The Council’s main power is that of decision-making, both internally and externally. In addition to internal negotiations the Council must also engage in negotiations with the other institutions involved in the legislative process (the Commission and the European Parliament).²

The Presidency of the Council rotates among the member states according to an established order. Each member state holds the post for a period of six months, beginning on 1 January or 1 July. The order of rotation is changed in the event of enlargement, when the new member state must be incorporated into the list. Croatia was not supposed to precede the Council so soon after its accession (2013). The fact that it will precede over the EU in the first half of the 2020 is due to Brexit and Croatia filling the place that was originally reserved for the UK.

Hayes-Ranshaw has indicated eight main duties of the EU Presidency:

1. Convening formal and informal meetings at ministerial and official level;
2. Providing chairpersons for all meetings held at the levels of the Council hierarchy;
3. Hosting one or more European Council meetings;
4. Acting as a spokesperson for the Council within and outside the Union;
5. Acting as the main point of contact for the Commission, European Parliament (EU) and other bodies;
6. Managing the Common Foreign and Security Policy (CFSP) in close association with the High Representative;

² See: <<https://www.consilium.europa.eu/en/council-eu/configurations/#>>.

7. Ensuring that all the Councils legislative and other obligations are met;
8. Aiding in reaching the agreement in negotiations within the Council.

The Presidency on behalf of the Council is accountable to the European Parliament. Presidency representatives attend the EP plenary sessions during their term of office where they answer questions. The member state in question represented by its prime minister or foreign minister presents its Presidency programme to the EP in advance of taking office and sums its achievement at the end.

A presiding state can set the agenda of the meetings but it must be neutral. It can have a strategy for promoting its own interests but that strategy needs to be very carefully prepared in coordination with other EU institutions. Arguably the main task of the Presidency is to be neutral. This is achieved by the Presidency member state sending two delegations for each meeting: one to chair the meeting, the other to articulate the national position. According to Hayes-Renshaw the neutrality of the Presidency is also displayed by the ability of the Presidency to put forward compromises. In fact, it is often said that the real negotiations only start with the Presidency compromise is on the table.

The overall success of the Presidency is determined by two main factors. Firstly, the administrative skills and capacity of the policy officials and secondly the ability to close the existing legislative files. Namely, the goal of the Presidency is not simply to introduce new legislative files, but even more importantly to reach agreement and close files whose discussion might have started during the previous presidencies. Malta for example, has a small farming sector and did not have agriculture listed among its priorities during its presidency in early 2017. Nevertheless, the Maltese Presidency was considered successful due to closing a difficult file on organic food that previous governments had struggled with.

According to various authors such as Fiona Hayes-Renshaw, Desmond Dinan, John Peterson and others smaller states are usually more successful in preceding the Council than the big states. The reason is that large member states have interests in almost all policy areas and they usually use the role of a chair to pursue their own interests. Small states, to the contrary, frequently

compromise their own national preferences by following in more detail the formal norms and rules. Furthermore, smaller states are forced to prioritise between sectors usually remaining proactive and inflexible only in their most important sectors. Frequently they focused on just one priority and through this specialisation manage to prepare well in this area.

Recommendations for the Croatian Presidency:

1. The presidency is judged by its efficiency and that should always be kept in mind. Romanian EU Presidency was very successful in that respect but it operated in extraordinary circumstances of one legislative period going towards its end. For Croatia achieving efficiency will be much harder especially due to heterogeneity of the new European Parliament. Nonetheless, Croatian EU Presidency should focus on closing as many files as possible rather than on introducing new topics at the legislative agenda.
2. Closing the file on the Multinational Financial Framework (MFF) agreement would be of extraordinary importance for the Croatian EU Presidency. These negotiations are very much connected with the outcome of Brexit which is still uncertain, since hard Brexit would automatically bring a reduction of the funds available for the MFF. Therefore, the Croatian EU Presidency should dedicate a substantial amount of effort to searching for agreement on the MFF within the Council and beyond. Simultaneously, it should actively participate in searching for the best possible compromise concerning Brexit.
3. Croatia must be aware of the fact that the EU Presidency represents the best training for the country's civil servants on the topic of the legislative and policy making processes at the EU level. With this in mind the country has to invest all available forces into timely and consistent implementation of its action plan for the preparation and implementation of the EU Presidency.
4. As a small EU member state with limited resources Croatia should choose to focus only on a few or perhaps just on one national priority during its EU Presidency. The EU enlargement could represent such

an area due to far reaching economic and political importance of the Western Balkan region for the country. In a way this has already been acknowledged with the announcement of the Western Balkan summit in May 2020. In this context Croatia should strive towards finding a concrete solution for the resetting and boosting of the EU enlargement process which currently shows weak results.

Austria's role within the EU: The Presidency of the Council of the European Union in 2018

Sofia Maria Satanakis

Introductory words

For the past ten years, the European Union (EU) has been facing various forms of crises, which created a situation where not only the current level of European integration is frequently questioned, but even the Union's very existence. During such volatile and turbulent times, Austria took over the Presidency of the Council of the EU in the second half of 2018 and came together with Estonia (Presidency during the second half of 2017) and Bulgaria (Presidency during the first half of 2018) to form a so-called 'Trio-Presidency' of the Council of the EU.

Various EU issues feature prominently on the daily agenda of Austria's foreign policy. These issues include, among other topics, initiatives to protect civilians in armed conflicts, strengthen human rights and the rights of minorities, disarmament, arms control and non-proliferation of weapons of mass destruction. In terms of content and organization, the 2018 Presidency of the EU represented a special task for Austria because it took place during a time of great challenges and upheavals both on the European continent and beyond. The continuous efforts for a successful conclusion of the complex negotiations on the withdrawal of the United Kingdom from the EU (Brexit), and also the intensive negotiations on the next Multiannual Financial Framework 2021-2027 (MFF) were two of the most important topics during the Austrian Presidency which are decisive for the future of the EU and its individual member states.

Security Policy Aspects – Austria's Permanent Neutrality

On the 1st January 1995 Austria, together with Sweden and Finland, became a member of the EU. After its Council Presidencies in 1998 and 2006, Austria led the Council for the third time in 2018. Due to its geostrategic location at the very center of Europe on the one side and its 'permanent neutrality'

on the other side, the country perceives itself as a facilitator for meaningful dialog and an honest broker. This self-conception manifests itself in Austria as being one of the most important headquarters for approximately forty international organizations, diplomatic representations and NGOs, e.g. the United Nations (UN), the Organization for Security and Co-operation in Europe (OSCE), the European Union Agency for Fundamental Rights (FRA) and the European Space Policy Institute (ESPI).¹

The concept of Austria's permanent neutrality became effective back in 1955 and includes the following two characteristics:

- i) the country is prohibited from joining any military alliances;
- ii) the deployment of foreign troops on Austrian territory is not permitted.

However, in the mid-nineties Austria joined the EU. The decisive element for this development can be found in the collapse of the block confrontation which allowed new room for political maneuvers.² Following the submission of Austria's application for membership in 1989, the EC Council agreed to launch the accession process, with formal membership negotiations starting in February 1993. Asked in a referendum, 66% of the Austrian population voted in favour of accession to the EU. The Accession Treaty and the Final Act were then signed in Corfu on 24 June 1994, during the Greek EU Presidency.³

Nowadays, after more than two decades of membership, and according to the Austrian Security Strategy (2013), the EU is a "comprehensive solidarity-based community for peace and security, which sets the fundamental framework for the Austrian security policy."⁴

¹ Federal Ministry for Europe, Integration and Foreign Affairs: Vienna – Official Seat of International Organisations & Institutions, <https://www.bmeia.gv.at/en/european-foreign-policy/international-organisations-in-austria/>, accessed on 10.9.2019.

² Also because the European Union was and is until today regarded as a soft power.

³ European Council: European Council at Corfu 24-25 June 1994, Presidency Conclusions, https://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/00150.EN4.htm, accessed on 04.10.2019.

⁴ Federal Ministry for Europe, Integration and Foreign Affairs: Austrian Security Strategy. Security in a New Decade – Shaping Security, July 2013, p.12, <<https://www>.

Nevertheless, the EU's influence on the Austrian concept of neutrality is not to be underestimated. Although, the country formally belongs to the neutral states, the significance of Austria's neutrality is in virtual decline. Critics denounce that the concept of permanent neutrality is often instrumentalized by Austrians to justify their refusal to take on more responsibilities, especially in the field of common security and defence. A profound public debate about the implications of an effective security and defence union, about its assets and drawbacks, as well as its effects on the concept of neutrality would be beneficial to foster public opinion and raise more awareness on those topics.

The Austrian EU Presidency 2018

On the 1st July 2018 Austria took over the Presidency from Bulgaria and held it until the 31st December. Using the motto "A Europe that protects" Vienna decided to put special emphasis on the EU's much disputed migration policy and advocated for a trend reversal. Therefore, the focus should no longer be on the controversial relocation scheme but instead on better border protection, repatriation and the fight against human trafficking. Intensive work took place on three dimensions: external border management (which resulted in strengthening FRONTEX), internal asylum system reform and enhancing cooperation with African states. Promotion of effective multilateralism and a rules-based global order was also high on the agenda. Furthermore, Austria pushed to bring the EU closer to its citizens, re-establish trust between member states, and improve the Union's ability to act effectively in a range of policy areas by acting as an advocate for the strengthening of the principle of subsidiarity. To underline its importance, a two-day conference with the title 'Subsidiarity as a building principle of the European Union' took place in the city of Bregenz in mid-November 2018. Furthermore, during the Presidency, Vienna hosted a high-level conference on 'The European Defense Fund (EDF) – Driving factor for Defense Research and Innovation' where the potential opportunities and challenges for the EDF were identified and analyzed.

bmeia.gv.at/fileadmin/user_upload/Zentrale/Aussenpolitik/Austrian_Security_Strategy.pdf, accessed on 10.9.2019.

Austria is aware of the numerous and complex challenges Europe is currently facing, especially in the fields of security policy and foreign relations, and the EU's possibly diminished capabilities after Brexit to react adequately to those challenges. Therefore, Vienna aimed within the framework of the EU and especially within the framework of its Council Presidency to play a constructive role in cooperation with the UK, to ensure the unity of the EU27 and to conduct its traditional role as mediator, in order to contribute to a successful solution of the Brexit negotiations.

Summing up the Austrian Presidency 2018 in numbers, approximately 2,700 meetings took place during those six months where, among others, 53 political agreements with the European Parliament (EP) and 75 agreements in the Council were reached. Additionally, 56 conclusions and recommendations were adopted, and 52 legal acts were signed by the Council and the EP.⁵ During Austria's Presidency, about 300 events were planned, including informal meetings on ministerial levels, conferences, expert meetings and cultural events.

The three most important priorities of the Austrian Presidency were the following:

- i) Security and the fight against illegal migration;
- ii) Securing prosperity and competitiveness through digitalization;
- iii) Stability in the European neighborhood – EU perspective of the Western Balkans/South Eastern Europe.

During the last two decades, the region of South East Europe (SEE) has been high on the agenda of both European and Austrian institutions with the goal of enhancing capabilities in the field of conflict management and peace support. The EU's involvement in the Western Balkans and its political, financial and security commitment have contributed to a significant improvement of the situation in the region, although the achieved progress is not yet irreversible. Among the EU27, Austria is known for its exceptional

⁵ Austrian Presidency of the Council of the European Union: The 2018 Austrian Presidency of the Council of the European Union at a glance, <<https://www.eu2018.at/latest-news/news/01-04-2019-The-2018-Austrian-Presidency--of-the-Council-of-the-European-Union-at-a-glance-.html>>, accessed on 10.9.2019.

relations to Western Balkan countries. About half a million Austrian citizens have a southeast European background and the country is among the major investors in the region. Therefore, from an Austrian perspective there is only one plausible option for the future: the inclusion of the entire region in the process of European integration. This would also pose a crucial incentive to encourage a faster progress of national reforms in Western Balkan countries. In this regard, the signing of the Prespa Agreement between Greece and the Republic of Macedonia in June 2018 was a moment of great success for the whole Union. The agreement reconciles the name dispute which has lasted for decades and initiates the renaming of Greece's neighbor to the Republic of North Macedonia. The Agreement consequently opened the door to Skopje for NATO accession and also brought the country closer to starting accession negotiations with the EU.

Austria considers the process of European integration as incomplete if all countries of the Western Balkans have not attained EU membership and identifies Southeast Europe as one of its foreign policy priorities:

Albania

Apart from Austria's support for Albania's accession to the European Union, one can find a close cultural and academic cooperation between the two countries, e.g. the 'Cultural Year Austria-Albania 2018' with numerous events (concerts, theatre, performances and movie screenings) in both countries.

Bosnia and Herzegovina

Through the participation in EUFOR ALTHEA, Austria provides assistance in the fields of security and the rule of law. Additional fields of co-operation can be identified in exchanging experiences on the professionalization of the external service, as well as the fight against money laundering and terrorist financing. The common efforts in fostering the German language in Bosnia and Herzegovina together with the newly established Austria Institute in Sarajevo (December 2016)⁶ should be mentioned as well.

⁶ Österreich Institut Sarajevo, <<https://www.sarajevo-oesterreichinstitut.ba/de/>>, accessed on 11.9. 2019.

Kosovo

Austria strongly supports Kosovo in its continuous efforts to implement the Stabilisation and Association Agreement (SAP) as well as the visa liberalisation. It offers additional support in the areas of security and the rule of law via the continuation of its participation in EULEX Kosovo. Priština's/Prishtina's efforts to improve its relationship towards different nations are endorsed, as well as its membership in international organisations, e.g. through the establishment of an Austrian Honorary Consulate in Peć/Peja.

Montenegro

The country is still facing structural problems like de-industrialisation and migration but nevertheless, Vienna advocated for stepping up the pace regarding the accession negotiations of Montenegro and heartily welcomed the 'Austria Days' at the University of Nikšić.

Republic of North Macedonia

Austria strongly supports the Republic of North Macedonia in its EU Accession efforts as well as the signing of the Prespa Agreement with Greece and focuses among others, on closer co-operation with Skopje in infrastructure projects.

Republic of Serbia

Austria, as the largest foreign investor in Serbia, welcomed the overall progress of the country, established the first Honorary Consulate in the southern Serbian city of Niš and expects the country to remain constructively engaged in the EU-facilitated Belgrade-Priština/Prishtina Dialogue.

In the framework of the accession process for SEE, Austria supports institution-building based upon European values such as democracy, the rule of law, human and minority rights. An intensive exchange of visits between several members of the Austrian government, the Austrian Federal President and the President of the Austrian Parliament and their respective counter-

parts in the region underlined Austria's commitment to the accession candidate countries in South-Eastern Europe and provided valuable impulses. It also comes as no surprise that during the six-month Presidency, more than 15 conferences and meetings focusing on the Western Balkans took place, including the following:

- Meeting between the Ministers of Defence of the Western Balkan countries and the Austrian Minister of Defence of that time, Mario Kunasek (Graz/Austria).
- Western Balkans Conference: Signature of Prüm agreement for Southeast Europe – Home Affairs ministers from the Western Balkans, EU and Moldova agreed on automated data exchange (Vienna). The agreements enable the automated exchange of DNA data, fingerprint data and vehicle registration data between Albania, Bulgaria, Hungary, the Republic of North Macedonia, Moldova, Montenegro, Romania, Serbia and Austria.⁷
- Model European Parliament – Central and South East European Regional Session: Mission possible – Youth Up Europe – Western Balkans – EU Enlargement: young professionals exchanging views and opinions on the EU Enlargement process in the Western Balkans (Vienna).
- Balkan Futures 2025: a forum for in-depth discussions and analysis of regional trends, as well as reflecting on the main drivers that will shape the Western Balkans by 2025, when the next enlargement phase is expected to occur (Brussels).
- The enlargement perspective for the Western Balkans/The role of parliaments: Panel discussion with representatives from national parliaments, the European Parliament and the European Commission (Vienna).

⁷ Austrian Presidency of the Council of the European Union, Press Release: <<https://www.eu2018.at/latest-news/news/09-13-Westbalkan-Konferenz--Pr-m-Abkommen-f-r-S-dosteuropa-unterzeichnet-.html>>, accessed on 30.9.2019.

Conclusion

The challenges for Europe can be identified on the eastern and also on the southern flank and are going to be difficult to deal with in a long-term perspective. Adding to that, the upcoming Brexit poses an unprecedented challenge for the European Union. It is therefore not only in Austria's but also in Europe's core security and economic interest to embed the future of Southeast Europe in the EU and to learn the right lessons from Brexit to try and overcome mutual mistrust between the remaining member states.

Although Austria has the potential to influence EU policymaking much more, the country often stands in its own way. The Austrian Presidency of 2018 came at a turbulent time in the European integration process. The core priorities were security and the fight against illegal migration, enhancing prosperity and competitiveness through digitalization, and stability in the European neighborhood/an EU perspective of the Western Balkans. Looking back, Austria not only managed to build on the work of Bulgaria's Presidency but also to breathe new life into the three main priority areas and at the same time devoted special attention to improving the EU's strategic communication. It is now up to Vienna to continue taking initiatives and making its voice heard among its peers. Austria should try to find common ground and engage equally with big and smaller EU member states – otherwise the created momentum could soon be lost.

Especially nowadays, it is of particular importance to remember what the European Union actually is, namely the greatest peace project of the 20th century; a successful project which guarantees 500 million people peace, freedom and prosperity in a very unique way.

Finnish EU Presidency and Western Balkans (Speaking Notes)

Emma Hakala

Finland's presidency of the Council of the EU during the autumn of 2019 has taken place at a time of both action and recess. On the one hand, the formation of the new EU Commission has moved ahead and the twists and turns of Brexit have continued at a pace that is sometimes difficult to follow. On the other hand, these two processes have occupied the center of attention in Brussels to the extent that some of the more everyday matters – many of which are usually driven by the presidency – have been left on the back burner. Finland has therefore had little chance to claim dynamic leadership and successfully passing decisions. Yet there are some potentially useful take-aways from the Finnish approach to the presidency, particularly from the point of view of a small and relatively recent EU member state.

The programme for the Finnish presidency, titled "Sustainable Europe – Sustainable Future", focused on what it regards as the "cornerstones of European integration": peace, security, stability, democracy and prosperity. These reflected throughout the programme, particularly in its four priorities. First, Finland prioritises common values and the rule of law, suggesting that the EU needs to find better ways to ensure respect for their realization and implementation. Among other things, Finland has actively pursued negotiations on linking EU funds to the respect of rule of law in a member country. Second, Finland calls for a more competitive and socially inclusive EU, emphasizing the role of the single market, skills and wellbeing, rules-based trade policy and inclusive economic union. Third, Finland promotes the role of the EU as a global leader in climate action, with more ambitious emissions reductions, a strengthened energy union and more efficient circular economy. Fourth, the priority list includes comprehensive protection of citizens' security, with cooperation on security and more efficient prevention of hybrid threats.

The priority list does not contain significant surprises for anyone who has been following Finnish EU policy. Indeed, it can be seen to especially emphasize Finnish commitment to fighting climate change and promoting the

rule of law. These are also the two topics that most obviously stand out when the Finnish programme is compared to the priorities of the so-called Trio programme with the previous and following president countries, Romania and Croatia.

Meanwhile, the programme also shows that prioritization inevitably leaves some important topics out. This is particularly the case with enlargement, which is not included as a focus area although it is closely linked to several priorities. Traditionally, the Western Balkans has been an important region for Finland, and its omission in the programme should not be interpreted as a change in that policy. Instead, it may reflect a long term EU-wide development where enlargement has been sidelined by various internal crises. In fact, even during the presidency, Finnish politicians have repeatedly stated their support for continuing the enlargement process. If Finland had chosen to focus on enlargement more extensively, it might have been able to credibly take the role of a facilitator advancing the enlargement agenda. Yet from the Finnish point of view, it might not have been politically wise to invest a large part of its presidency agenda on an issue that had a relatively insecure future.

At the time of writing, it is too early to assess the success of Finland's presidency. However, along with the two previous presidencies, it gives insight to the ways in which smaller countries can benefit from the presidency. In particular, it appears to give them a valuable chance to highlight issues that they consider important and overall raise their profile in the European context. Finland has traditionally put an effort into being an effective and well-coordinated president, which in itself has been seen as a way to present the country as credible and constructive in European policy-making. Its aim seems to have been to assume the position of a country "bigger than its size", which is familiar from Finnish foreign policy overall. Finland has been successful in giving additional weight to issues that are particularly in its national interest, such as climate change and rule of law during this presidency. Yet at the same time, each Finnish presidency has also been distracted by sudden events, either European or global, that demanded time and resources from normal decision-making.

Inevitably, even as the president, smaller countries have less leverage than larger ones to advance contested issues and press forward decisions. This becomes particularly clear when decision-making within the EU is stalled by

disagreement among the member states, or when some unanticipated crisis needs to be addressed. Accordingly, the Finnish approach to presidency has always been pragmatic rather than visionary. Indeed, it may be strategically wise to accept the limits of the power of the presidency, but to act as efficiently as possible within those bounds. For a new EU member state such as Croatia, which will assume the presidency after Finland, the position gives a worthwhile opportunity to establish itself in the context of EU policy-making and agenda-setting.

**PART II:
RELEVANT EU DEVELOPMENTS AND EU
POLICIES TOWARDS SOUTH EAST EUROPE**

The EU and the Western Balkans at a Crossroads

Matteo Bonomi

Introduction

The recent failure of the EU to open accession negotiations with Albania and North Macedonia in October 2019 was labelled as “a major historic mistake” by the outgoing European Commission President Jean-Claude Juncker, and sent shock waves across the Western Balkans. The European Council’s decision not to reward the remarkable progress of the two candidate countries by green lightening their opening of accession talks has cast dark shadows over the 2003 Thessaloniki promise of membership. Furthermore, EU’s decision has triggered immediate reactions in the region, pushing North Macedonia’s Prime Minister Zoran Zaev to resign and call for snap elections. The fear now is that the EU, far from spurring positive transformation, might inadvertently empower anti-reformist and illiberal forces across the region. All this has left the incoming ‘geopolitical’ Commission led by Ursula von der Leyen with the uneasy task of picking up the pieces of this geostrategic blunder.

Still, these recent developments are far from being an unexpected turn and, despite the disappointments they may have generated, the decision came on top of an EU enlargement policy that was already experiencing a deep crisis. In fact, improvements in the Western Balkans have been, at best, faltering in terms of democracy, rule of law, governance, economic development and good-neighbourly relations. Moreover, old disagreements and divisions within the EU concerning future enlargements have emerged continuously, at least since the Western Balkans Summit in Sofia in May 2018. Such circumstances have cast serious doubts about the level of attention, energy and resources that EU member states and institutions are willing to mobilise to enhance positive transformation in the region and have questioned the credibility of the entire EU enlargement framework for the Western Balkan countries.

Against this background, in this paper it is aimed to stress some main points that are at the core of current EU – Western Balkan relations. Despite the

fact that the Workshop of the PFP Consortium Study Group took place on 26-29 September 2019, a month before the European Council's decision regarding the further postponement of opening accession negotiations with the two candidate countries, the issues that will be discussed remain essential and relevant still today.

Current Challenges in EU – Western Balkan Relations

There are three main issues in EU – Western Balkan relations that deserve to be highlighted, that regard the region's limited transformation, continuing instability and potential loss of relevance of the Western Balkans.

(1) Limited transformation

The current instruments applied by the EU towards the Western Balkan countries, which have been at least partially successful in Central Eastern Europe in the 1990s, have failed to deliver results, so it is simply not realistic to think that they are going to produce the desired outcomes in the future. The idea behind the “EU perspective” for the Western Balkans was for economic reforms, in combination with the progressive adoption of EU laws, principles and activities in the framework of the EU's enlargement policy, to create functioning market economies, foster democratic institutions and pave the way for EU membership. However, things have turned out differently in the Western Balkans. The expectations that these countries would gradually converge towards EU economic and political standards have not been met.

These problems can be exemplified well by looking at the economic situation in the region. To illustrate the point, it is enough to note that Bosnia and Herzegovina and Serbia are in the group of countries worst off, among all transition countries, regarding recovery of pre-transition GDP and income inequality.¹ These two countries have still not reached their 1989 level of real

¹ Branko Milanovic, For Whom the Wall Fell? A Balance Sheet of the Transition to Capitalism, 7 November, 2014, The Globalist. Rethinking Globalization, <<https://www.theglobalist.com/for-whom-the-wall-fell-a-balance-sheet-of-the-transition-to-capitalism/>>.

GDP. More generally, since the beginning of economic transition, the Western Balkans have achieved remarkable growth rates and made some significant economic progress, but only during the short period between 2001 and 2008. Nevertheless, even this phase of strong GDP growth in the region, on average over 5%, has proved to be largely unsustainable, as shown by the tough adjustments required during the post-2008 period when the region was severely hit by the global financial and economic crisis.² The rapid market opening, trade liberalization and integration with the EU, which began in the early 2000s and which brought some foreign – mainly EU – capital into the region, have primarily fostered domestic consumption, while having only a limited impact on the restructuring and modernisation of the real economy of the Western Balkan countries. Gradual integration with the EU has helped economic recovery, but has also contributed to insufficient job creation, continuous deindustrialisation, the widening of trade deficits, and rising public and private debts.³

The same holds true for democratic, institutional and state consolidation, as well as post-conflict reconciliation, where the EU perspective has helped deliver only limited results. The overlapping of Western Balkans' aspirations to join the EU and processes of nation- and state-building has generated conflicting dynamics, leaving unresolved bilateral disputes, widespread autocratic tendencies and backsliding of state of democracy and media freedoms.⁴

(2) Continuing instability: no stable status quo

The EU currently not only lacks the instruments to transform the region, but the status quo does not appear as an option either. This is because there is no stable status quo in the Western Balkan region. In fact, with the passing of time, the lack of progress has simply made things worse, so we are assisting to a slow but incremental exhaustion of the region's energies and resources.

² Torbjörn Becker et al., Whither Growth in Central and Eastern Europe?, in Bruegel Blueprints, No. 11, 2010, <<http://bruegel.org/?p=6432>>.

³ Matteo Bonomi and Dušan Reljić, The EU and the Western Balkans: So Near and Yet So Far, in *SWP Comments*, No. 2017/53, December 2017, <<https://www.swp-berlin.org/en/publication/the-eu-and-the-western-balkans-so-near-and-yet-so-far>>.

⁴ Soeren Keil and Zeynep Arkan (eds.), *The EU and Member State Building. European foreign policy in the Western Balkans*, London and New York, Routledge, 2015.

This is clear, for instance, regarding the offer of EU membership to the Western Balkans that, after 20 years, appears as having almost entirely exhausted its potential to act as a catalyst for domestic demands for more progressive changes. Inverting this trend and recreating momentum was one of the main aims of the EU Commission's renewed strategy for the Balkans launched in February 2018.⁵ On that occasion, the Commission tried to uphold a positive agenda for the region, even presenting a potential accession date (2025) for the two frontrunners, Montenegro and Serbia. Soon after, the European Commission also recommended the immediate opening of accession negotiations with Albania and North Macedonia.⁶ Nevertheless, both goals have proved to be politically unsustainable for EU member states, which have effectively undermined the entire EU enlargement timeframe.

However, this slow but incremental exhaustion of the region's energies is even more evident if we look at the poor economic, social and political outlook. According to recent estimates, it could take even 200 years for the region to converge with the EU average GDP per capita.⁷ Due to stagnation or very slow GDP growth during the 2009-2018 period, substantially slower than in the new EU member states, the Western Balkan countries have not been able to set in place a process of convergence with the more developed world.

The Western Balkan region is also experiencing a sharp and unprecedented process of environmental deterioration, with rising temperatures, forest consumption and increasing levels of air pollution. An unprecedented amount of deforestation has caused massive changes in water supplies, as wood is still utilised by two thirds of households for heating, contributing to air pol-

⁵ European Commission, A Credible Enlargement Perspective for and Enhanced EU Engagement with the Western Balkans (COM/2018/65), 6 February 2018, <<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52018DC0065>>.

⁶ European Commission, 2018 Communication on EU Enlargement Policy (COM/2018/450), 17 April 2018, <<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52018DC0450>>.

⁷ Peter Sanfey and Jakov Milatović, The Western Balkans in Transition: Diagnosing the Constraints on the Path to a Sustainable Market Economy, London, European Bank for Reconstruction and Development, February 2018, p. 5, <<https://www.ebrd.com/publications/country-diagnostics/western-balkans>>.

lution beyond any acceptable standard.⁸ In general, climate change represents a major challenge for the Western Balkans and Southeast Europe, an extremely urgent challenge that has been barely addressed. A process of “tropicalisation” is already transforming the Western Balkan ecosystem, which will be 1.2°C warmer by 2035 and will gain another 0.5-1°C by mid-century.⁹ These challenges have severe implications for agriculture, food security, health, urban life, infrastructure and energy consumption.

Finally, demographic developments are probably the structural change with the greatest impact on the Western Balkan countries. Outward migration and depopulation is not only continuing, but it is most likely to accelerate. This has not only sobering economic implications, in terms of loss of human capital, reducing growth potential and public debt sustainability, but also harsh political and psychological consequences – pushing unsatisfied people to exit and leave their countries, instead of voting and fighting for better times, giving the impression that people live in failed societies.

Moreover, the European perspective – the only force legitimizing the appearance of a status quo in the Western Balkans – is now openly challenged. Presently, not only is the status quo deteriorating, but the illusion of a status quo is fading, bearing bitter consequences for domestic and regional stability. Although one could argue that European integration prospects are empty EU promises, the EU perspective is fundamental for maintaining a formal alignment with basic democratic principles and keeping open channels for political dialogue among regional actors, therefore also helping to defuse tensions. Thus, this fading away of the EU perspective, together with an increasing awareness by large parts of the population that there will not be a better, more “normal”, life in the region for the next few generations, sets forth conditions for harsher alternatives that, as a rule, tend to be openly populist and authoritarian.

⁸ Aleksandar Kovačević, *Towards a Balkan Gas Hub: The Interplay between Pipeline Gas, LNG and Renewable Energy in South East Europe*, in OIES Papers, No. NG 115 (2017), <<https://doi.org/10.26889/9781784670757>>.

⁹ Ana Vuković and Mirjam Vujadinović Mandić, *Study on Climate Change in the Western Balkans Region*, Sarajevo, Regional Cooperation Council, 2018, <<https://www.rcc.int/pubs/62>>.

(3) Losing relevance?

Against this background, is it appropriate to ask how dangerous is the situation in the Western Balkans today and how much can things deteriorate further? One answer could be that the situation is not particularly dangerous. Surrounded by a chain of NATO members, the region poses only limited military threats and implications. Although the Western Balkan countries have intensified their political and economic relations in recent years with a number of non-EU countries (including China, Russia, Turkey and the Gulf States), the present degree of EU-Western Balkan economic integration remains high, dominating economic relations with the other partners.¹⁰ To be sure, there is going to be some geopolitical rivalry, but of minor importance. Local leaders can still play “East versus West,” but probably without great success. Even if the Western Balkan leaders turn their back to the EU and other Western allies and openly embrace autocratic tendencies, the main victims would be their citizens without major strategic implications for the West.

Nevertheless, Brussels and the EU today face a paradox: the less the Western Balkans are relevant, populated and influential, the more the failure of EU action in the Balkans will become grandiloquent. In fact, in no other region in the world has the EU made such a huge ideological investment, in no place has the EU been so deeply present with its civilian and military missions, and in no other area is it already so deeply integrated and connected – economically, financially, politically – as in the Western Balkans.

This means, in practical terms, that the main danger coming from the region to the EU is not necessarily better understood in terms of traditional geopolitical competition. Rather, it shows how the strategic void left by the EU, together with the intense network already set in place between the EU and the Western Balkans, can be used as an easy inroad to the EU by third actors. In fact, a simple glance at the map of Europe shows that the Western Balkan region is not the EU’s south-eastern courtyard, but rather its overlooked

¹⁰ Matteo Bonomi and Milica Uvalic, The economic development of the Western Balkans: The importance of non-EU actors, in Florian Bieber and Nikolaos Tzifakis (eds), *The Western Balkans in the World. Linkages and Relations with Non-Western Countries*, London/New York, Routledge, 2019, pp. 36-58.

“soft belly”. Located between the most politically, economically and – in security terms – fragile EU member states, and already formally and informally connected with the entire EU, the Western Balkans are already part of the Western order, yet they represent one of its most dysfunctional and permeable areas.

However, this also brings another – more symbolical, but not less relevant – implication: the fading importance of the Western Balkans, where EU enlargement – as an act of solidarity and multiculturalism – might feed into the resentments and anger of nationalists in EU member states, mirroring the prospective of vanishing importance of the EU and of the unifying role imagined for the European integration project. The crisis of EU transformative power in the Western Balkans, and the EU’s inability to provide a credible framework for the integration of states that have populations of medium-small cities and that altogether account for only 3.4 percent of EU’s population is a major crisis for the EU itself, another chapter in the multitude of EU crises.

Instead of Conclusions

In view of the above considerations, it is fundamental for Europeans to keep in mind the broader picture in the region and across Europe, because problems cannot be solved in isolation, but only as part of a broader strategy. This broader strategy should be not only about the Western Balkans, but about where Europe and the EU want to be in the future. In this regard, imagining a core Europe that gives up on transforming the Western Balkans and opts for the status quo, leaving the region altogether with the hope that it can first consolidate, does not appear a solution for EU problems, but rather another driver of current EU internal instability and fragmentation.

For the incoming ‘geopolitical’ Commission led by Ursula von der Leyen, picking up the pieces of this geostrategic blunder is essential. The new EU leadership will urgently have to counter trends towards a regressive, fragmented and illiberal Europe, especially now that what was commonly known as the EU’s most successful foreign policy – enlargement – looks as fragile as ever. The incoming EU Commission does have a window of opportunity to work with EU leaders and convince the European Council to reverse its decision at the next the EU-Western Balkans Summit in Zagreb in May 2020,

but this is no forgone conclusion. Debating and raising public attention about this strategic imperative is crucial in the weeks and months to come.

At the same time, updating and renewing EU enlargement policy is necessary. The European enlargement process was designed for a different region, a different Union and perhaps, most crucially, in a very different international context. The assumptions, objectives, instruments and methods of EU enlargement policy as well as of the Union itself must be rethought, in order to retain its original spirit and vision of integration.

Despite the doom and gloom today, the fundamentals remain clear: the future of the six Western Balkan countries is and remains in the EU. The fact that the EU, after over a decade of multiple crises, might have lost some occasions, should not distract or detract from the deep intertwining of fundamental interests tying the EU and the Western Balkans together. On the contrary, present obstacles could and should be transformed into future opportunities to reconfirm commitments made, while seizing the moment to reshape and reinvigorate EU enlargement policy towards a more effective and rapid transformation of the Western Balkan countries.

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EU Enlargement: Rising like a Phoenix from the Ashes? – What is to be expected from the 2019 EU Institutions’ new leaders and the power shifts in the EP and in EU national parliaments for the Western Balkans European perspective?

Michael Schmunk

“The EU and NATO have long ago ‘swallowed’ the region. Looking at the geographical map, one will notice that this area is surrounded by EU and NATO states, and part of its countries are member states of the EU and/or the Atlantic Alliance. But the EU and NATO did not manage to ‘digest’ these countries”

Dušan Reljić, SWP Brussels-Berlin¹

“The EU has already become ungovernable. Just no enlargement!”

Alberto D’Argenio, La Repubblica, Brussels-Rome²

“Je ne considère pas que la seule relation que nous devons avoir avec notre voisinage soit une relation d’expansion ou d’élargissement”

Emmanuel Macron, Président des la République Française, Brussels³

“The optimists, so the joke goes, would hope that Turkey is going to join the EU during the Albanian EU presidency, while pessimists think that Albania will be able to join only when Turkey takes over the regular presidency of the EU.”

Vedran Džihić, Austrian Institute for International Affairs, Vienna⁴

¹ Reljić, Dušan (German Institute for International Affairs, SWP): Crimes, prosperity, and institutions: The enduring negative cycle. In: *Balkan Perspectives: Adapting the partnership and integration paths*. Edited by the NATO Defense College Foundation, Policy Background Paper, Rome, 2019, p. 39-42.

² D’Argenio, Alberto: Die EU ist schon unregierbar. Bloß keine Erweiterung! In: *Die Welt*, 01.05.2018, <www.welt.de/debatte/kommentare/article175952685/Keine-Erweiterung>, accessed on 06.09.2019>.

³ <<https://www.elysee.fr/emmanuel-macron/2019/10/18/conference-de-presse-a-l-issue-du-conseil-europeen-des-17-et-18-octobre-2019>>.

⁴ Interview with Vedran Džihić, in: Friedrich-Ebert-Stiftung (Ed.): *Briefing: Political trends & dynamics: The European project in the Western Balkans: Crisis and Transition*, Sarajevo 2019, p. 9.

I. From Euphoria to Disillusionment

Once again, the year 2019 has also not been a good year for EU enlargement. So far, for the Western Balkans Six (WB6)⁵ the prospects of accession have not improved or moved forward. Rather, as critics have been elaborating, with each additional enlargement round, the centrifugal forces within the EU have increased and not necessarily improved the efficiency and attractiveness of the Union.⁶ The only ray of hope seemed to have come from the Greek and Macedonian negotiators' agreement about the new state name of the "Republic of North Macedonia", which resulted in the official recognition of the Western Balkans' state by the Hellenic Republic in February. However, when it came to the real test of the EU's enlargement commitment soon after, at the EU's October Summit in Brussels,⁷ where the Heads of State and Government were supposed to declare the opening of accession negotiations with North Macedonia and Albania, France, and also the Netherlands and Denmark, vetoed the consensus among EU member states, leaving both the Union and the WB6 in deep frustration.

The meanwhile annual routine Western Balkans conference, organized by the EU and the WB6 within the "Berlin Process" format (launched and termed by Germany in 2014),⁸ which took place in 2019 in the Polish town of Poznań,⁹ has also not brought any real progress but further stalling. The term "consolation summits" ("*Vertröstungsgipfel*"),¹⁰ formulated in a tone of accusation and derision, started to make the rounds middle of the year. Already, the bilaterally organized Franco-German Balkans summit in Berlin¹¹

⁵ Albania, Bosnia and Hercegovina, Kosovo, Montenegro, North Macedonia and Serbia, with a total population of about 18 million inhabitants (EU end of 2017: about 508 million inhabitants).

⁶ Münkler, Herfried: Mehr Führung wagen. In: Frankfurter Allgemeine Zeitung, 27.05.2019, p. 8.

⁷ 17-18 October 2019.

⁸ The Berlin Process consists of 10 EU member states, the EU Commission and the WB6.

⁹ The summit took place on 4 and 5 July 2019.

¹⁰ See Münch, Peter: Jedes Jahr ein Vertröstungsgipfel ist als Balkan-Konzept zu wenig. In: Süddeutsche Zeitung, 29.04.2019, <www.sueddeutsche.de/politik/2.220/balkan-treffen-in-berlin-jedes-jahr-ein-vertroestungsgipfel>, accessed on 29.04.2019.

¹¹ Berlin, 29.04.2019, jointly hosted by German Chancellor Angela Merkel and French President Emmanuel Macron.

had not brought any tangible progress,¹² disappointing many in the region as well as in the EU. A further Balkan Summit planned to take place in summer 2019 in Paris was postponed until further notice. There was also no progress at the EU Council's ministerial meetings on the Western Balkans this year, where key EU Commission recommendations on enlargement were ignored.¹³

In sum, the enlargement situation in fall 2019, after the elections for the 9th European Parliament (EP)¹⁴ and before the new European Commission takes office on 1st December 2019,¹⁵ has not changed.

Although EU member states have so far avoided publicly admitting that for now there is no real unity, when it comes to Balkan enlargement, the EU Council has been holding on to the accession aspirants with continued political promises (“Thessaloniki is still on!”), technical action plans (intensified regional cooperation in the fields of infrastructure and youth), and the above mentioned “consolation summits”, meaning fobbing off the WB6 with excuses and diversion tactics. “Most Balkan watchers are disappointed – but not surprised: it is clear that at present that basic deal – reform for membership – has collapsed”.¹⁶ The European Council on Foreign Relations (ECFR) goes even one step further, referring to recent Eurobarometer figures: “Enlargement is becoming the policy that shall not be named – at least in town

¹² The Austrian Balkan expert Gerald Knaus (ESI), though, got at least one positive message out of that “summit”, when he wrote in a Tweet on twitter.com: “Strong message at dinner behind closed doors from President Macron to Balkan leaders in Berlin: there must be no ethnic border changes. Multiethnicity must be defended in Western Balkans. Very good! This alone makes meeting worthwhile”, Knaus, Gerald: @rumeliobserver, 29.04.2019.

¹³ In particular the governments of France, the Netherlands, Denmark and others refused to start formal negotiations with Albania and North Macedonia. Eventually, Germany joined the final proposal to revisit the issue in October 2019.

¹⁴ Between 23 and 26 May, 751 Parliamentarians out of 28 member states, representing about 427 million citizens eligible to vote, were elected; the new EP convened for the first time on 2 July 2019.

¹⁵ The term of office of the “old” Commission was originally supposed to end on 31 October 2019.

¹⁶ Mujanović, Jasmin/Vračić, Alida/Armakolas, Ioannis: Editorial. Political trends & dynamics in Southeast Europe, in: Friedrich-Ebert-Stiftung (Ed.): Briefing: Political trends & dynamics: The European project in the Western Balkans: Crisis and Transition, Sarajevo 2019, p. 3.

hall meetings and parliaments in Western Europe. It is no secret that most of the European public is against enlargement.”¹⁷ Finally, it was French President Emmanuel Macron, at the EU’s October summit, who, with his clear “no” to opening accession talks with North Macedonia and Albania and with his unequivocal strategic position regarding the overall enlargement philosophy, has brought some honesty and clarity to the process, which very probably will result in the long awaited and needed review of the EU’s enlargement approach. The blaming and shaming, of whoever in the end derailed the 16 years old enlargement concept, went both ways. Some blamed it on Macron, some on the EU.

So, what has changed since 2003 in the EU’s commitment to a WB6 enlargement?

Critics mainly refer to:

- The continued absence of substantial, sustainable structural reforms in the WB6, when it comes, for instance, to state grabbing, corruption, organized crime, an independent judiciary, weak educational institutions and, above all, a weak market economy, unemployment and widespread poverty. Even among enlargement supporters, arguing rather strategically, if not geopolitically, there has been widespread fear that these deficiencies and weaknesses might be indigestible for the Union, importing unnecessarily both political and economic dynamite into a highly fragile body.
- The unfinished integration processes within the EU itself, its badly needed inner structural reforms in nearly all political fields. “Skeptics, led by France, argue that the EU should not contemplate expanding until it has reformed so it can govern itself more efficiently”.¹⁸ Last but not least, the decreasing solidarity – a constituent value of the EU – between the EU’s East and West, and between South and North, has obviously raised fears among EU citizens that the Union might “fall apart in the next 20

¹⁷ Teherneva, Vessela: Europe’s new agenda in the Western Balkans. Commentary. In: European Council on Foreign Relations (ECFR), 07.08.2019, <www.ecfr.eu/article/commentary_europes_new_agenda_in_the_western_balkans>, accessed on 20.09.2019.

¹⁸ Barigazzi, Jacopo: Brussels tries new Balkan push. In: Politico, 30.05.2019, <www.politico.eu/article/brussels-balkan-eu-enlargement-new-push/5/30/19>, accessed 16.09.2019.

years”, thus preferring “strengthening ties between members rather than adding to their number”.¹⁹

- An enlargement methodology too bureaucratic and not sufficiently political (Macron²⁰).
- The dramatically changed world around the EU since 2003, in particular when it comes to the international financial and banking crisis 2007-2008, the European financial and debt crisis, which began in full in 2010, and the migration and refugees shock, beginning latest in 2015.
- The related fundamental political changes in several EU member states, with the rise of nationalist, identity driven illiberal movements, even within established political parties, resulting in a surging far-right that made it into local, state and national parliaments, in a few countries also into governments. The argument reads that with these nationalist right-wing populists in national parliaments – and now even in the European Parliament elected in May 2019 – the prospects for pro-EU enlargement decisions have worsened.
- Polls showing that it has become increasingly hard, if not impossible, to politically impose EU Balkan enlargement on member state populations.²¹
- The lack of serious neighborhood policies for the Western Balkans other than full EU membership, at least for the period of waiting.²²

With Macron’s foot on the brakes, the enlargement process has been put on hold, at least for the moment. The disappointment in the WB6 countries has been tremendous. Some analysts see in this EU policy change already large advantages for non-Western powers such as Russia, China and Turkey to gain more influence in the region.²³ However, all this should not be seen only

¹⁹ Teherneva, 2019, ibd.

²⁰ Emmanuel Macron, <<https://www.elysee.fr/emmanuel-macron/2019/10/18/conference-de-presse-a-lissue-du-conseil-europeen-des-17-et-18-octobre-2019>>.

²¹ See in this context Michael Martens: Balkan adé? In: Frankfurter Allgemeine Zeitung, 23 October 2019, p. 1.

²² <<https://www.elysee.fr/emmanuel-macron/2019/10/18/conference-de-presse-a-lissue-du-conseil-europeen-des-17-et-18-octobre-2019>>.

²³ See, for example, Pabst, Volker: Putin ante portas: Wird der Balkan zum antiwestlichen Bollwerk Russlands, Chinas und der Türkei? In: Neue Zürcher Zeitung, NZZ, 30 October 2019, <https://www.nzz.ch/international/die-eu-und-der-westen-verlieren-im-balkan-an-vertrauen-ld.1517540?mktcid=nled&mktcval=102&kid=_2019-10-30>.

negatively. Instead, Macron’s openness offers a unique chance for reflection, for an evaluation of all aspects of the enlargement process so far, its pros and cons, and a chance for a constructive redesign. Macron has declared: “The European Council will revert to the issue of enlargement before the EU-Western Balkans summit in Zagreb in May 2020.” Indeed, with Croatia, the last country that made it into the EU as a full member, being a WB country at the same time, and Germany, which has at least claimed to be “a friend of the WB second to none”, the EU will have two optimal presidencies in 2020, when it comes to enlargement.

II. State of a Union: New Faces, New Power Structures, Old Politics?

While profound, sustainable reforms within the WB6 societies from the perspective of many in the EU are not assumed to be likely in the foreseeable future, others, both in the WB6 and in the EU, have been hoping that the political changes caused by this year’s EU and national elections might result in positive stimuli for the enlargement process. A critical examination of the institutional and personnel changes in Brussels as well as in the member states, however, shows that this hope is not completely justified:

*A. Changes in Brussels*²⁴

1. European Parliament

The number of members of the European Parliament elected in May 2019 belonging to euro-sceptic, anti-federalist, nationalist, and far-right populist and far-right extremist political groups has increased substantially, although they have not reached the worst fears based on pre-election polls. Altogether, euro-sceptics and far-right populists have at least²⁵ 135 out of the EP’s 751 seats, around 18% – not enough to block important decisions, which need a two-thirds majority, however enough to raise a loud, nationalist, anti-European, anti-foreigners and in the end anti-enlargement voice. With Brexit coming into effect eventually, the political weight of those parliamentarians

²⁴ The EU nominations introduced at this workshop (26-29th September 2019) will not come into effect before earliest 1st December 2019, due to the rejection of three Commissioner candidates by the EP.

²⁵ There also may be some among those MPs not belonging to any formal EP parliamentary group.

with anti-enlargement attitudes will raise only slightly. According to Article 49 of the “Consolidated Version of the Treaty on European Union”,²⁶ the EP must give its consent to any new accession to the EU.

2. President of the European Commission

German Defence Minister Ursula von der Leyen (Christian Democratic Union, CDU) succeeds Jean-Claude Juncker, Luxemburg (Christian Social People’s Party) as EU Commission president. In her capacity as defence minister, she visited several times the Western Balkans, where German troops have been engaged since the end of the Balkan wars. She is expected to continue the current EU Commission’s enlargement policy, keeping a close eye on German Chancellor Angela Merkel’s position of a cautiously benign approach. All in all, informed observers do not expect enlargement to be high on the EU’s agenda in the near future.

3. High Representative for Foreign and Security Policy and Vice-President of the EU Commission

Spanish Foreign Minister Josep Borrell²⁷ (Socialist Worker’s Party, PSOE) succeeds Federica Mogherini, Italy (Democratic Party) as the second Spaniard after Xavier Solana as High Representative for Foreign Affairs and Security Policy. Spain belongs to the group of five EU member states that have not recognized Kosovo’s independence – which has proven to be a handicap for Spanish foreign policy in Europe and elsewhere.²⁸ Borrell, a Catalanian himself, who lacks any substantial Balkan expertise, has been a determined opponent of the Catalan independence movement. As the EU’s chief diplomat and vice-president of the commission, the issue of the Western Balkans enlargement will be, in close cooperation with enlargement Commissioner OlivérVárhelyi,²⁹ one of his most sensitive missions. His predecessor, Mog-

²⁶ Effective since 2009 and replacing ex article 49 TEU, <www.eur-lex.europa.eu>.

²⁷ See a short portrait of Josep Borrell by Otero-Iglesias, Miguel: Der unermüdliche Europäer. In: *Internationale Politik* 74 (2019) 6, p. 9-11.

²⁸ Together with Greece, Romania, Slovakia and Cyprus. See Selimi, Petrit: Borrell in the Western Balkans. In: *European Council on Foreign Relations*, 9 August 2019, <www.ecfr.eu/article/commentary_borrell_in_the_western_balkans>, accessed 21 September 2019.

²⁹ See below, A 4.

herini, did not always show a successful hand when it came to key enlargement decisions. Among others, she was blamed for having promoted and approved a proposal of border changes and land swaps between Serbia and Kosovo. Borrell's main problem regarding the Western Balkans right from the beginning will be to prove his "Europeanness"³⁰ and his political "neutrality" in respect to the Kosovo-Serbia dispute. Also, he is supposed to appoint a special representative for the Western Balkans as an EU homologue to the recently appointed U.S. Special Envoy, Boris Palmer.

4. EU Commissioner for European neighbourhood policy and enlargement negotiations

With Hungary's Permanent Representative to the EU, Ambassador Olivér Várhelyi, Prime Minister Victor Orbán had to nominate a second candidate as Hungary's representative for the future EU Commission, after his first choice, former Hungarian Minister of Justice and diplomat László Trócsányi (Fidesz Party) had been rejected twice by the responsible selection bodies of the EU Parliament. Hungary, after putting strong pressure on Brussels, has been offered the post of EU Commissioner for enlargement policy, to succeed Commissioner Johannes Hahn of Austria. Trócsányi had been highly controversial from the very beginning because of his numerous decisions in the field of the rule of law and human rights contrary to basic EU norms and standards, and his ideological closeness to Fidesz party chief and Hungarian Prime Minister Orbán, who is said to be a staunch supporter of Balkan autocrats Aleksandar Vučić, Milo Djukanović, Milorad Dodik and Nikola Gruevski.³¹ Hungary's government, however, most notably Orbán himself, have shown a strong interest in EU enlargement and thus in the post of the enlargement commissioner, hoping that the new members from the Balkans would, as natural brothers in spirit and with similar political and economic interests, automatically join the group of the so-called "new members from the East" frustrated with the Brussels' bureaucracy and the "old members from the West". Although Várhelyi has a solid record as an EU expert, also his appointment will not be approved automatically by the altogether Orbán critical EP.

³⁰ Teherneva, 2019, *ibid.*

³¹ See Verseck, Keno: Orbán's Abschied vom Westen. In: Spiegel online, Hamburg, 30.10.2019, <<https://www.spiegel.de/politik/ausland/wladimir-putin-in-ungarn-viktor-orban-nimmt-abschied-vom-westen-a-1293894.html>>.

All the changes within the EU described above, however, do not seem liable to substantially alter Brussels' overall positive position towards enlargement. The plans in Brussels and the so-called Balkans Quint,³² as well as in key member states, to establish a powerful Special Envoy for the Western Balkans, in particular for the revival of Serb-Kosovar negotiations, have been welcome news.

B. Changes in EU member states

This differs though from the picture found *within* the EU's member states, and here in particular in the 28 respectively 27³³ national parliaments, very probably based on the predominant views in the constituencies, where, all over Europe, the issues of the Euro stability, migration and refugees, and now climate change have led to enormous politicization, polarization and fragmentation of societies. Both, for the EU Commission and the governments of member states, these, in part fundamental societal changes – against the background of the rise of far-right populists – have made national parliaments' decisions on issues concerning national identity and questions “existential for the survival of the overall population” incalculable. In our context, this means: the number of citizens and voters, who fear being swamped by foreigners from non-European, probably more precisely, from non-Western European regions, seems to have significantly increased.

“Because of the fear of foreign immigration”, one German MP explained recently, “people in my constituency would notice – and scrutinize – a decision to open accession negotiations with North Macedonia. Even though it is just a small step, far away from accession, it will be perceived critically by the public at this moment”.³⁴

Figures from an upcoming ECFR survey do not even differentiate between Muslim (pre-dominant Muslim) and non-Muslim countries from the Western Balkans, when citizens of selected EU member states were asked about possible enlargement:³⁵

³² France, Germany, Italy, United Kingdom, USA.

³³ With Brexit taking place by 31 January 2020, the Western Balkans will lose one of its longtime supporters, the United Kingdom, which, in principal, has always been for the accession of the remaining WB6.

³⁴ Tcherneva, 2019, *ibid.*

³⁵ Tcherneva, 2019, *ibid.*; first (red) pillar: none; second (yellow) pillar: some; third (green) pillar: all.

How many Western Balkans countries should join the EU in the next decade?

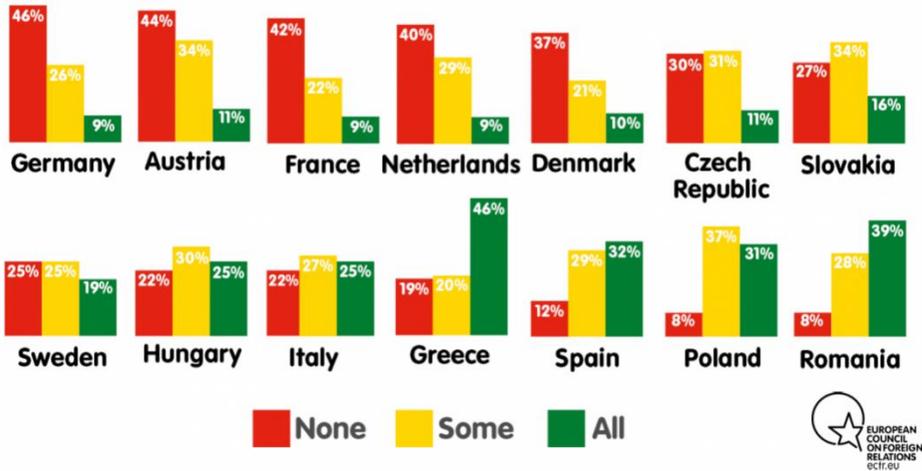


Figure 1: How many Western Balkans countries should join the EU in the next decade?
Source: ECFR survey, www.ecfr.eu

All in all, these figures demonstrate the low enthusiasm of EU citizens regarding enlargement. The far-right Eurosceptics, populists and nationalists, both in national parliaments and in the EU parliament, have, as for example the right-wing “Alternative für Deutschland (AfD)”,³⁶ shown a strong rejection of non-Christians and immigrants, among others, from Europe’s “south”, in particular from the Balkans, referring in part to the accession of Bulgaria and Romania. Politicians from the other (“established”) parliamentary parties in Germany have been hushing up these political developments so far, with Chancellor Angela Merkel having avoided over the last several years any clear, factual, time related statements, instead offering noncommittal remarks. At least, in her government statement³⁷ at October’s EU Council Meeting,³⁸ Merkel advocated giving the WB6 in general, and North Macedonia and Albania in particular, at the summit the long expected (and promised)

³⁶ “Alternative for Germany”; the AfD is represented meanwhile both in the German federal parliament and in all 16 state parliaments, being strongest in Germany’s East.

³⁷ German Bundestag, Berlin, 17 October 2019, <<https://www.bundeskanzlerin.de/bkin-en/news/regierungserklaerung-merkel-1682840>>.

³⁸ In Brussels, 17-18 October 2019.

prospects of accession to the EU. France's President Emmanuel Macron, on the other hand, joined by the Netherlands and Denmark, has never made a secret of his standpoint that any EU enlargement, regarding the WB6, will be excluded for quite some time, if not forever. At least for some of the WB6,³⁹ integration before enlargement (meaning consolidating and deepening the present EU) remains the top priority above all in EU national capitals, but to a certain degree also in the Commission. That, in many respects, the WB6 has already been part of the EU for quite some time, through the Stabilisation and Association Agreements (SAA), continuous financial support out of Brussels and their commitments undertaken to pursue EU compliant behavior, has been systematically disregarded and suppressed by the Union and its member states.

The October summit, accordingly, led to a large scale failure. The first litmus test for the overall enlargement state of mind in EU member states was the reaction of the 28 Heads of State and Government on 17 and 18 October 2019 to the Commission's 29 May 2019 concrete recommendation that the EU Council opens accession negotiations with Albania and North Macedonia. While in June, for example, Chancellor Merkel had still opted to keep the Union and the two aspirants waiting – in Western Balkans matters Germany serves a role model (“*Leitbild*”) function – it was taken for granted that Germany in the end would eventually follow the EU's proposal,⁴⁰ probably making some restrictions in the case of Albania regarding the rule of law and the fight against Organized Crime, corruption and nepotism. As soon as significant progress was guaranteed in these areas, concerning the key negotiation chapters 23 and 24, talks with Tirana could begin. In the case of North Macedonia, such obstacles do not exist. On the contrary, after the successful conclusion of the “Prespa Agreement”⁴¹ between Greece and North Macedonia, it has become a question of credibility for the EU to honor its respective commitment. Germany, together with 24 other member states, stood by its 2003 promise, but not France. For the first time ever in the enlargement

³⁹ See President Emmanuel Macron's press conference on the occasion of the October 2019 EU Summit: <<https://www.elysee.fr/emmanuel-macron/2019/10/18/conference-de-presse-a-lissue-du-conseil-europeen-des-17-et-18-octobre-2019>>.

⁴⁰ Provided the German Bundestag gives its consent on 26.09.2019.

⁴¹ Signed beside Lake Prespa (bordered by Greece, North Macedonia and Albania) on 12.06.2018, resolving the long-standing dispute over North Macedonia's state name. The agreement came into effect through ratification on 25.01.2019.

debate, an EU Head of State and Government, even one of the large so-called “EU 3”,⁴² principally questioned the meaningfulness and the imperative need to include (all six) Western Balkans countries as *full* members of the EU. Macron, above all, provided three main reasons for his decision:

- no enlargement before the repairing and deepening of the present, dysfunctional EU is completed,
- the process of inner reforms in the WB6 has not been satisfying yet – no state with major substantial or political problems will be admitted,
- full membership cannot be the only answer to the WB6 request for accession – also other forms of partnership should be considered if needed.

C. Excursus: The situation in the Western Balkans Six with regard to EU accession

Compared to the 2018 Balkan Barometer⁴³ findings, the situation in the WB6 regarding a future membership in the EU has not changed significantly. Still, more than half of all respondents view EU accession favorably. They seem not to be affected too much by rather gloomy predictions about the inner divisions and even the not to be excluded “creeping dissolution” of the EU and of NATO,⁴⁴ although Macron’s EU summit statement has shocked and upset many. “This has been a major breach of trust”, stated a spokesperson of the ‘Think for Europe Network, TEN’ at an ASPEN Institute Germany roundtable following the EU summit.⁴⁵ And she warned: “The EU should be aware of such statements only contributing to the WB remaining an area of high instability and insecurity”. Nevertheless, this Western Balkans think

⁴² France, Germany, United Kingdom.

⁴³ Regional Cooperation Council (Ed.): Balkan Barometer 2019. Public Opinion Analytical Report. Sarajevo 2019; <<https://www.rcc.int/pubs/89/balkan-barometer-2019-public-opinion-survey>>.

⁴⁴ Schöllgen, Gregor: Nato und Europäische Union sind nicht mehr nötig. In: Frankfurter Allgemeine Sonntagszeitung, 11.08.2019, p. 3: The German historian Schöllgen predicts the dissolution of the EU should the constituent political binder “solidarity” disappear from the Union’s tool box.

⁴⁵ „Resolving the enlargement deadlock: Between rule of law deficiencies in the WB6 and the EU’s absorption capacity”. Roundtable discussion. ASPEN Institute Germany, Berlin, 24 October 2019.

tank, surprisingly self-critical and constructive, puts the fingers in the Balkan WB6 own wounds:

“On the side of the Balkan aspirants, the sluggish pace of reforms is preventing countries of the region from moving (faster) towards the EU (...) EC reports, as well as renowned indices such as that of Freedom House, the Bertelsmann Transformation Index, that of the Economist Intelligence Unit and that of Varieties of Democracy, all note these worrying trends. (...) With both sides losing their commitment to the process, a rethinking of existing approaches to pursue and enable the transformation of the WB region seems necessary.”⁴⁶

TEN accordingly requests more involvement of WB6 national parliaments and civil societies, which, as they see it, have been purposely kept out of the accession process by their executives short of integrity (“negative executive bias”, TEN).

As the Balkan Barometer shows, membership for the WB6 continues to be largely associated with economic prosperity (43%), freedom to travel (26%) and freedom to study (25%).⁴⁷ Differentiated according to accession aspirants (“EU membership would be a good/bad thing”):⁴⁸

	Good thing	Bad thing
Albania	86%	2%
Kosovo	69%	6%
Montenegro	52%	15%
North Macedonia	51%	11%
Bosnia-Herzegovina	47%	17%
Serbia	32%	21%
<i>SEE average</i>	<i>56%</i>	<i>12%</i>

28% of the respondents see their country integrated into the EU by 2025, 23% by 2030.⁴⁹ According to these figures, Kosovo remains the most hopeful country among the WB6, Serbia the most pessimistic, when it comes to EU integration (“accession latest by 2020”; “never”):

⁴⁶ Lazarević, Milena/Marić, Sena: Curbing the executive bias in EU enlargement policy for a strong democracy in the Western Balkans. Think for Europe Network, TEN, Belgrade, November 2019; <<https://ten.europeanpolicy.org/contact/>>.

⁴⁷ Balkan Barometer 2019, p. 33.

⁴⁸ Ibid., pp. 37-38.

⁴⁹ Ibid., pp. 38-39.

	By 2020	By 2025	By 2030	Never
Kosovo	33%	25%	18%	12%
Albania	26%	32%	24%	11%
North Macedonia	18%	27%	19%	22%
Montenegro	7%	43%	23%	15%
Serbia	5%	21%	21%	33%
Bosnia-Herzegovina	4%	22%	32%	29%
<i>SEE average</i>	<i>16%</i>	<i>28%</i>	<i>23%</i>	<i>20%</i>

D. Other Personnel Changes in Europe

Since 18 September 2019, Marija Pejčinović Burić, former Croatia Minister of Foreign and European Affairs, has assumed office as the new Secretary General of the Council of Europe.

Even before this, Bosnian Dunja Mijatović, former OSCE Representative on Freedom of the Media, assumed office as the new Commissioner for Human Rights of the Council of Europe on 1 April 2018.

E. Moves on the part of the USA

Very probably, in the first place with regard to the expanding influence of Russia, China, Turkey and some Arabic states – within the geopolitical vacuum provided by the EU in Southeast Europe – the US administration under President Donald Trump has appointed DOS⁵⁰ career diplomat Matthew Palmer as Special Envoy to the Western Balkans. In addition, President Trump has selected his close ally and Ambassador to Germany, Richard Grenell,⁵¹ to also serve as his Special Envoy for the peace negotiations between Serbia and Kosovo. That would mean the long awaited political return

⁵⁰ US Department of State = US Foreign Ministry. Ambassador Palmer will retain his current DOS job as Deputy Assistant Secretary of State overseeing the Balkans and the Aegean region, under Undersecretary of State Phil Reeker.

⁵¹ Grenell, who served for quite some time as the U.S. spokesman to the UN, will retain his post in Berlin while negotiating the conflict between Belgrade and Pristina. He met with the leaders of Kosovo and Serbia for the first time on 9 and 10 October, 2019. See Financial Times, <<https://www.ft.com/content/b5db6878-ca7b-11e9-a240-3b065ef5fc55>>; Deutsche Welle <<https://www.dw.com/en/trump-ally-richard-grenells-kosovo-serbia-post-a-mixed-bag-for-rapprochement/a-50702881>>.

of the U.S. to the Western Balkans, indicating to a certain degree Washington's discontent with the EU's passivity and its lack of political creativity and determined leadership in the region.⁵² After quite some time of political absence from the Western Balkans, Washington spoke out again, when former US National security Advisor John Bolton indicated that the US supported the Vučić-Thaci land swap proposal for Serbia and Kosovo (joining EU chief diplomat at this time, Federica Mogherini on this issue). Observers state that Washington's renewed engagement in the region may also reflect the American dissatisfaction with an EU obviously incapable or unwilling (or both) to bring the Belgrade-Pristina disputes to a constructive end. The establishment of these two new special envoy positions will very probably also result in a revival of Quint activities in the region, which is all good news both for the WB6 and, hopefully, also for Brussels and EU member states. In the region, signs of relief regarding the perceived US return to the Balkans' playing field have already made the round.

III. Enlargement is dead – long live enlargement?

Because many have refused for years – among them mostly well meaning, over enthusiastic and over optimistic enlargement supporters both in the Brussels apparatus and in many EU capitals – to recognize and accept that, due to profound changes of the European and global environment, the accession process has not only reached an impasse, but already started to change its nature and direction, and fresh, critical and unprejudiced analysis has been suppressed or blocked. EU enlargement politicians, parliamentarians and bureaucrats, stuck with their heads deeply in the sand of reality neglect, seem to be incapable of finding a way out of this mess again. Inflexibly and uncreatively, they have been hanging on to the “Thessaloniki promise” and the “inevitability of enlargement”. They have been deploring the “in-

⁵² See Gramer, Robbie: U.S. plans to jump back into the Balkans with new envoy. In: Foreign Policy, 30 August 2019, <www.foreignpolicy.com/2019/08/30/us-plans-to-jump-back-into-balkans-with-new-envoy>, accessed on 04.09.2019; Radio Free Europe/Radio Liberty: Washington names Matthew Palmer a special envoy to Western Balkans. RFE/RL, 31 August 2019, <www.rferl.org/a/washington-names-matthew-palmer-as-special-envoy-to-western-balkans>, accessed on 04.09.2019.

completeness of the European unification process”⁵³ and the “dangers resulting from the ‘black hole’ in the middle of Europe”. This was, however, the assessment of the analysis 16 years ago. Meanwhile, as surveys have been showing over the years, attitudes in Europe towards an EU extension by the WB6 have changed significantly, in particular with the emergence of far-right populist movements. But not only those xenophobic far-right radicals have been asking if such an enlargement would make the EU a better, a stronger union to preserve this organization and, as they see it, the (Christian) occident. Nobody less than French President Emmanuel Macron has frequently objected to a widening of the EU before deepening it – and consequently vetoed launching membership negotiations with North Macedonia and Albania for now, at the Brussels October summit⁵⁴ of the EU Heads of State and Government. As one French diplomat said: “Negotiations cannot be opened in October 2019; we will need to reassess the situation somewhere in 2020.” Obviously, the threat to the wellbeing and survival by the ‘black hole’ emanating from a Western Balkans not becoming part of the EU is perceived much less dramatically than it was 16 years ago. Today, some European leaders and parliamentarians, though not all, see such a threat to the further existence of the EU instead in a rushed enlargement, or even in an enlargement at all. They have been adopting fears voiced by far-right populists, warning of the “national death”⁵⁵ of their peoples by the influx of more and more non-Western, non-occidental, non-Christian foreigners. The 2003 EU Thessaloniki Declaration states: “The EU reiterates its unequivocal support to the European perspective of the Western Balkans. The future of the Balkans is within the European Union.”⁵⁶ Some, though obviously a small

⁵³ German Chancellor Angela Merkel, despite her governments overall reluctance to come up with concrete, time-bound accession schedules, very recently reiterated her basic position on enlargement: “If you look at things geostrategically and look at the map, then there will only be a truly united Europe with the states of the Western Balkans.” Merkel spoke on the occasion of the Pan-European Picnic in Sopron (Hungary), 19 August 2019; see: Mischke, Judith: Merkel: ‘Truly united Europa’ includes Western Balkans. German chancellor reaffirms commitment to EU enlargement. In: Politico, 19.08.2019, <www.politico.eu/article/german-chancellor-angela-merkel>.

⁵⁴ 17-18 October 2019.

⁵⁵ In Germany, for instance, far-right politicians have been warning of “Volkstod” (national death), “Volksverschwinden” (disappearance) and “Umtopfung” (replacement) of the German people through the “Belagerung” (siege) by refugees, migrants, Muslims and Islamists.

⁵⁶ European Council, Thessaloniki, Declaration § 2, 21 June 2003, C/03/163, 10229/03.

majority of EU governments, argue now, including President Macron, that Thessaloniki does not necessarily guarantee *full EU membership* – also other forms of a contractual relationship between the EU and the WB6 could be conceived. They refer though to their own peoples and parliaments. The interpretation of the EU’s Thessaloniki commitment has been the diametric opposite among the WB6, of course – and among the majority of EU member states.

However, to characterize, against this background and division, the EU’s enlargement policy as a complete failure and without any perspective would go too far and do unnecessary harm detrimental to the Union and its southeastern neighborhood. On the other hand though, to simply close one’s eyes to reality does not get the policy idea and process, correct in principle and perspective, back on track. Enlargement policy, as we have seen it for more than 15 years by now, will not do the trick either. Above all, the deadlocked taboo not to openly and bluntly identify the problems that hold both the EU and the region in an unproductive waiting queue must be lifted immediately.

At the 32nd workshop of the Study Group “Regional Stability in South East Europe” in May 2016, I introduced several ideas and proposals on how to replace the extremely unfruitful, leading to nothing, widening versus deepening debate within the EU and between the EU and the WB6 accession aspirants. I tried to show that neither has integration to be sacrificed for enlargement, nor enlargement for integration.⁵⁷ Rather, the in principal geopolitically promising enlargement proceedings should be redesigned more skillfully to the needs, responsibilities and capabilities of all partners involved, and eventually adapted to the changed strategic-political environment since Thessaloniki. Above all, the think tank world has taken up most of the proposals, whereas the Brussels’ bureaucracy and the national Ministries for Foreign and European Affairs have preferred to hang on to the long beaten

⁵⁷ The essay was first published in February 2017, and later in a more detailed, extended version, in September 2017: Schmunk, Michael: The multiple EU crises and the unfinished business in the Western Balkans: About immortal myths and harsh realities in the enlargement world. In: Jureković, Predrag (Ed.): South East Europe’s consolidation in the light of the EU crisis, refugee influx and religious extremism. Study Group Information 4/2017, Vienna, February 2019, pp. 77-85; Schmunk, Michael: The Western Balkans’ EU-perspective in an era of new challenges and new uncertainties. In: Südosteuropa Mitteilungen 57 (2017) 04-05, pp. 26-39.

tracks, including the institution of the “consolation summits” – with no positive results whatsoever.

My 2016 **proposals**, in a nutshell, to **re-vitalize enlargement**, have been the following – updated to the 2019 state of affairs: **EU Enlargement – the Phoenix from the Brussels and Westbalkan ashes!**

1. **Put an end to** the highly polarizing, elbow using, energy, trust, solidarity and natural (regional) partnership destroying so-called “**regatta-approach**”, according to which the pace of crossing the finish line, when it comes to the fulfillment of the Copenhagen⁵⁸ EU access conditionality, will decide the order of future new memberships. **Solidarity**⁵⁹ **rather than rivalry** is supposed to be the constituent cooperation modus of the EU – that cannot be learned early enough, ideally prior to the final accession. Solidary means, among other things, the creation of a “we”-feeling among the WB6, mutual assistance, and a combination of their comparative advantages. The in part ugly discussions relating to the migration and refugees’ issue (reception of refugees), which resulted in a severe political-ideological division of the Union, has demonstrated for long periods now, how essential EU solidarity for its inner cohesion is. I tried to show in 2016 that the “regatta” accession modus has been highly counterproductive both for the EU and the accession aspirants of the WB6. It has added to division among the WB6, rather than binding them together to improve interregional cooperation and their accession chances vis-à-vis the EU. Instead, I have proposed that the EU, the member states and the WB6 aim for the Balkans aspirants joining the EU in one single block, a closed group of Six, having reached a level of reform that would not bring major deficits and disturbances into the Union – more detailed, less political reform could then follow within the EU. “Regatta”? There is a much better model in sports to illustrate, what is meant: the “**track bike team pursuit**”. To win, it needs all team members to reach the finish line together, which requires team spirit and team work.

⁵⁸ The Copenhagen Criteria (1993) are the rules that define whether a country is eligible to join the EU. The criteria require that a state has the institutions to preserve democratic governance, the rule of law and human rights, has a functioning market economy, and accepts the basic values, obligations and intent of the EU.

⁵⁹ For the EU’s solidarity principle, see: <<https://www.eurofound.europa.eu/observatories/eurwork/industrial-relations-dictionary/solidarity-principle>>.

2. In any case, the beginning of the term of office of a new EU Commission and a new EU Parliament should be used for a **fundamental review of the EU's overall enlargement procedures**,⁶⁰ institutionally, methodologically and operationally. This is what the EU owes to the accession aspirants at least. Both, the Commission and the Council, in the format of a joint committee or task force, should be mandated to prepare an improved enlargement concept. In this context, President Macron should be asked to specify his ideas regarding enlargement reform, latest by the EU 2019 December Summit. As things stand at present, in particular, and above all, against the background of the deadlocked enlargement process, the two main enlargement approaches described above should be technically and politically re-evaluated, comparing the advantages and disadvantages of both, and without abandoning the central precondition to meet a set of accession requirements (Copenhagen criteria) – the enlargement conditionality, which also should be reviewed in the light of former successful accessions and a changed political environment since Copenhagen 1993.

3. **Acting as WB6 *en bloc*, as a group, as a sextet of likeminded** (team pursuit!) rather than individually and against each other, would create numerous synergies by combining comparative advantages and forces of the individual Six. The EU would be forced to accept accession talks with the whole region rather than with individual nations that easily could be played off against each other. In my 2016 enlargement⁶¹ proposal, I described possible “ingredients” of such a **package** to be presented primarily to those bodies in the EU and its member states, which take the

⁶⁰ Similar proposals have now been made, among others, by: Knaus, Gerald: Coup de grâce – Delors and squaring the circle – Norway in the Balkans. ESI Newsletter, Berlin 25 October 2019, <https://www.esiweb.org/index.php?lang=en&id=67&newsletter_ID=137>; Delević, Milica/Prelec, Tena: Flatter and faster: New Western Balkans pathways to the EU. European Council on Foreign Relations, ECFR, 24 October 2019, <https://www.ecfr.eu/article/commentary_flatter_and_faster_new_western_balkans_pathways_to_the_eu>; Kacarska, Simonida/Abazi Imeri, Ardita: Effective benchmarking for concrete rule of law reforms in the Western Balkans. Think for Europe Network, TEN, Belgrade, October 2019.

⁶¹ See above, The Western Balkans' EU-perspective in an era of new challenges and new uncertainties (2017), pp. 36 ff.

ultimate political accession decisions – the EP and the national parliaments. Lobbying for membership must take place, above all, in these bodies, tabled as a block request, combined with the clear message: “All or none!” This would raise the chances for accession of all six concerned – putting strong political pressure on the ratifying parliaments involved to eventually grant accession to all six of them – with no accession at all representing no real political option for the Union. Thus, the enlargement dilemma would be shifted to a higher degree than at present to the side of the EU. The team or *en bloc* approach would also ensure that Bosnia and Herzegovina (BiH) and Kosovo, the two main victims of the Milošević-Serb aggression during the Balkan wars, might have a realistic chance to join the EU eventually. Hopelessly situated at the end of the accession candidates’ line, they might otherwise not make it into the EU at all – thereby losing the war a second time and forever. This would be a politically-morally unacceptable outcome for the EU’s self-image and self-understanding. Furthermore, this new enlargement methodology would force Serbia (and indirectly the BiH entity Republika Srpska) to solve their frictions with Kosovo, respectively with the Bosniak and Croat parts of BiH. The speed of this enlargement process may well demand some patience from the faster aspirants – it may come at a snail’s pace, but with the perspective of a sustainable result in the end.

4. The developments since Thessaloniki and the permanently changing global and European environment have warned us that successful enlargement, as with other strategic EU projects, is not a foregone conclusion. Simply hoping for the best – or at least for partial success of the fittest of the WB6 – seems not to be a responsible strategy for facing reality as it is. What if “**Plan A**”, full membership for all six, would take at least one more decade, but turn out mutilated or even fail completely, because of vetos from some member states (France!); or if some of the enlargement’s “macro-problems” (the ethno-political blockade in Bosnia-Herzegovina or the fundamental recognition dispute between Serbia and Kosovo) are not solved? For the EU, it seems, because it regards itself as omnipotent, as infallible, the question that its enlargement policy might fail, does not even arise, although it does not guarantee commitment either. Moreover, the question of what the EU’s answer to the Western Balkans would be if enlargement takes another 15 years or eventually fails for some or all, has never been raised, or has been treated as

taboo – until Macron’s October 2019 statement. This is, from my point of view,⁶² an unsatisfactory situation. Constructive, helpful plans should be rapidly discussed with the accession aspirants to offer them as many of the benefits as possible that EU citizens enjoy – already in the very near future; questions regarding the WB6 future legal-political EU status should be left aside for the moment (“standards before status”).

This has been the impetus for a third alternative in between full membership and non-membership for good – the idea of drawing up a “Plan B” if not even a “Plan C” regulating the relations between the WB6 en bloc and the EU. Macron’s deliberations should not be understood as a “binary system”⁶³ only, black or white, all or nothing. In my mind, alternative models in between full membership or no membership at all should have already been explored a long time ago. Because simply hoping for the best is not necessarily a promising approach. Very probably, beyond the mere political benefits of a full EU membership, for many areas that matter to a prosperous everyday life, solutions nearly coinciding with a full membership status could be reached. The SAAs have already provided a certain degree of WB6 integration into the EU, however, of course, reversible. Non-EU members Norway, Iceland and Liechtenstein, though being in a completely different general political and economic situation from that of the Westbalkans, have been integrated into a very complex and dense network between them and the EU, the “European Economic Area, EEA”,⁶⁴ to the benefit of both, very close to a “surrogate” for full membership, a “membership-lite”, a privileged or junior partnership, so to say.⁶⁵ Others propose to grant access for the WB6 to the EU Cohesion Fund to help them already now, though still non-members, to reduce economic and social disparities and to promote sustainable

⁶² See my deliberations regarding the necessity of a „Plan B“, or even „Plan C“, as mentioned above: Schmunk, Michael: The Western Balkans’ EU-perspective in an era of new challenges and new uncertainties. In: Südosteuropa Mitteilungen 57 (2017) 04-05, pp. 38 f.

⁶³ Quote from: Martens, Michael: Für Skopje und Tirana? In: Frankfurter Allgemeine Zeitung, 25 September 2019, p. 8.

⁶⁴ Established in 1994, and located in Copenhagen.

⁶⁵ See, in this context, the more concrete proposals of the European Stability Initiative, ESI: Gerald Knaus: Coup de grâce – Delors and squaring the circle – Norway in the Balkans. Berlin 2019, p. 8 f.

development.⁶⁶ While still negotiating and sitting in the EU's waiting room, it might be worthwhile to sound out, at the same time, at a series of brainstormings what else could be possible, already within the next years, against the background of another eight to ten years, at least, before the ongoing accession negotiations could be completed – not to mention the time those negotiations not even opened yet will take.⁶⁷ Some have even proposed a “Marshal Plan”⁶⁸ for the region to bring democracy and prosperity to them, before they migrate to where prosperity can be found. How such a project could be designed and financed, should be part of the mentioned brainstormings as well.

In 2016, I had indicated that I hope that a “Plan B” (and perhaps “C”) would not be needed. The year 2019, though, has been an unwelcome game changer. But let us EU-members be honest and transparent to the WB6 – nothing can and should be excluded at this time anymore – anything else would be irresponsible and lacking solidarity, one of the fundamental social-political adhesives that characterizes the family of the European nations. The chances are good that with some creative and spirited strategy changes enlargement, in new clothes and with an improved structure, will rise as a Phoenix from the ashes of a trailblazing enlargement summit (end of 2019, beginning of 2020), which might eventually prove that in October 2019 it only seemingly failed – opening instead a new chapter of the accession of the WB6.

⁶⁶ Martens, Michael: *Balkan ade?* In: *Frankfurter Allgemeine Zeitung*, 23 Oct 2019, p.1.

⁶⁷ See, in this context, the proposals of the German Council on Foreign Relations (DGAP), Berlin: Nić, Milan/Schwarzer, Daniela/Vallée, Shahin: *Macron is gambling away the EU influence in Balkans*. In: *BalkanInsight (BIRN)*, 31 October 2019, <www.birn.eu.com/Macron%20is%20Gambling%20Away%20EU%20Influence%20ii%20Balkans%20_%20Balkan%20Insight.html>.

⁶⁸ Reljić, Dušan (German Institute for International Affairs, SWP): *Crimes, prosperity, and institutions: The enduring negative cycle*. In: *Balkan Perspectives: Adapting the partnership and integration paths*. Edited by the NATO Defense College Foundation, Policy Background Paper, Rome, 2019, p. 42.

**PART III:
EU'S ENLARGEMENT POLICIES –
CHANCES AND OBSTACLES FOR
REGIONAL COOPERATION**

“Have the tables turned?” – Maintaining the Positive Impact of the EU Integration Process towards Regional Cooperation

Alba Çela

All stakeholders will agree that the process of EU integration is the primary and strongest factor in pushing regional cooperation forward. The EU has provided not only the impetus but also the resources and mechanisms to make regional cooperation viable. The EU support has been so considerable that experts have often questioned the local ownership of the regional dynamics by the states themselves.

Additionally the process has faced from the beginning the challenge to balance the requirement for regional cooperation with the competition spirit of the Regatta principle: that each country was going to be evaluated for its own progress rather than considering any form of “Big Bang” accession.

In the current conditions however there are two specific factors that risk to turn the tables on this positive correlation between EU conditionality and regional cooperation: first the enlargement process as a whole is in serious jeopardy with key EU member states putting their feet down against it and second the potential interpretation of the EU as being selective with its awards of milestones towards individual countries. The combined effect of these two developments does not nourish positive regional dynamics and might even risk bilateral balances in the Western Balkans.

Next month, there will be important developments regarding both intertwined factors. When the Council of the European Union convenes and decides upon the fate of the opening of accession negotiations with Albania and North Macedonia a lot will become clear upon the impact of integration on the region.

In the beginning: good pupils for the EU teacher

The process of integration and the condition of solving bilateral disputes and cultivating positive relations in the region prompted a series of initiatives,

regional institutions and periodical organizations. The number currently is very high and ironically can be interpreted as a testament to redundancy and superficiality. Indeed a few years ago, together with some other colleagues we concluded that though the number of regional initiatives and task forces hovers around 50 (2010 figure),

“the agreements on cooperation appear to be merely declarative, while activities are difficult to quantify and qualify. At the same time, the knowledge of stakeholders, especially at national level about the progress of regional cooperation is meagre.”¹

This said, there is no doubt that some organizations such as the Regional Cooperation Council (RCC) have had the necessary substantial resources and backing to achieve real impact. The most recent victory of the RCC has been the abolishment of the roaming tariffs in the region, making the communication between citizens more affordable.

Overall the perspective of EU integration is still a strong pull factor. However the effect it has on regional integration is being tested since first there is a growing perception of declining EU power in the region, the effect of delayed integration progress is catching up to the elites and to the people and finally the different pace of milestones affects a perception of unfairness within the Western Balkans.

EU's power: on the decline?

The power, soft and otherwise, of the EU as a definite actor that has the capacity to resolve or negotiate crisis in the region has had two specific tests in the last few years: the dialogue between Serbia and Kosovo and the period prior to the reaching of the Prespa agreement between Greece and North Macedonia.

The role of Brussels facilitating and sometimes initiating the on and off dialogue between Pristina and Belgrade cannot be underrated. However, the lack of implementation of the reached agreements has been a thorn at the side of the EU all the time. The emergence of the potential draft agreement which would include land and population swaps and the perceived backing

¹ Monitoring Regional Cooperation in South East Europe, FES: 2013, Berlin. <<http://shtetiweb.org/wp-content/uploads/2015/01/FES-study-on-RC.pdf>>, page 5, accessed on August 1, 2019.

of this idea by the External Action Service's outgoing head Mogherini has damaged the credibility of the EU institutions in both countries and in the region.

This proposal sent shock waves to all the political establishments in the countries of the region creating many cracks internally and externally. In Albania there was perceived a silent sort of support for the idea when it came to Prime Minister Edi Rama which is closer to President Hashim Thaci. On the other hand there were vocal and repeated refusals and condemnations of this idea by the president of the Republic Meta, by figures of the opposition and by the now departed FA Minister Ditmir Bushati.²

Another factor of confusion that affected the position of political leaders was their perception as well as the popular perception of the presumed stance of the United States on this particular proposal. The letters of President Donald Trump and the declarations of his National Security Advisor John Bolton though stood also in contradiction to other more formal positions of the State Department and at the end the issue was left ambiguous. Striving always to be on the side of Washington, politicians in Albania and Kosovo played the American support card for some time.

In a forum in Tirana, Kosovo's former Minister and prominent intellectual Veton Surroi called out this project as subscribing to "dangerous anti-European values" echoing the concerns and criticism of many.³ After the Berlin Summit in 2019 this proposal seems at least frozen. However, its damage has been done to the trust between countries and to the credibility of the EU's diplomatic prowess.

As for the historical achievement of the Prespa Agreement, preceded by the equally important change of regime and exit of the Gruevski administration,

² Most analysts in Albania believe Bushati paid a steep price for his opposition. He was replaced as Minister of FA by Rama who appointed the 29 year old Kosovar, Gent Cakaj, in his place. Rama is officially the Minister and Cakaj is Acting Minister after the refusal of President Ilir Meta to decree Cakaj upon appointment. <<https://europeanwestern-balkans.com/2019/01/23/rama-assumes-office-foreign-minister-delegates-duties-cakaj/>>.

³ Veton Surroi: The new Kosovo-Serbia paradigm lies in a narrative of peace, Tirana Times, <<http://www.tiranatimes.com/?p=141408>>, accessed on September 2, 2019.

although the role and strength of the EU is acknowledged there is also a perception that in the end it was the Americans who put the foot down and wanting North Macedonia to be free of the Russian influence, sought a solution for it to become a NATO member state. The decisive visit of the Deputy Assistant Secretary for European and Eurasian Affairs at the US State Department, Hoyt Brian Yee during the negotiation months has been interpreted at least in some circles, as the “push come to shove” moment.

The hazy horizon of the enlargement perspective

Although we often tend to see it as a recent development, enlargement has been off the agenda of the EU as well as a controversial and mostly undesirable conversation for many EU member states for a while now. The effect of delaying integration perspective on regional cooperation is certainly negative. The aspiration of membership in the European family provided also the string foundation for the narrative of peace as a desirable goal. The focus of the European Union key states on security and migration matters recently has shifted the narrative of peace as a by-product of security and stability. This is less visionary as a goal.

One mechanism which was put forward as mitigating the effect of delayed integration and growing scepticism inside the EU about enlargement was the “Berlin process”. There was prevailing enthusiasm about this process in the beginning where the dreams of connectivity projects and youth exchanges were very significant. The “Berlin process”, however in all these years, has had few and delayed achievements and its future is uncertain now that it has entered its second phase.

It is very important for the “Berlin process” not to be perceived as a substitute for real progress of EU integration.⁴ This is seen as “a cheap substitute” and does nothing to motivate the countries to fulfill their reforms.

⁴ Many independent experts have in fact been critical of the Berlin process, See: It is time to ditch the Berlin process, Florian Bieber, 10.07.2018 <<https://europeanwesternbalkans.com/2018/07/10/time-ditch-berlin-process>>, accessed on August 16, 2019.

Moreover, the EU parliament elections failed to produce a deeply right wing dominated assembly. It is still selected member states which oppose enlargement and if the position does not change this will become a source of disunity inside the EU with two or more blocks divided according to their stance on the future of enlargement.

State of the affairs and the crucible of accession negotiations: what after October?

The decision about accession negotiations is putting already a strain on bilateral relations between Albania and North Macedonia. Having completed a major step, that of name change and an agreement with Greece on top of a whole regime change with the deposing of Gruevski, it is understandable that North Macedonian politicians and institutions would have little patience for the squabbles of Albanian politics that risk to punish the country regarding the accession negotiations date. In that regard one could consider the request of North Macedonia's President⁵ to be decoupled from Albania as legitimate considering his country's best interest. The same declarations were echoed even more recently by Minister Nikola Dimitrov who put it in painfully simple terms, "two is better than one but one is still better than zero".⁶ The media coverage and follow up that these declarations cause cannot be seen as a good omen for bilateral relations or regional cooperation.

Other unresolved bilateral issues also will be deeply affected. The frozen dialogue between Serbia and Kosovo stands as one issue that can become a failure of the EU, heavily invested in pushing it forward. Some new developments have happened with the appointment of the US Envoy for the Balkans, Mathew Palmer and more recently a special envoy for the specific dialogue, which currently is the US Ambassador of the United States in Germany. The seemingly return of the attention from the United States to the regional table has been saluted as a positive re-engagement signal. However, its real effect is unclear as the sides have not moved an inch from their trench

⁵ North Macedonia wants to separate from Albania regarding decision to open EU negotiations, Tirana Times, <<http://www.tiranatimes.com/?p=142228>>, accessed on July 29, 2019.

⁶ <<https://mia.mk/2019/08/eu-ministers-push-for-start-of-albania-north-macedonia-membership-talks/?lang=en>>.

positions. Upcoming elections in Kosovo will also heavily affect the dialogue dynamics.

Regional cooperation may continue to look rosy from the lens of regional mechanisms that have vested interests in the continuation of their existence but the reality on the ground is still witnessing heavy bilateral bickering and potentially in the short term future even resentment due to perceived selective milestone awards in the EU path.

Until the local ownership of the regional cooperation is consolidated in the long term, the role of the foreign actors such as the EU and the US will still be decisive. The EU integration process holds the key to the positive developments in the area therefore the feasibility and credibility of the process will determine its future in the short and medium term.

**PART IV:
DEMOCRATIZATION PROCESSES AND
INTRA-STATE REFORMS IN THE
SOUTH EAST EUROPEAN CANDIDATE AND
ASPIRANT COUNTRIES**

Civil Society Priorities for the Republic of Croatia Presidency of the Council of the European Union (Speaking Notes)

Gordan Bosanac

Croatian civil society organizations (CSO), gathered in the informal network Forum 2020, through in-person consultations in five cities (Rijeka, Varaždin, Split, Osijek and Zagreb) as well as online consultations, have come to an agreement on the priorities for the Presidency of the Council of the European Union from January to June 2020.

CSOs are cognizant that the Presidency of the Council of the European Union presents a challenge as well as an opportunity for the entire country. This is also a special opportunity to strengthen Croatia's reputation and change its image as a member state with weak coalition potential for cooperation with other EU member states. In order to do this, CSOs believe that joint efforts are needed, from both governmental bodies as well as civil society organizations. Therefore, CSOs see these priorities as an opportunity for collaborative work on shaping EU public policies.

CSO priorities emerge from the current need for the EU to redefine and strengthen its public policies to respond to the real needs of EU citizens. Hence, the priorities are a clear reflection of the common interests of the EU and of the Republic of Croatia as a full member of the Union. They were inspired by the idea of putting emphasis on some of the critical points of EU policies that in the past have either failed to be realized or articulated in a way that benefits the majority of EU citizens.

In addition to the above mentioned thematic priorities, CSOs emphasize the importance of youth participation in all areas and their inclusion in decision-making processes. Youth as a key social group represent the potential that is further strengthened through participation in political processes, creating the conscious, critical and socially active citizens that are the foundation of every democratic society. Furthermore, CSOs consider it important to point out that all priorities need to strive for gender equality in decision-making and

implementation processes to ensure equal representation and eliminate discrimination based on gender.

Priorities are grouped in four main topics. First is the rule of law and human rights within EU. CSOs are aware that in last few years the quality of rule of law and human rights protection within EU has weakened. This is why they think that presidency has to work hard on establishing rules, instruments and budget to strengthen the rule of law and human rights within EU borders. Second priority is continuation of EU enlargement policy. Third is a sustainable and green Europe with a focus on combating inequalities across EU. Final priority is linked to the recent Croatian war history. The idea is to integrate more peacebuilding into EU foreign and security policy based on peacebuilding practices from Croatia.

Appendix: Detailed list of priorities:

1. A democratic Europe of free and responsible citizens. A Europe where rule of law and human rights are respected. A Europe of free, independent and critical civil society, and independent institutions and media.

For many years, the European Union has been recognized as a space for socioeconomic wellbeing, the rule of law and the protection of human rights. All three components make the European Union one of the most attractive places to live. Hence, it comes as a surprise that many people from failing states or countries that have not have developed these three components want to live in the EU. The EU has made great efforts to develop the free market and the free movement of people – assuming that the rule of law and the protection of human rights were implied and guaranteed and hence that no additional effort or investment in these tenets of democracy was necessary amongst member states. Unfortunately, the evidence has shown that the rule of law and the protection of human rights are not sustainable if we are not continuously working on them. In this respect, the growth of anti-democratic political options that see the rule of law and human rights protection as a threat to their interests, instead of an opportunity to build trust-based social relationships in institutions that serve the benefit of all its members is particularly concerning. The rise of so-called illiberal democracies within the European Union that demote democracy to the bare minimum of multi-

party elections, while at the same time destroying the key pillars of democratic control (independent judiciary, critical civil society, independent media and independent institutions) is a clear signal that the EU must proactively work on strengthening and protecting the mechanisms of checks and balances on government power.

This is possible by implementing and continually developing the following policies:

1.1. Strengthening responsible and independent democratic institutions within the European Union and its member states.

We expect from the Council of the EU that it initiates political processes aimed at strengthening democratic institutions, empowering independent institutions and facilitating civilian oversight over state institutions. Strengthening judicial systems is the foundation of the rule of law and a necessary prerequisite for the preservation of the democratic order. At the same time, we must strongly oppose political groups trying to abuse the mechanisms, institutions and resources of the European Union and using them to weaken or disintegrate the European Union and have it turn away from its core values.

We call for a Europe of rule of law and stable, responsible and democratic institutions of government, which develops mechanisms for monitoring the functioning of the judiciary as well as civilian oversight of the police, army and security services, in particular by monitoring the effectiveness of policies aimed at combatting corruption. We call upon the EU legislative bodies to adopt the European Commission's General Recommendations Against Racism and Intolerance to National Equality Bodies¹ to strengthen the Ombudsman Institutions throughout the European Union.

1.2. Introducing an instrument for the protection of EU fundamental values into the multiannual financial framework which would ensure long-term financing of civil society organizations and independent media who work on democratization and human rights protection.

¹ <<https://ombudsman.hr/attachments/article/1283/REC-02rev-2018-006-ENG.pdf>>

Until now, the EU has invested significant financial resources for such activities only outside the EU (through the European Instrument for Democracy and Human Rights – the so-called EIDHR mechanism), however, it has become clear that a similar mechanism must be activated within the Union’s borders. A key prerequisite for more consistent, responsive and effective actions within the EU for the protection of European values is a robust, comprehensive and politically unbiased mechanism for monitoring the status of European values (including the rule of law) in all member states, in tandem with a number of financial disciplinary instruments, enabled by the Multiannual Financial Framework and accompanying regulations.

The announced program “Citizens, Equality, Rights and Values”² is a good step in this direction, but it is necessary to intensify the efforts for its adoption and inclusion in the Multiannual Financial Framework in amounts that are in line with the requirements of European civil society actors who have called for a new European Values Instrument. The European Union cannot afford to pursue austerity policies when it comes to the values on which it was founded. Particularly important is its sub-program for “Values of the Union” which could serve as an emergency fund to respond to the dangers of human rights defenders throughout the EU. We expect the program “Citizens, Equality, Rights and Values” to be adopted within the next Multiannual Financial Framework, along with the European value protection instrument that responds to the real situation of people exposed to human rights violations in local communities across the EU. We consider these measures necessary as the health of the European Union depends on its ability to protect its fundamental values.

1.3. Protecting Human Rights Defenders and Journalists within the EU – who must be recognized as one of the guardians of democracy, freedom of expression and human rights.

It is unacceptable that journalist and human right defenders are being killed, prosecuted and intimidated in the EU for being critical voices defending the democratic standards that have been achieved by EU Member States. That is why we expect the Council of the EU, in co-operation with other EU

² <<https://oeil.secure.europarl.europa.eu/oeil/popups/summary.do?id=1582292&t=en>&l=en>.

institutions during the Croatian presidency, to initiate a legislative initiative to protect these groups.

1.4. The development of an annual report on the state of rule of law and human rights in the EU.

Until now, the EU has not yet developed a methodology for monitoring and reporting on the state of human rights, instead relying on reports from international organizations, their delegations around the world or the thematic reports of the EU Fundamental Rights Agency. In particular, attention was not focused on comprehensive reporting on the state of human rights within the EU. We applaud the activities carried out by the Fundamental Rights Agency to date, publishing objective and high quality reports on individual segments of the violation of the rule of law and human rights in the EU. We believe that it is time to extend the mandate of the Agency so that, in cooperation with other independent EU institutions (eg the EU Ombudsman) and civil society, it can begin to publish regular annual reports on the state of human rights and rule of law within the EU, which can then serve as the evidence-base from which policies for strengthening the rule of law and human rights protection in the EU can be developed. The currently existing tool of the European Commission for tracking judicial systems, the Justice Scoreboard, is largely focused on the efficiency of judicial systems, but does not go into an analysis of the level of fundamental rights protection, the rule of law or the scale of violations. It is not enough to report only on individual cases of human rights. Systemic failures of institutions to protect these rights must also be adequately monitored and reported, and a uniform institutional framework developed for monitoring the situation in all Member States. We also propose that within DG DEVCO, in cooperation with the EU Fundamental Rights Agency, the launching of the publication of regular annual reports on the human rights situation in the world. We also propose opening consultations with the Ombudsperson institutions in member states on their role in preparing this report. In this way, the EU will position itself as one of the leading global actors with a continued commitment to protecting the rule of law and human rights. Part of the report should also be a periodic review of the implementation of the European Parliament Resolution on the rise of neo-fascist violence in Europe, which called for a ban on neo-fascist and neo-Nazi groups in the European Union, following the example of the good

practice of the Report of the People’s Ombudsman of the Republic of Croatia entitled “Relativization of the Ustasha crimes violates the fundamental values of the Constitution, with a lack of reaction opening space for hatred.”

In December 2014, the Council of the EU decided to undertake an annual dialogue on ‘the rule of law’ in member states; however, the dialogue is an informal conversation without specific feedback or recommendations. In 2016, the European Parliament proposed an inter-institutional EU Pact for Democracy, Rule of Law and Fundamental Rights³ adopted by the European Economic and Social Committee, but the Commission has so far not reacted to it. The proposed Covenant is part of the LIBE Report and includes a public presentation of the results, the annual interparliamentary debate and agreements on mitigating the consequences of possible risks and violations, and the activation of the preventive and remedial means of Article 7 of the Lisbon Treaty. We hold that greater synergies between the different EU institutions are needed in order to provide comprehensive and effective mechanisms for the protection of the rule of law. We call upon the European institutions to strengthen the framework for the protection of the rule of law in the European Union, in line with the recent announcement of the European Commission,⁴ and in this context we support the recommendations of the Civil Liberties Union for Europe⁵ for the promotion of the rule of law, the prevention of violations of the rule of law and flexible and strong responses to such violations.

During Croatia’s Presidency of the Council of the EU, we expect the intensification of consultations on monitoring the rule of law, the launching of a consultative process with the Fundamental Rights Agency and Member States’ Ombudspersons institutions, as well as beginning preparations for a review of good practices of monitoring the rule of law.

1.5. Linking the spending of EU funds with the quality of protection of the rule of law and the level of transparency in individual Member States.

³ <<http://www.europarl.europa.eu/legislative-train/theme-area-of-justice-and-fundamental-rights/file-eu-mechanism-on-democracy-the-rule-of-law-and-fundamental-rights>>.

⁴ <http://europa.eu/rapid/press-release_IP-19-1912_en.htm>.

⁵ <https://dq4n3btxmr8c9.cloudfront.net/files/wm0xpr/Israel_response_2_20190604.pdf>.

The current situation where certain member states use EU funds through corrupt agreements to serve particular private or political interests is not only unsustainable but a threat to the survival of the European Union. Even more dangerous is the fact that certain groups are utilizing EU funds to actively advocate against the very values at the foundation of the EU. It is high time that effective control mechanisms are introduced to prevent spending of EU funds in those member states where they are spent through corruption and intransparent practices. The proposed “Regulation on the protection of the Union’s budget in the event of generalized deficiencies as regards the rule of law in a member state”⁶ aims to protect the Union’s financial interests while at the same time providing an effective means of defending the rule of law. If a Member State violates the principles of the rule of law, it will be denied access to EU funding. We expect that during the presidency of the Republic of Croatia, the Council of the EU will make a clear political decision to end this practice and to adopt the Regulation to protect the rule of law in all member states. At the same time, it is necessary that financial disciplinary measures aimed at governments that violate the rule of law do not carry with them adverse effects on the domestic organizations and independent media that warn of irregularities or corrupt practices. This requires an additional reserve of funds, through central EU programs such as the European Value Instrument or independent intermediaries.

1.6. Cease the trend of criminalization of solidarity towards refugees and migrants in the EU.

Over the last several years, numerous EU Member States have introduced legal provisions and practices to punish citizens who, for humanitarian reasons, help refugees on the territory of the member state. This only serves to fuel fear and racism against newcomers, who are some of the most vulnerable people on our planet. We believe that in the long-run, the principle of criminalization of solidarity is a threat to the very fabric of European society for whom solidarity ought to be one of the guiding principles of its activities and *raison d’être*. We expect the Council to make a political decision to stop and reverse this trend of criminalization of solidarity.

⁶ <<https://eur-lex.europa.eu/legal-content/hr/TXT/PDF/?uri=CELEX:52018PC0324&from=EN>>.

*2. A European Union which continues to have the potential for expansion.
A Europe that stabilizes the Western Balkans.*

Although it may seem that Europe lost its potential for expanding and attracting new member states with the emergence of Brexit – it does not have to be this way. On the contrary, a European Union that is renewed, democratically-reformed and committed to protecting human rights, the rule of law and sustainable development can be a clear and resounding response to the crisis of the international global order. We deeply believe that even today, most people want to live in societies of socio-economic wellbeing, in which a good economy is as important as the rule of law and the protection of human rights. This inseparable link between socio-economic rights on the one hand, and the rule of law and protection of human rights on the other, is what makes the EU strong and attractive. The EU has shown that through its expansion, it can, to a certain extent, stabilize societies that are shaken by poor rule of law, under-developed economies and ineffective systems of human rights protection. That is why, after a seven-year pause, the EU must return to the enlargement policies with the objective of wider enlargement efforts in the Western Balkans. While achieving that, it should not, in any case, agree to compromises of close cooperation with those political leaders who obviously do not live by or want to live by democratic values, but should instead make efforts to ensure that the democratization process of potential member states takes place through all actors, within those potential member states that are committed to the values of EU. In addition, one of the lessons learned from the enlargement process for Croatia is the evident need to provide independent mechanisms for monitoring the achieved standards of rule of law so that they are not reneged on after entry into the EU.

During the Republic of Croatia's Presidency of the Council of the EU, we expect:

2.1. A clear political stance on the continuation of the Union's enlargement policy towards the Western Balkans. The European Union must make a binding political decision on its enlargement to the Western Balkans in order to establish a clear foundation and structures for new joining members. Delaying this decision and passivity towards the Western Balkan countries only risks their turning away from the European Union and turning towards other

geopolitical actors whose values and political goals are directed at destabilizing the EU and expanding nationalist, isolationist and authoritarian tendencies.

2.2. That the Council of the EU supports the initiative for the establishment of a Regional Commission Tasked with Establishing the Facts of All Victims of War Crimes and Other Serious Human Rights Violations Committed on the Territory of the Former Yugoslavia 1991 – 2001 (REKOM) as well as all other initiatives aimed at building trust and justice for victims. The Council of the EU should also support the work of the Regional Youth Cooperation Office (RYCO).

2.3. All members of the Council, and especially the Republic of Croatia as its chairman, must make a clear statement that regional cooperation in South-east Europe is the key to stabilization. This refers to cooperation in various functions of the judiciary, from joint regional seminars for exchanging and comparing experiences, educations and trainings of judicial officials, to various initiatives coming from civil society to improve judicial frameworks and processes. Among other things, support in advocating for victims' rights and common reference to the issue of victim discrimination, developing witness support systems and increasing the efficiency of war crimes prosecution, regional exchange of experience between courts, state attorney's offices / prosecutors' offices, and witness organizations that attend trials, facilitate witness transportation and provide other forms of support, such as free legal aid and so on. It is also important to continue working and collaborating on various forms of documenting facts about wartime events.

3. A European Union committed to the Sustainable Development Goals within and beyond its borders

The issues of climate change, biodiversity conservation and the other sustainable development goals are the foremost political issues of the 21st century. On a global level, it is necessary to declare a climate state of emergency in order to send a strong message and a warning that it is time to raise the alarm and call for action from stakeholders around the world. We are not uninterested observers of the sixth largest mass extinction on the only inhabitable planet we know. Modern civilization, the foundations of which Europe is proud to have contributed to, is not an auto-destructive prospect at

the end of three billion years of life on Earth, nor is it a cold-blooded killer of the majority of the climate-threatened populations in developing countries. Unlike the inhabitants of many other parts of the world, most of us Europeans today are well-fed and have excess food to share; we are educated, and can reflect on our own existence and get informed about its principles. This gives us a perspective from which we can see the importance of urgent and comprehensive action and unite our efforts to slow down/mitigate climate change and protect biodiversity through the policy of equitable degrowth.

Nevertheless, even in the EU, we have problems ranging from a rising number of people at risk of poverty, energy poverty, inequalities between urban and rural areas where in the latter people lack access to quality services and are poorly connected (lack of transportation means, infrastructure, broadband internet, etc.), and these important challenges must be addressed in tandem and within new policies to mitigate climate change.

3.1. Adopting a Comprehensive EU Strategy for Sustainable Development. In light of the European Commission's Sustainable Development Consideration Document, we call on current and future EU leaders to adopt a comprehensive EU Strategy for Sustainable Development. On January 30th, 2019, the European Commission published the long-awaited document: "Towards a Sustainable EU by 2030" which outlined three possible scenarios that could guide the European Union in implementing a just environmental, social and economic transition in order to become sustainable by 2030. Three years after the EU adopted the Global Sustainable Development Goals and the Paris Climate Agreement, a critical review of possible ways of implementing them is far behind. The Commission recognizes that much more needs to be done and recognizes that Europe has unsustainable patterns of consumption. It is commendable that the Commission promote a transition to a viable food system, as well as its stated goal that public policies must not adversely affect sustainable development beyond our borders.

Together with other civil society organizations in the EU, we expect the EU to adopt the first scenario outlined in the Comprehensive Strategy for a Sustainable Europe by 2030, including measures to be proposed in other key areas such as corporate responsibility, fair trade, people-focused investments and overcoming the current obsession with economic growth. Only in this

way can we achieve the necessary transition for people and the planet. The Declaration of Sibiu,⁷ of May 9th, 2019, in which the heads of EU Member States presented their 10 commitments for the future of Europe, affirms the goals of: ‘reducing disparities between us’ and ‘helping the most vulnerable in Europe, putting people before politics’, yet there is no mention of sustainable development or the Sustainable Development Goals. We expect that during the presidency of the Republic of Croatia, the issue of a comprehensive EU sustainable development strategy will be on the agenda and that commitment to sustainable development will be visible in the Multiannual Financial Framework.

3.2. The climate is the most important issue facing European and world politics of this generation, and Europe must be the leader of policies that seek to slow down climate change. In addition to respecting the Paris Accord and recognizing materially-demanding changes for achieving a global carbon neutral and just economy, Europe has a leading global position in keeping climate change below the tipping point. We must do everything we can to reduce greenhouse gas emissions by at least 60% by 2030. In the richest bloc of countries, we can introduce a progressive tax on carbon and non-renewable resources at their source and distribution, tax air transport for redistribution to better and low-budget public transport; as well as provide tax incentives for the use of recycled materials.

If the European Union at the end of the previous decade was able to find the resolve and the financial resources in the amount of one trillion euros to rescue a failing banking sector in order to preserve economic stability; it is immensely more important today to at the very least, find equal resources to mitigate devastating climate change. We do not purport that the necessary transformation will be easy, however for maintaining social stability and ensuring the wellbeing of both ageing and younger generations in the future, there is no alternative to reducing total energy consumption in Europe through economic transformation focused on durability and sharing, facilitating the transition to 100% ‘green energy’ and the application of agro-ecological practices for production of food that enrich, instead of impoverish soil and forests. It is urgent to adopt the Strategy for a Long-term Reduction

⁷ <<https://www.consilium.europa.eu/en/press/press-releases/2019/05/09/the-sibiu-declaration/>>.

of Greenhouse Gas Emissions in the EU.⁸ It is also necessary to increase our ambitions and revise existing Sustainable Development Goals by 2030, as well as increasing the share of funds in the next Multiannual Financial Framework for climate change.

3.3. Green energy. Due to the need for urgent action, it is necessary to raise the EU's goals and contributions to meeting the Paris Agreement⁹ by 2030, as well as the 2030 Sustainable Development Goals,¹⁰ in order to secure an evidence-based and just contribution to keeping the average global temperature rise at 1.5 degree Celsius.

There is enough untapped potential for additional renewable energy sources in Europe whose activation – along with respect for human rights, equitable restrictions on mining exploitation for infrastructure development, as well as community ownership of installed capacity – can drive an industrialized European society without condemning tropical areas to climate genocide. It is necessary to stop the investment of public funds into fossil fuels and fossil infrastructure. Europe has enough financial and human resources and know-how to make a smart turn to green energy. However, this requires both the social and political will to implement a new European pact for sustainability and prosperity in the 21st century, instead of a narrow focus on economic stability and growth – both of which will be devastated by climate change this century anyhow. Hence, it is crucial to achieve consensus and win political support for sustainable policies from the Eastern European countries for policies that will involve citizens and invest in green energy.

3.4. Transport. Transport currently accounts for 27% of total greenhouse gas emissions in the EU¹¹ and is primarily from air transport, which cannot be overcome with restrictions for fossil fuels. Europe has the oldest and most diverse rail network in the world, and it has the capacity to reconstruct and put into operation low-carbon transport. European banks can also be involved in this process, stimulating Member States to actively engage in the

⁸ <http://www.europarl.europa.eu/doceo/document/B-8-2019-0188_EN.html>.

⁹ <<https://unfccc.int/process-and-meetings/the-paris-agreement/the-paris-agreement>>.

¹⁰ <https://www.un.org/ga/search/view_doc.asp?symbol=A/RES/70/1&Lang=E>.

¹¹ <<https://www.eea.europa.eu/data-and-maps/indicators/transport-emissions-of-greenhouse-gases/transport-emissions-of-greenhouse-gases-11>>.

process. The advantage of this type of transport is that it acts as a link across the continent and with other continents (Asia and North Africa) and can facilitate the delivery of a sufficient number of people and goods to all parts of the continent, benefiting the majority of the population, as opposed to air transport which benefits a small number of high-income individuals. With the revitalization of the railways, the contribution to reducing the carbon footprint can also give rise to the imposition of an aviation tax. At the same time, it is necessary to encourage and promote efforts towards affordable electrification of road vehicles in order to enable the transition from fossil fuel-based vehicles to electric vehicles for as great a share of the population as possible, thus over time, building the foundation for the environmentally sustainable industrial branches of the future. Most Europeans live in cities that can substantially reduce their environmental footprint by integrating public transport and cycling, especially in the eastern and south-eastern periphery. A united Europe requires a reasonable range of goods and services transported across the continent, however not to the extent and by means that endanger the future of young people, but instead through means that will best use existing technology and organizational knowledge for the sustainability and well-being of all European communities, from the icy North to the heated South.

3.5. Conservation of biodiversity must become one of the European Union's political priorities considering the growing threat of plastic pollution, the destruction of habitats and the extinction of many plant and animal species already documented by the scientific community as the sixth mass extinction in the geological history of the planet. As part of the preparations for the European Union to participate in the 15th Conference of Parties to the Convention on Biological Diversity (COP15),¹² to be held in Beijing in October 2020, it is necessary to define a strategy that would lead to the so-called "Parisian momentum" in the field of biodiversity conservation. Strengthening global awareness and political support to preserve biodiversity is crucial for preventing further collapse of the global ecosystem.

3.6. Reducing inequalities. Inequality in today's world is not spontaneous, but the product of the political and economic system in which we live, that is, the policies aimed at deregulation and liberalization of the market. They

¹² <<http://un2020.org/timeline/timeline-cbd/>>.

are not only economic in terms of inequality of income and widespread poverty, but also social, political, gendered and environmental. Within the European Union, there is an increasingly visible difference between the center and the periphery that manifests as unequal levels of political influence and economic stability. Possible solutions to these structural problems lie in the new model of the circular economy, whose functioning and health will not only be measured by profit, growth and financial indicators, but by the overall impact on increasing society's well-being, sustainability and equity towards all its members. Starting today, we can set income tax rates above 80% on excessive management and similar incomes for redistribution to low and middle income families, and reduce VAT on labor-intensive services such as repairs. Ultimately, the role of inequality in European solidarity will be reduced by shifting from efficiency policy to sufficiency policy to ensure a sustainable lifestyle becomes the norm. Through the Presidency of the Council of the EU we expect the Council to consider alternative indicators of development and prosperity that are not based on GDP, but instead on a range of indicators suitable for measuring equitable sustainability in the 21st century.

4. The EU as a global peacebuilder – let us not forget that the EU is a “peace project”

The current unstable international order inflames ever-increasing uncertainty about the security of societies on our planet. It is as if there is less and less confidence that joint efforts of global actors can preserve the planet and reduce violence. It appears as though there is a vacuum where the leader of global peace-building ought to be – as the United Nations is under constant pressures – both in terms of reduced financing and attacks on its legitimacy. This is an opportunity for the EU to impose itself as a new global player of peace and stability that brings together those forces in the world who are prepared to work on the conservation of the planet and to bring new impetus to global efforts to reach wide-spread agreements and non-violent conflict resolution. At the same time, in the last three years, we have seen a sharp increase in investment in joint European defence even though there is no EU legislative framework that would be a direct basis for these decisions. In this case, the EU has strengthened its common defence through DG Growth – through the European Defence Fund – which aims to strengthen the military capabilities of the Member States, justifying this decision to invest in defence technology development and thereby allegedly affect the growth of

jobs in the EU. In parallel, the members, outside the EU budget, independently fund EU missions beyond the EU's borders through the rapid growth of the European Peace Facility. We hold that this growth is not accompanied by an adequate growth of policy and financing in the field of peace building. That is why we hope that a turnaround in EU Council policy will move towards global multilateralism and peace-building policies.

4.1. Protecting multilateralism. The EU must take on the role of protector of international institutions, and dedicate itself to their strengthening. While to date, certain members have had proactive roles in international bodies, now is the time to put collective efforts and stand in defence of the international democratic order, preserving institutions that are not perfect but have contributed to global dialogue in the past. The EU, i.e. its member states, must invest more in the work of the United Nations and the Council of Europe to bring them a new spirit and hope for international cooperation.

4.2. Peace-building as an inseparable part of EU foreign policy. We expect that during Croatia's presidency of the Council of the EU, the Council will bring back the memory of the EU as a peace project, integrating peace building into foreign policy through a separate strategy and a separate funding line (within the NDICI Fund). We expect the Council to take the view that the EU must work harder on conflict prevention and be more active in terms of peacekeeping in areas of conflict. We see this in particular through strengthening of volunteering through the instrument of peace building, dealing with the past, resolving armed conflicts, judicial processing of human rights violations, peace education, and the use of human losses lists in armed conflict in order to prevent manipulation of the past. Furthermore, including "unusual suspects" in the peacebuilding process (i.e. veterans and victims), as well as constantly promoting an inclusive culture of remembering, and developing the preconditions for dealing with the past education. The EU must have a set of "cookbooks" applied in conflict areas.

4.3. Raising awareness within the EU about the EU as a "peace project". In order for the EU to proactively pursue peace-building policies outside its borders, it is necessary to first strengthen the awareness of its citizens about the EU as a "peace project". We expect the Council during the Croatian presidency to make a political decision to strengthen the culture of peace within the EU. This can be done through the promotion of peace and global

education within the EU and support education that promotes a critical understanding of historical as well as current events, multiculturalism and multiperspectivity that enables young people to use the adopted knowledge in the future. It is also necessary to use the EU barometer for a comparative longitudinal study on how young people see war, how different generations view war, and how they have come to terms with the past, the relations with members of majority and minority ethnic and religious groups, and so on, in order to be able to track and compare changes in the social realities of individual states. Finally, the Council must initiate the process of adopting a definition of the Holocaust at the level of all EU member states as proposed by the International Holocaust Reconciliation Alliance (IHRA) and developing a strategy of countering the distortion of facts about the Holocaust in individual member states, following the European Parliament Resolution on the rise of neo-fascist violence in Europe, which calls for a ban on neo-fascist and neo-Nazi groups in the European Union.

4.4. Asylum and migration. According to strategic documents, the aim of the European Union's asylum policy is to afford adequate status to third-country nationals seeking international protection and to ensure full compliance with the principle of non-refoulement. From the Council of the EU, we expect that During the Croatian Presidency, we expect the Council of the EU to show initiative and persistence regarding the necessary reform of the Common European Asylum System (CEAS),¹³ which must be based on human rights, have clear goals and eliminate the dysfunctionality of the current system. Although initiated, CEAS changes have not yet been adopted. Any sustainable solution must include a thorough re-examination of the Dublin system with a permanent division of responsibility and procedural safeguards to protect asylum-seekers from violations of fundamental rights. Also, through a series of legislative changes, it is extremely important to ensure that any reform of the CEAS protects and expands – and does not diminish – the rights of asylum seekers and refugees. It is necessary to establish procedures to ensure timely disembarkment of rescued persons from ships and the allocation of responsibilities for their acceptance among the EU Member States, which should be facilitated by the European Commission. It is important to use sanctioning measures for those Member States that violate human rights and do not want to participate in the equitable allocation of

¹³ <<https://www.consilium.europa.eu/en/policies/ceas-reform>>.

responsibilities. It is equally important to ensure that resources are channelled into integration and measures to include and ensure equal opportunities, and to reduce the investment of resources to equipping the border and returning migrants to so-called “third countries”. The EU Council must play a key role in ensuring a sufficient level of funding to ensure dignified living conditions for immigrants, and require Member States to use this funding for that purpose during and after the next legislative period.

In the area of migration, we expect the Council of the EU to ensure and facilitate safe and legal pathways as a key contribution of the EU to the global response to migration trends, greatly reducing the risks and uncertainties faced by people who are forced to leave their homes. The resettlement program is a step in this direction, however such a separated mechanism and considering the number of people involved makes it far from achieving its purpose. The EU should continue to find solutions for the acceptance and protection of people based on a humane and dignified approach. Proposals that lead to the instrumentalization of relocation, that support migration control or introduce grounds for exclusion of certain individuals on the basis of their prospective successful integration, undermine the essence of relocation and thus it is necessary to reject them. In addition to increasing the number of persons covered by the resettlement program, the EU should extend other safe and legitimate routes for refugee. An important step in that direction would be to abolish family reunification restrictions, i.e. extending rights to regulate family reunification to make them less restrictive.

Given the very worrying situation at the EU’s external borders, we expect the Council to reduce and limit the jurisdiction of Frontex and to establish an efficient, independent border control mechanism. Numerous testimonies and reports speak of violations of human rights at land and sea borders, and the statistics on the number of deaths confirm the impenetrability of borders and the inability to secure safe entry. It is necessary to ensure monitoring mechanisms and to promptly respond to all confirmed cases of misconduct. Also, it is important to prevent any legal reduction of rights or the legalization of unacceptable, violent and dehumanizing practices in the European Union.

**PART V:
POLICY RECOMMENDATIONS**

Policy Recommendations¹

“Regional Stability in South East Europe” Study Group

Executive Summary of Recommendations

For the Croatian EU Presidency:

- Emphasize and strengthen the EU’s role as a guarantor of individual and civil society rights, in line with Agenda 2030, by proactively engaging with EU politicians.
- Reinvigorate the EU Council’s crucial role as the most proximate SEE influencer, the geopolitical risks of the failure-to-act, and identify unified EU accession policies for the Zagreb 2020 summit.
- Engage EU member states, which show a critical attitude towards enlargement, on regaining a coherent enlargement strategy that will be for the benefit of both the EU and SEE.
- Coach the WB6 leadership on a common request to the EU Council that coincides with a common EU issue, such as sustainable energy independence in order to regain momentum from Brussels toward SEE.
- Reemphasize the EU-political accession criteria of democracy, rule of law, and fair and free elections. Propose monitoring the upcoming elections in Serbia.
- Propose a balanced approach between humanitarian and security aspects of migration. Avoid criminalization of migrants, yet be more deliberate to protect borders, such as improved cooperation at the Croatian-Serbian and Croatian Bosnian border.

¹ These policy recommendations reflect the findings of the 39th RSSEE workshop on “Croatia’s Upcoming EU Presidency – A Catalyst for South East Europe?”, convened by the PFP Consortium Study Group “Regional Stability in South East Europe” in Split, Croatia, 26 – 29 September 2019. They were prepared by Sandro Knezović and Todd Martin (IRMO, Zagreb) on the basis of proposals submitted by the workshop participants. Valuable support came from Benedikt Hensellek, Predrag Jureković and Klara Krgović (National Defence Academy, Vienna) as well as Olaf Garlich and Zoltan Homonnay (PFP Consortium Operations Staff).

- Use the Croatian Presidency to stimulate regional cooperation in SEE and improve Croatian bilateral relations in SEE, with clear communication to the Croatian public.

For the EU:

- Support the implementation of the Prespa Agreement and reward North Macedonia's successful solution of the name dispute with Greece, before political backlash in elections.
- Reevaluate the process and procedures of enlargement; calculate the economic advantages of the collective *en bloc* approach to accession negotiations, and engage the WB6.
- All WB6 countries should receive accession candidate status simultaneously in the short-term. An *en bloc* offer of candidacy and open negotiations would create an unrepeatable and ground-breaking common project.
- Offer a 'membership-lite' until full membership will be reached.

For SEE Countries:

- Be engaged in Brussels with an *en bloc* negotiation strategy to create a new catalyst for European integration process.

For the United States:

- Re-vitalize 'the NATO Quint' and encourage it as a multilateral tool to overcome internal divisions; support Brussels' EU representatives and the member states to move the WB6 – *en bloc* – toward accession conditions.
- Use U.S. bilateral trust and influence in the region to encourage the WB6 to cooperate.

Situation Analysis

From January to July of 2020, Croatia holds the Presidency of the Council of the European Union (EU), a milestone for the Union's newest member state. It will not only be an opportunity for Croatia to influence decision-

making in the EU, but an important learning experience for the country itself, which chairs the presidency for the first time. This presidency will take place amid a climate of Euroscepticism, enlargement fatigue, Brexit, complicated negotiations for the Multiannual Financial Framework (2021-2027), just to mention a few. The question is: how much impact can a small member state like Croatia have on EU policy developments and in particular, how can it affect European integration in South East Europe (SEE)?

Currently, EU candidate and potential EU candidate states in the region still face substantial challenges in their post-socialist and post-conflict consolidation process, as well as restrained commitment from the EU itself. For example, Serbia and Montenegro opened their negotiation processes in 2012 (Montenegro) and 2014 (Serbia). Up to now, these two states made limited progress toward EU membership.

While Montenegro still copes with severe democratic deficits that prevent it from entering a mature stage of the accession process, the Serbian path to EU membership is additionally burdened with the unresolved status of Kosovo. Meanwhile, the EU did not open negotiations with North Macedonia and Albania, despite measurable progress in their reform processes. North Macedonia was willing to change its constitutional name and redefine de facto its national identity in order to join the EU, but the lack of negotiations displays the EU's inability to deliver on its own enlargement promises. Furthermore, Bosnia and Herzegovina (BiH) and Kosovo still do not even have candidate status, which reflects the complexity of their transitional problems and low probability of short-term progress.

Croatia's Upcoming Presidency – Priorities and Partnership Experiences

The Croatian Presidency set out four priorities. It aims to promote: (1) a Europe that grows, which includes confronting demographic challenges, advocating a strong single market, a competitive Union and confronting climate change (2) a Europe that connects, which includes transportation and digitalization (3) a Europe that protects its citizens, both internally and externally, and deals with migration, as well as (4) a Europe that is open to its immediate neighbourhood and playing a global role.

Coherence is important for the EU presidential ‘trio’, Romania, Finland, and Croatia, which began coordinating their successive EU presidencies in 2018. Nevertheless, priorities still differ in emphasis between EU presidencies. The Finnish presidency placed greater emphasis on common values, rule of law and environmental concerns, and had an overarching theme of sustainability. Migration and enlargement, however, were not top priorities for Finland, which contrasts significantly with Croatia and other countries in the wider region that previously presided over the EU Council (Austria, Romania, Bulgaria). Also, political agendas are often overshadowed by current global events, further affecting cohesion. A lesson to be learned from the Romanian Presidency is that communication with and information of the public is important. Finland learned from previous presidencies that large states are indeed more powerful and influential, although small states can still punch above their weight. Consequently, Croatia can learn from the trio’s past experiences, analyze the current environment, and then utilize political momentum where it exists with the expectation of a successful development in those areas.

Priorities and Partnership Experiences

Obstacles to the greater integration of SEE lie on the side of the EU, as well as the countries of the region. After many years of a stalled accession process, the idea of membership for the region has begun to lose its attraction to existing member states. Brussels’ approach to SEE has failed to deliver the anticipated benefits, and its promises are causing the EU to lose credibility in the eyes of the prospective member states. From the EU’s perspective, SEE states are not ideal. SEE has not converged economically with the EU, and basic political criteria are yet to be met.

Support for enlargement within the EU is fragmented. There is no unity for it in the EU Council, despite ongoing promises and summits that have not amounted to much. A discrepancy also exists between public and government opinion – the EU Commission supports enlargement while most of the European public is against it.

Great power geopolitics has also returned to the region. Countries in the accession process need external help, but are not receiving it from the EU since they are not yet a member state. Serbia, for instance, does not face just brain

drain, but a broad workforce exodus. Serbian resources cannot cope with its high poverty rate, yet the Serbian government does not receive the economic benefits of EU membership. Consequently, these conditions give outside powers the opportunity to bilaterally engage with the Serbian government, which creates long-term strategic implications for the region.

EU Enlargement Policies – Chances and Obstacles for Regional Cooperation

The influence of Brussels on SEE has substantially weakened, and its normative power in the region continues to wane. Efforts by the EU to facilitate negotiations on pending issues in the region exhibit limited progress. Due to internal EU politics, some key EU member states drive the enlargement process in a different direction by blocking positive accession developments in the region – even in cases when regional states meet necessary benchmarks. The most recent example is the failure to reach consensus on opening accession talks with Albania and North Macedonia in October 2019. While failure to open negotiations with Albania is unfortunate, a lack of consensus to start the talks with North Macedonia is a strategic mistake without precedent. North Macedonia not only showed willingness to clear political obstacles, but actually exercised constitutional change and adjusted its national identity in favor of joining the EU. If the EU does not align its enlargement effort with the current political climate in SEE, its long-term political and economic relevance will decrease in the region, opening the door to other sources of domestic and external influence.

Chinese leverage steadily grows by means of increased economic activity in SEE. Not only has the Chinese cooperation initiative to promote business and investment relations with 17 CEE countries (17+1) increased its presence in the wider region, but also the nature of its economic presence. Namely, Chinese investments are easier to access in comparison with EU funding and hence more practical to political and business elites. There are sizeable investments in the Serbian metal industry and traffic infrastructure, as well as in Montenegrin highways and BiH's coal industry.

Turkish presence is increasingly evident as well, especially among political entities with predominant Muslim populations, but also in Serbia. In October

2019, the Turkish president paid a visit to Belgrade, signing numerous business contracts and officially opening the construction of the Belgrade-Sarajevo Highway, thereby putting Turkey on the map of important strategic partners of both states. The implication highlights an interconnection between overtures that initiate through religious and cultural cleavages within the region, which then resonate across political borders vis-à-vis the economic conditions with complex repercussions.

The complex relationship between Russia and Serbia has historical roots. There is still strong Russian influence in both media and politics. This is mirrored by Serbia's refusal to introduce sanctions against the Russian Federation over the unlawful annexation of Crimea. Whereas cultural ties facilitate certain political cooperation, economic pragmatism remains a primary factor. Russian oil companies have a major presence in Serbia, which means that Serbia sanctioning Russian oil companies would cause unaffordable, self-inflicted economic damage to its own national economy. With limited alternatives, Serbia's bilateral policies toward other great power intervention can be logically explained through the confluence of cultural similarities, combined with pragmatic survival.

The political situation in SEE remains fluid. For example, in October 2019, Serbia signed an agreement with the Eurasian Economic Union (EAEU), which means free trade with the five member states Russia, Belarus, Kazakhstan, Kyrgyzstan and Armenia. However, this agreement is not as significant as Serbia's free trade agreement (FTA) with Russia since 2000. Meanwhile, Russian influence has decreased over the last few years in Montenegro, especially after the failed coup attempt and accession to NATO in 2017, while its footprint in BiH (especially in Republika Srpska) is gaining ground.

Decreasing EU relevance in SEE arguably opens numerous possibilities for other actors to find a position in the region's geostrategic reshuffle, which could generate unanticipated fragmentation and hamper EU enlargement.

Democratization and Reform in SEE

The lack of a unified EU accession policy creates multilayered repercussions in SEE. In the case of Montenegro – regarded as a front runner for EU integration – the country made very limited progress and even backtracked

in certain policy fields. E.g., journalists complain about being intimidated by state representatives. The opposition blames the current Montenegrin government and president to cement its position in power and keep the opposition divided and weak. This division includes domestic EU accession policy, eliminating eligibility of EU preaccession funds, which pushes domestic elites to seek alternative funding. Chinese investments and loans significantly increased in the last five to ten years. Furthermore, Chinese contracts involve secrecy, which opens the reality to breaches of regulations and high-level domestic corruption in Montenegro with negative implications toward EU accession and regional stability.

A similar situation occurs in Albania where a stalled integration process opens possibilities for irregular and politically motivated investments from different sources, dragging the country backwards in public affairs transparency. The government has been under enormous pressure from street protests, and the legitimacy of the political elites in power is at a record low, as is the level of trust in state administration. The rate of organized crime remains very high. The functionality of the parliament is also questionable, given the 6-month-long boycott of the opposition in 2018. Institutional dysfunction in Albania is exacerbated by politically motivated investments in the absence of a unified EU policy towards the country.

The situation in North Macedonia is somewhat more optimistic due to the current political leadership. The government successfully solved the long-lasting name dispute with Greece, albeit with difficulty. In stark contrast, the lack of compromise in Brussels (October 2019) to reward the country with an opening of accession negotiation talks represented a huge discouragement and delegitimation of pro-European forces. The current prime minister, who played an important role in compromise building with Greece, has followed-through on his pro-EU election platform mandate. Uncertainty follows in the mid-term, if and when new elections will be held, which injects the likelihood of slowing of positive reforms. This also complicates intra-state relations between North Macedonia and Albania, making tough compromises necessary for reforms even more difficult to reach. The lack of a unified EU approach toward SEE can anticipate domestic population backlash in future rounds of elections in the short-term, as well as fracturing intra-regional relations, such as between Macedonia and Albania. For Croatia, the EU presi-

dency will therefore be an opportunity to proactively support cooperation and regain legitimacy in SEE.

Policy Recommendations

For the Croatian EU Presidency

- Assess which EU Presidency ‘trio’ cohesive themes are achievable, utilize political momentum, focusing efforts on key areas. Concentrate on 3-4 feasible projects, realizing limited time.
- Emphasize and strengthen the EU’s role as a guarantor of individual and civil society rights, in line with Agenda 2030, by proactively engaging with EU politicians on the urgency of this narrative in SEE with examples of policy back-tracking.
- Utilize climate change as a common political agenda of existing EU members, transpose this issue as a unified engagement agenda towards SEE, and consider tailored aid package proposals that are cost effective to the EU given the alternatives, and remain aware of regional economic challenges in SEE.
- Coordinate EU support for SEE regional economic developments together with SEE countries, taking into account ecological and social impacts, such as sustainable tourism.
- Reinvigorate the EU Council’s crucial role as the most proximate SEE influencer, the geopolitical risks of the failure-to-act, and identify unified EU accession policies for the Zagreb 2020 summit.
- Convince EU member states, in particular France, which show a critical attitude towards enlargement to regain a coherent enlargement strategy that will be for the benefit of both the EU and SEE.
- Coach the WB6 leadership on a common request to the EU Council that coincides with a common EU issue, such as sustainable energy independence and reduction of carbon emissions, in order to regain momentum from Brussels toward SEE.
- As a successful (ex-)WB country, address EU-skeptics within WB6 and show the benefits of enlargement; explain to EU-skeptics in Brussels the limitations on the window of action, and the EU economic cost risks of failure-to-act.

- Focus on strengthening rule of law throughout the EU, including Croatia itself, and countering double standards.
- Confront semi-authoritarian “stabilocracy” that claims to provide stability through illiberal means in the EU and candidate countries. Reemphasize the EU-political accession criteria of democracy, rule of law, and fair and free elections. Propose monitoring the upcoming elections in Serbia.
- Use the Croatian Presidency to stimulate regional cooperation in SEE and improve Croatian bilateral relations in SEE together with clear communication to the Croatian public.
- Propose a balanced approach between humanitarian and security aspects of migration. Avoid criminalization of migrants, yet be more deliberate to protect borders, such as improved cooperation at the Croatian-Serbian and Croatian Bosnian border.
- Promote reform of the Common European Asylum System, based on human rights, re-examining the Dublin System, and strengthening the European Border and Coast Guard Agency (Frontex).

For SEE Countries

- Overcome antagonism and cooperate as close as possible in the enlargement process. Consider a “buddy system” where countries work together to help with administrative issues.
- Be engaged in Brussels with an *en bloc* negotiation strategy to create a new catalyst for European integration process.
- Lobby EU27 parliaments as they will have the final say, not only EU representatives in Brussels.

For the EU

- Return to stricter observation/monitoring of fulfilling political principles of the ‘Copenhagen Criteria’.
- Support the implementation of the Prespa Agreement and reward North Macedonia’s successful solution of the name dispute with Greece before political backlash in elections.

- Reevaluate the process and procedures of enlargement; calculate the economic advantages of the collective *en bloc* approach to accession negotiations, and engage the WB6.
- All WB6 countries should receive accession candidate status simultaneously in the short-term. An *en bloc* offer of candidacy and open negotiations would create an unrepeatably and ground-breaking common project.
- Offer a ‘membership-lite’ until full membership will be reached, something more than now but less than full membership.
- Coach the WB6 vis-à-vis key parliaments and governments of the EU member states. Special envoys and teams of experts should assist aspirant countries concerned with resolving political ‘mega problem’ (Serbia – Kosovo; BiH etc.).
- Open negotiations with North Macedonia and Albania, and on Montenegro’s and Serbia’s remaining chapters. This would generate momentum that could have a positive impact on reforms and cooperation in the region.
- Support democratization actors. Civil society and media need something concrete to build momentum. This includes the entire WB, as well as Turkey.
- Use existing mechanisms toward the WB to help those back-sliding in democratic rule-of-law. Vet politicians before providing public support that would delegitimize parallel EU accession efforts.
- Assessments of the WB should be frank, not sugarcoated.
- The implementation of agreements – in particular regarding the Belgrade-Prishtina/Priština dialogue – needs assistance. Employ EU experts to develop realistic time tables on implementation.

For the United States

- Revitalize and encourage ‘the NATO Quint’ (U.S., Germany, Great Britain, France and Italy) as a multilateral tool to overcome internal divisions; support Brussels’ EU representatives and the member states to move the WB6 – as a group – toward accession conditions.
- Use U.S. bilateral trust and influence in the region to encourage the WB6 to cooperate, overcome their divisions, and reform deficiencies.

List of Abbreviations

BiH	<i>Bosna i Hercegovina</i> /Bosnia and Herzegovina
CEAS	Common European Asylum System
CEEC	Central and Eastern European Countries
CESEE	Central, East and Southeast Europe
CFSP	Common Foreign and Security Policy
CSO	Civil Society Organization
CSTO	Collective Security Treaty Organisation
DGAP	German Council on Foreign Relations
DG DEVCO	The Commission's Directorate-General for International Cooperation and Development
EAEU	Eurasian Economic Union
EBRD	European Bank for Reconstruction and Development
ECFR	European Council for Foreign Relations
EDF	European Defense Fund
EIDHR	European Instrument for Democracy & Human Rights
EP	European Parliament
ESPI	European Space Policy Institute
EU	European Union
EUFOR	European Union Force Bosnia and Herzegovina
EULEX	European Union Rule of Law Mission in Kosovo
EUR	Euro
FRA	European Union Agency for Fundamental Rights
FRONTEX	European Border and Coast Guard Agency
FTA	Free Trade Agreement
GAC	General Affairs Council
GDP	Gross Domestic Product
IHRA	International Holocaust Reconciliation Alliance
IMF	International Monetary Fund
INTERPOL	The International Criminal Police Organization
IPA	Instrument for Pre-Accession Assistance
MFJ	Multiannual Financial Framework
NATO	North Atlantic Treaty Organization
NGOs	Non-Governmental Organisations
OSCE	Organization for Security and Co-operation in Europe
PfP	Partnership for Peace

RCC	Regional Cooperation Council
REKOM	Regional Commission Tasked with Establishing the Facts of All Victims of War Crimes and Other Serious Human Rights Violations Committed on the Territory of the Former Yugoslavia 1991 – 2001
RS	Republika Srpska
RYCO	Regional Youth Cooperation Office
SAA	Stabilisation and Association Agreement
SDG(s)	Sustainable Development Goal(s)
SEE	South East Europe
TEN	Think for Europe Network
UK	United Kingdom
UN	United Nations
UNSC	United Nations Space Command
U.S.	United States of America
WB	World Bank
WB	Western Balkan(s)
WB6	Western Balkan(s) 6: Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro and Serbia.

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On 1 January 2020, the youngest EU member state, the Republic of Croatia, assumed the Presidency of the EU Council for the first time. This presidency takes place amid a climate of Euroscepticism, enlargement fatigue, Brexit, just to mention a few. On the other hand, it will be an opportunity for Croatia to influence decision-making in the EU.

This publication evaluates the impact a small member state like Croatia can have on EU policy developments and in particular, how it can affect European integration in the Western Balkan neighbourhood. Against the background of EU's challenged enlargement policies, the analyses focus on the chances and obstacles for regional cooperation, democratization issues and intra-state reforms.

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