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Author: Francisco Jose Garcia Martinez*

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Group for Legal and Political Studies
"Rexhep Luci" str. 16/1
Prishtina 10 000, Kosovo
Website: www.legalpoliticalstudies.org
E-mail: office@legalpoliticalstudies.org
Tel/fax.: +381 38 234 456

*International Research Fellow at Group for Legal and Political Studies

SOFIA SUMMIT: STRAIGHT AHEAD THROUGH AN OLD ROAD

Introduction

The much anticipated Sofia Summit that took place in the Bulgarian capital on May 17 was expected to mark the grand relaunching of the Enlargement process for the Western Balkans. It did not. In fact, for many regional analysts and politicians, the Summit proved to be a disappointment, as their expectations failed to materialize.¹

This high level meeting brought together the heads of state and of government of the Member States, as well as those of the Western Balkan partners, as they were labelled. The Bulgarian presidency of the Council intended to stage the comeback of the European Union to the Western Balkans after the half decade of stagnation that has followed Croatia's accession to the EU in 2013. Thus, it would build on the momentum created by the new Communication of the European Commission on the enlargement perspective for the region.

In that sense, the symbolism of the Summit is undisputable. Fifteen years after the landmark Thessaloniki Summit, European and leaders again gathered with those of the so-called WB6 (the six States that compose the Western Balkans and are not yet part of the EU) to push forward cooperation and, eventually, integration. That first conference established that "[t]he future of the Balkans is within the European Union".² Yet, as of the beginning of 2018, that future still seemed out of reach for most people in the Balkans.

Neither the so-called Stabilization and Association Process (SAP) nor actual Enlargement yielded substantial fruits in the last decade. As for the former, after the signature of a Stabilization and Association Agreement (SAA) with Serbia in 2008, it would only be in 2015 that a similar document was negotiated and agreed upon with Kosovo, while the implementation of the previous ones remained at best problematic.³ On the other hand, little progress has been achieved into integrating the region in the EU. Except for Croatia, which became a Member State in 2013, no other Balkan state could yet see the end of the process. The so-called frontrunners, Montenegro and Serbia, remained bogged down in the negotiation process, with 3 and 2 chapters closed, respectively. As for the rest, only Albania and Macedonia achieved the candidate status, although they still await the opening of negotiations.

This stagnation led the German government to launch the so-called Berlin Process in 2014, an intergovernmental approach to future enlargement. By organizing regular, yearly summits between the governments of the region, certain interested Member States and representatives of the European Institutions, Germany sought to provide an impetus that was missing from an inward looking European Union. Thus, in the last years, this forum has constituted the main bridge between the EU and the Western Balkans, up until the recent Summit, framed

¹ Marovic, J., *West Balkan States Left Sofia Empty-Handed*, Balkan Insight, 24 May 2018,

<http://www.balkaninsight.com/en/article/west-balkan-states-left-sofia-empty-handed-05-23-2018>

² EU - Western Balkans Summit, *Thessaloniki Declaration*, 21 June 2003, http://europa.eu/rapid/press-release_PRES-03-163_en.htm

³ A more detailed study of the SAP and its effects is available in a previous work. For further information, see Doyle, N. and Garcia Martínez, F. J., *Political Impacts of the Stabilisation and Association Agreements: A comparative study*, GLPS, September 2017, <http://www.legalpoliticalstudies.org/wp-content/uploads/2017/10/Political-Impacts-of-the-SAAs-A-comparative-Study.pdf>

once again within the large EU structures. However, this forum showed critical limitations, as it was based on the so-called 'three no rule'; no new investments, no new funds and no new institutions. It would only borrow from broader European projects and programmes prioritizing certain initiatives within the framework of the Instrument of Pre-Accession Assistance (the so-called IPA). However, it represented the main channel of political contact at the highest level between European and Balkan leaders. It built on the infrastructural improvements brought by the Enlargement Policy to achieve a number of specific successes on the ground that the more technical, less focused EU policy could not.⁴

Consequently, the Sofia Summit would serve to re-introduce this political dimension at the European level. Despite its importance, or perhaps because of it, organizing the Summit proved to be a complicated endeavour, as internal fractures within the EU still persist regarding the region, as shown by the refusal of the Spanish Prime Minister Mariano Rajoy to attend the summit if Kosovar leaders were present and announced as such, on the basis of the non-recognition of Kosovo by his country. This is just an exceptional, extreme case, but it reveals how difficult this new enlargement is going to prove. While some countries like Germany or Austria would rather expedite it as much as possible, others have serious doubts about both the readiness of the Balkan countries to join the EU and of it to absorb them. Thus, the Union is still far from having agreed on a common approach towards its eventual expansion to the

⁴ Hackaj, A., *The Berlin Process in the new enlargement strategy*, The Berlin Process Information and Resource Centre, 28 March 2018, <http://wb-csf.eu/berlin-process-new-enlargement-strategy/>

Western Balkans, a shortcoming that will necessarily complicate the matter.⁵

Perspectives from the Balkans

For many politicians in the Western Balkans, the decision taken by Jean Claude Juncker upon his arrival to the Presidency of the European Commission of halting further enlargement for the duration of its term was a heavy blow.⁶ Barely a year before that Croatia had finally become a Member State, and some of its neighbours were expecting to follow suit; Serbia, for instance, had been greenlighted to open accession negotiations in December and expected to complete them by 2018.⁷

Unsurprisingly, when the same Juncker announced in his State of the Union Address of 2017 that enlargement was again on the agenda as part of its European vision for 2025, expectation grew rapidly among the Balkan states, both those already negotiating and the ones waiting for the candidate status.⁸ It would only rise in the coming months leading to the publication of a new communication by the Commission on "a credible enlargement perspective for [...]"

⁵ Gray, A., *Spain, France upset Brussels' Balkan plans*, Politico, 16 May 2018, <https://www.politico.eu/article/johannes-hahn-mariano-rajoy-emmanuel-macron-balkan-enlargement-spain-france-upset-brussels-balkan-plans/>

⁶ Juncker, J.C., *Political Guidelines for the next European Commission*, 15 July 2014, p. 12, https://ec.europa.eu/commission/sites/beta-political/files/juncker-political-guidelines-speech_en.pdf

⁷ Poznatov, J., *Serbia grudgingly accepts Juncker's enlargement pause*, Euractiv, 16 September 2014, <https://www.euractiv.com/section/enlargement/news/serbia-grudgingly-accepts-juncker-s-enlargement-pause/>

⁸ Juncker, J.C., *State of the Union Address 2017*, Speech to the European Parliament, 13 September 2017, http://europa.eu/rapid/press-release_SPEECH-17-3165_en.htm

the Western Balkans” in February 2018.⁹ This document, serving as the cornerstone of the new European strategy for the Balkans seemed to touch all the right notes, pointing to a renewed and more serious commitment for enlargement.

Furthermore, it coincided in time with a rotating presidency of the Council noticeably positive to the initiative, for various reasons. During the first half of 2018, this position was held by Bulgaria, which is to be followed by Austria, Romania, Finland, Croatia and Germany until the end of 2020, all of which have shown a deep interest in the Western Balkans.¹⁰ Counting Bulgaria, 3 out of the 6 are in fact within the region or neighbouring it, while the others are deeply invested in it.

Against this background, both public officials and analysts across the region saw a true “window of opportunity”, as described in the strategy. For Montenegro and Serbia, a timeframe was already on the table while Albania and Macedonia were given very positive signs regarding their respective candidacies. Only Kosovo and Bosnia and Herzegovina were bluntly told they were not ready yet, and even in those cases the communication clearly stated the criterion to move upwards the ladder. The public opinion was certain that the time was ripe

⁹ European Commission, *A credible enlargement perspective for and enhanced EU engagement with the Western Balkans*, Communication COM(2018) 65 final, 6 February 2018, https://ec.europa.eu/commission/sites/beta-political/files/communication-credible-enlargement-perspective-western-balkans_en.pdf

¹⁰ Council of the European Union, *DECISION (EU) 2016/1316 amending Decision 2009/908/EU, laying down measures for the implementation of the European Council Decision on the exercise of the Presidency of the Council, and on the chairmanship of preparatory bodies of the Council*, Official Journal of the European Union L 208/42, 2 August 2016, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016D1316&from=EN>

for quick progress and that Sofia would see a breakthrough that never took place.

European offers

In fact, that perception, if understandable, is only misleading, and based on unreasonably optimistic expectations. While undeniably the European stance towards the WB6 has not changed substantially with the latest developments, in the last six months the path forward has been immensely clarified. That is especially evident when compared with the indecisiveness that marked the previous period, dominated by a deep internal crisis borne from the economic turmoil of the last decade.

The cornerstone of this position is the Strategy published in February, with which the Juncker Commission attempted to address a message directly to the local elites; get serious. A lot has been written since its publication, and there have been serious doubts about whether fixing such an ambitious timeframe as 2025 for the first accessions was a good idea. These concerns are indeed valid; neither Serbia nor Montenegro are paragons of good governance and Western values.¹¹ Yet the document takes that into consideration when it recovers the language of “merit-based prospect” of accession and opens up the possibility of countries overtaking each other according to their progress. Furthermore, it goes beyond that point using an unusually blunt language, clearly stating that no Balkan country is ready at this

¹¹ In both cases the parliamentary system struggles to work amid power centralization, constant authoritarian tendencies and a constant tension between liberal and regressive tendencies. Both countries are considered as semi-consolidated democracies by Freedom House’s *Nations in Transit*, whereas The Economist lists Serbia as a flawed democracy and Montenegro as a hybrid regime.

moment and referring to state capture as the main obstacle for the rule of Law.¹²

Thus, the level of commitment the European Union was willing to show in Sofia should have not caught anyone unaware. The strategy foresaw six so-called flagship initiatives, six fields upon which the Union intends to act in order to expedite the transition and transformation of the Balkan societies. These are the rule of law, security and migration, socio-economic development, connectivity, a digital agenda, and reconciliation and good neighbourly relations. In the weeks preceding the Summit, EU officials and diplomats made clear that it would tackle fundamentally two of those, connectivity and security, and that harbouring higher expectations would be an exercise of futility.¹³

Managing internal divisions the EU managed to decide on a Declaration that reaffirmed “its unequivocal support for the European perspective” of the Balkan countries, while renewing its vow to “strengthen and intensify its engagement at all levels”. These words appear, at first sight, to be more of the same old empty rhetoric, and that is how the majority of the local population perceived them. However, devil is in the details, and the Sofia Declaration again introduced some pointed remarks to Serbia, reminding the current government that EU Membership entails, among other things, aligning the state foreign policy with the European Foreign and Security Policy, a not so veiled criticism on its traditional Russian

connection, directly linked with the renewed expectation of conditionality.¹⁴

Beyond rhetoric, the Sofia Summit served its purpose of articulating new programs of cooperation with the EU in the specific fields it was intended to deal with. In that sense, it produced a number of interesting outputs. Along with the Declaration, a Priority Agenda was introduced, concretizing some of the commitments already introduced in specific projects and initiatives.

Thus, regarding the rule of Law, a number of actions is foreseen, some of them quite innovative. For instance, the EU is now exploring the possibility of introducing advisory and trial monitoring missions in the candidate states to assess the practicalities of the reform process. Although not much information has been made available on that initiative, it is reasonable to expect that such practice would be based on the acquired experience of the EULEX mission in Kosovo. Similarly, the creation of an inter-agency task force and the introduction of liaison officers from Frontex, the Commission and the involved states seem to preclude a more practical cooperation.

On the other hand, a substantial financial package has been devised to support economic development and infrastructure projects, including the construction of the so called Blue Highway along the Adriatic coast and the Peace Highway, from Nis (Serbia) to Pristina, where it would connect with the existing network until Durres (Albania), and thus with the Blue Highway. In total, these investments represent some extra 500 euro million, in addition to the already dedicated billion.¹⁵

¹² European Commission, *Credible enlargement perspective*, p. 3

¹³ Bassuener, K., *Sofia Summit Looks Set to Disappoint Balkan Hopes*, Balkan Insight, 15 May 2018, <http://www.balkaninsight.com/en/article/sofia-summit-looks-set-to-disappoint-balkan-hopes-05-14-2018>

¹⁴ EU – Western Balkans Summit, Sofia Declaration, 17 May 2018, http://www.consilium.europa.eu/media/34776/sofia-declaration_en.pdf

¹⁵ Ferran, M., *The Commission’s Strategy for the Western Balkans: moving towards a credible*

To all intents and purposes, the EU has opted for a reinforced version of the technical approach, inducing and fostering incremental changes in the local societies and economies. It is expected that promoting economic growth and integration through these initiatives will encourage change from within, before moving to a final, more political phase. Such a plan has potential for success, but it is based in two core assumptions. The first one, that there will be a consistent and coherent attitude on the European part, something that may be difficult to ensure long-term, as experience proves. The second one, that the main actors in the Balkans will endorse and support the strategy, facilitating and not stunting the expected societal change. Recent calls for enhanced EU engagement seem to indicate that this is not necessarily going to be the case. At the end of the day, local politicians are not alien to domestic politics and internal pressures in their countries.

The EU is thus struggling to form a coherent plan regarding the Western Balkans, which remain a difficult test for its unity and strength, due to both its recent history and the larger international scene. From a purely European perspective, there is little appetite for further enlargement nowadays, which needs to be conjugated in a difficult equilibrium with the European aspirations of the Balkan countries.

Furthermore, the EU learned the hard way that once the candidate country has gained membership the Institutions lose a large clout of leverage over the local government to push for continued reforms in 2007. Passed that point, continuous progress depends almost exclusively on internal factors, which explains how Bulgaria and Romania have diverged in their paths after joining the club that year. Thus, based on

integration, Remarks at from Thessaloniki to Sofia and Beyond, Rome, 6 June 2018

their example, there is a justified fear that allowing Western Balkan states to join the EU before they have done their homework may lead to a repetition of past mistakes, especially in a context of weak states, far too often captured by private, corporative or outright criminal interests, which should be dealt with before accession is seriously put over the table.

In addition to that, there is still a considerable enlargement fatigue in the EU. The economic crisis, the North - South divide, the apparent democratic regression in key states of Central and Eastern Europe have all conjugated to create a context of, at best, lukewarm interest for enlargement. With ongoing problems of weak European governance and discussions of necessary reform, the EU is still to a large extent inward oriented, and thus is not yet ready to offer political gestures to the region, as many of its inhabitants would rather prefer. President Macron of France was exceptionally clear when vocalizing these fears during the Summit, with a discourse that resonated across the region.¹⁶

If the unpreparedness of both sides is holding back new breakthroughs, there is an additional brake in the form of ongoing conflicts. The name dispute between Greece and Macedonia (according to its constitution, the Republic of Macedonia, but the Former Yugoslav Republic of Macedonia to almost everyone else); substantial lack of border definition inherited from Yugoslav times; the international status of Kosovo... There are simply too many fronts still open that also require a closure. Unsurprisingly, both the Strategy and the Sofia Declaration addressed the issue, the former bluntly stating that the EU "will not accept to import these disputes and the instability they could

¹⁶ Gray, A., *Macron pours cold water on Balkan EU membership hopes*, Politico, 17 May 2018, <https://www.politico.eu/article/emmanuel-macron-pours-cold-water-balkans-eu-membership-enlargement/>

entail”, the latter preferring a more diplomatic language.¹⁷ After all, the EU has been aware of these issues for a long time and in recent times has been acting on them through various initiatives, but it is facing opposition at every step.

A way forward

Despite all these factors, the truth remains that the Western Balkans and the European Union are condemned to understand each other and get along. The region is and will remain important for Europe, ideologically, economically and strategically. Ideologically, integrating the region would represent “completing” the map, as the entire continent would finally be part of a single bloc, or orbiting around it. The sole exception would be in the Eastern fringes of the continent, where Ukraine, Belarus, Russia and the Caucasian states lay. However, of these only Ukraine and Georgia have shown interest whatsoever on joining the European family, and in both cases the geostrategic situation complicates any discussion, as Russia remains a critical actor in the area. Thus, the symbolism of successfully integrating the Balkan Peninsula is in no way negligible.

Economically the combined Western Balkans represent just about 1% of the extra-EU trade, amounting to 49,534 € million in 2017. However, that represents around 72% of the trade in which the WB6 take part.¹⁸ Thus, the importance of the EU for these countries is far higher than the other way around. Still, they create a market of almost 18 million people, according to Eurostat.¹⁹ This represents a sizable

potential for business, provided adequate conditions of economic development. Furthermore, as long as the region stays a hub for organized crime, it will remain a drain of resources for neighbouring countries and the Union at large. Thus, the benefits of continuing the integration process are undeniable.

Furthermore, these countries lie completely surrounded by EU Member States, straight in one of the main paths for migration flows into the EU, as the crisis showed. Concurrently, the experience of the last decade has shown how important the region is for different actors. Russia still considers it to be within its sphere of influence, as its meddling with Republika Sprska in Bosnia or the attempt to overthrow the Montenegrin government show.²⁰ Not only that, but Russia is not the sole actor increasingly showing interest in the region, China included it on its Silk Road project, and is increasingly its presence and economic clout in the Western Balkan countries, while Turkey has been more and more assertive in the recent years, ever since its fallout with the EU started following the failed coup attempt. The detention, removal of stay permits and extradition of six Turkish nationals within a day, against the applicable Kosovar legislation and without the knowledge of a part of the government proves not only the influence of the Turkish secret services in the area, but also how fragile is still the progress made thus far.²¹

Herzegovina (3,509,728), Kosovo (1,783,531). Data extracted from Eurostat,

<http://ec.europa.eu/eurostat/web/enlargement-countries>

²⁰ McCain, J., *Russia threat is dead serious. Montenegro coup and murder plot proves it*, USA Today, 29 June 2017, <https://www.usatoday.com/story/opinion/2017/06/29/russian-hacks-john-mccain-column/436354001/>

²¹ Bytyci, F., *Kosovo investigates seizure of Turkish nationals*, Reuters, 31 March 2018, <https://uk.reuters.com/article/uk-kosovo-security->

¹⁷ European Commission, *Credible enlargement perspective*, p. 4.

¹⁸ European Commission, *European Union, Trade in goods with Western Balkans 6*, 16 April 2018, http://trade.ec.europa.eu/doclib/docs/2006/september/tradoc_111477.pdf

¹⁹ Montenegro (622,387), Macedonia (2,073,702), Albania (2,876,591), Serbia (7,040,272), Bosnia and

Consequently, there is no real option for the EU but to pull out all stops in order to ensure that the region's transition succeeds. The Union devised its approach based on conditional progress, or in other terms, the carrot and the stick, that had performed so well during the '90 and early '00 vis-à-vis Eastern European countries. However, unlike in that case, this strategy is proving far less effective in the Western Balkans' case.

That is so due mostly to purely internal factors. As it is now, the carrot then was the perspective of becoming part of the European Union; an association credited with bringing peace and prosperity to the European continent, and thus harboured a significant prestige and clout over the populations of those countries. The stick, on the other hand, was the conditionality and the seriousness with which European institutions and Member States took the convergence process before allowing accession.

Nowadays, the perspective of membership is not so bright as it was back then, since the financial crisis has taken a substantial part of the attractiveness the Union used to have, while the enlargement fatigue, the experience in the Eastern Balkans and disagreements about the future of the Union have helped to dilute the European commitment in the eyes of the Balkan partners, who have been receiving a more contradictory message than the Eastern states of 2004.

At the same time, the stick has remained largely unused as the conditionality element blurred due to the sheer pass of time. The first country assessments made by the European Commission and the respective EU Delegations had a large impact in the WB6, as stated the shortcomings of these

[turkey/kosovo-opens-investigation-into-extradition-of-turkish-nationals-idUKKBN1H70C8?rpc=401&](https://www.ekurd.com/en/turkey/kosovo-opens-investigation-into-extradition-of-turkish-nationals-idUKKBN1H70C8?rpc=401&)

countries in a context of relative hope for the future. As years passed, and with them new reports came and went, this impact decreased. As reforms stalled and the document reviewed again and again the same issues, the country report has gradually become part of the political landscape. At the same time, this stalling has had no practical consequences other than soften the lines of the integration perspective, thus feeding into the disappointment and cynicism with which local populations now approach the issue. For instance, recurrent remarks about authoritarianism, disrespect of the Constitution and the Law, and concentration of power are moot if then EU leaders do not hesitate to meet the Presidents of parliamentary republics that nominally hold only ceremonial power. That only constitutes an endorsement of the same informal, paralegal practices that European institutions warn against. After all, no one expected the presidents of Germany or Italy to attend alongside with their Prime Ministers.

In addition, far too often the Delegations are only too aware of the need of keeping good working relations with the government of the country, as befit their diplomatic status. Thus, the reports are usually drafted on a diplomatic language that offers only vague criticism or recommendations. The bluntness of the Strategy had given reason to expect a more stern assessment in this year's round of reports, a hope that proved unfounded once they were published in April.²² Furthermore, the Sofia Declaration followed the same trend, as the leaders again opted for a softer approach that avoids unnecessary controversies.

Since there is no real alternative for both sides than to move forward together, it is

²² Emini, D., *The early stages of stagnation*, Prishtina Insight, 24 April 2018, <https://prishtinainsight.com/early-stages-stagnation/>

necessary for them to find a renewed balance between the expectations of the WB6 populations and the requirements that EU membership will pose for their states, and that implies using a common language that can be easily understood by both sides. The claim that conditionality is important must be followed by actions that show that it is indeed relevant. The current preference of stability over democracy may be wearing out as the integration horizon comes closer. Stable illiberal regimes can make for good trade partners, but are hardly suited for membership on a declared community of values.

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