

LUISA CHIODI  
FRANCESCO MARTINO  
SERENA EPIS<sup>1</sup>

## Why saving enlargement to the Western Balkans could help overcome the EU crisis

*In 2021 very few of the expectations of the Western Balkan countries regarding the EU enlargement process were met. Most striking was the Bulgarian block to the opening of the intergovernmental conference with Albania and North Macedonia because of a linguistic dispute with the latter. But many other developments – such as the post Covid-19 recovery plans, the vaccine distribution strategy, and the organisation of the Conference on the Future of Europe – also exposed the diminished engagement of the European Union and its member states in the Western Balkan region and fed the frustration of the candidate countries towards the EU. Yet besides the stance of the EU member states on the enlargement process – ranging from official support to ill-concealed hostility – the internal dynamics in the Western Balkan countries do not seem encouraging either. Mutual conflictual relations, internal political fragilities, and democratic decline are all therefore among the obstacles on the path of the Western Balkan countries to accession.*

On the EU enlargement to the Western Balkans (WB), almost all expectations of the few remaining optimists were disappointed in 2021. Firstly, the long-awaited opening of the intergovernmental conference with Albania and North Macedonia did not take place, as it was blocked by a veto imposed by the Bulgarian government over a linguistic and historical dispute with North Macedonia. And secondly, the electoral cycles in the EU, which have increasingly hijacked the enlargement process in recent years, struck another blow.

Most recently, the turn to play the role of spoilsport for EU enlargement to the WB has been Bulgaria's – a country that paradoxically made EU integration of the Western Balkans

<sup>1</sup> Osservatorio Balcani Caucaso Transeuropa (OBCT).

a priority in its rotating EU presidency semester in 2018, and whose capital gives its name to the 'Sofia Declaration' that is associated with the latest attempt to relaunch the EU enlargement process. Hopes are now pinned on the new government in Bulgaria to take the responsibility for an agreement with North Macedonia and to allow North Macedonia's EU accession process to move forward because since 2020 Bulgaria has been overwhelmed by prolonged political instability, which in 2021 led to three early elections within a few months of each other, the last being in mid-November.

Next time it might be the turn of Croatia or Denmark to play the role of spoilsport for EU enlargement, given these countries' regional disputes or rather political hostility towards the enlargement policy itself, or given other factors such as fear of immigration from the six Western Balkan countries (WB6). Indeed, fear of immigration has already delayed visa liberalisation for Kosovo because the EU Council again denied it in 2021, despite the European Commission recommending visa liberalisation for Kosovo's citizens since 2018. Currently, Kosovo is the only Balkan country whose nationals need a visa to enter the Schengen area – and this is mainly due to the opposition of France and the Netherlands over fears of mass migration, corruption and organised crime.

And as if this political hostility to EU enlargement was not enough, the main political event of 2021 for the relations between the European Union and the WB countries, the EU-Balkan summit held in Brdo pri Kranju in October under the Slovenian presidency of the EU Council, revolved mostly around the idea of downgrading the EU accession process to a mere European 'perspective'. For a moment, it seemed as if the concluding document would not even include the term 'enlargement' – and even if this risk was eventually overcome, it illustrates the political drift of the entire process.

**Over time EU enlargement, which used to be an eminently technical and well-defined process led by the European Commission has turned increasingly political, with many negative effects**

The Slovenian presidency of the EU Council undoubtedly began under a bad omen because in spring 2021 a 'non-paper' started circulating that argued for a 'political reorganisation', or more precisely the redrawing of the borders in the region. This non-paper was unofficially attributed to the Slovenian government and it sparked great controversy in the region and beyond as it argued for the dismembering of Bosnia and Herzegovina (BiH), with its biggest chunks going to a 'Greater Serbia' and a 'Greater Croatia', and for the unification of today's Albania and Kosovo into a 'Greater Albania'.

Over time EU enlargement, which used to be an eminently technical and well-defined process led by the European Commission (EC), has turned increasingly political, with many negative effects. A few years ago, member states started questioning the validity of the EC evaluation of candidate countries because the member states were reluctant to consider the WB countries as future EU member states. The situation then worsened with the nomination of the former Hungarian ambassador to the EU, Olivér Várhelyi, as new Commissioner for Neighbourhood and Enlargement in 2019. Already the assignment of this portfolio to Hungary, whose government

has developed increasingly tense relations with the EU institutions, was a sign of the limited consideration given to the post. Furthermore, the first Hungarian candidate, László Trócsányi, was rejected by the European Parliament for his anti-migration stances that were in line with those of Viktor Orbán's government. But even after Várhelyi received the European Parliament's green light, a certain air of suspicion remained about his political autonomy from the Hungarian premier.

What is more, the reputation of the commissioner has not improved with time. Indeed, the EC's annual reports on the progress of the WB6 towards accession are no longer considered as objective analyses of the enlargement process, or as aimed at addressing its shortcomings. A few years ago, this delegitimisation could be attributed to member state hostility towards enlargement. Today, however, the delegitimisation is rather due to the commissioner's political role. As major international media have reported, EU officials, diplomats and MEPs have questioned, for instance, the evaluations of the EC's report on Serbia's improved democratic standards, and have instead highlighted that independent watchdogs actually report the opposite.<sup>2</sup>

Despite its great expertise in the field, the EC Directorate-General for Neighbourhood and Enlargement Negotiations (DG NEAR) is now awash with frustrated civil servants, who are humiliated by their political head, and who are struggling to regain terrain, concerned that their work will not be appreciated for what it is and for what it used to represent.<sup>3</sup>

## The burden of non-EU membership

But the enlargement process has been troubled by more than electoral cycles in the EU member states and a contested commissioner. In the last month, at least three other topical issues have confirmed the EU's diminishing commitment to the WB region: the post Covid-19 recovery plans, the vaccine distribution strategy, and the organisation of the Conference on the Future of Europe.

In July 2020, the European Union adopted the NextGenerationEU and related Recovery and Resilience Facility – unprecedented economic packages aimed at supporting the EU in its post-pandemic socio-economic recovery. The exclusion of the WB6 from these packages was a major political blow for the region, exposing the cost of not being part of the EU.<sup>4</sup>

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2 Wanat, Z. and Bayer, L. (2021) 'Olivér Várhelyi: Europe's under-fire gatekeeper', *Politico*, 5 October ([www.politico.eu/article/oliver-varhelyi-eu-commissioner-enlargement-western-balkans-serbia-human-rights-democracy-rule-of-law/](http://www.politico.eu/article/oliver-varhelyi-eu-commissioner-enlargement-western-balkans-serbia-human-rights-democracy-rule-of-law/)).

3 Ibid.

4 Klaser, K. (2020) 'Pandemia, Recovery Fund e Balcani Occidentali: i costi della mancata unione', *OBCT*, 5 August ([www.balcanicaucaso.org/aree/Balcani/Pandemia-Recovery-fund-e-Balcani-occidentali-i-costi-della-mancata-unione-204141](http://www.balcanicaucaso.org/aree/Balcani/Pandemia-Recovery-fund-e-Balcani-occidentali-i-costi-della-mancata-unione-204141)).

In October 2020, the EC approved an aid package of around €9 billion for the WB6, alongside a package for member states. However, the package for the WB6 was approved at a later stage and the sum allocated was much smaller than that for the member states. Indeed, the grant offered to one EU member state alone, Croatia, was €6.3 billion, which was almost two thirds of the sum allocated to the entire WB region.

A second turning point that illustrates the diminishing European engagement is that of the WB6 being left out of the EU solidarity mechanisms to secure vaccines against Covid-19. The hard-hit WB6 are instead expected to obtain supplies through the World Health Organization's scheme (COVAX), which has proved to be slow and ineffective. Taking advantage of the situation, Russia and China have set up successful 'vaccine diplomacy', donating their own supplies to strengthen their position in the WB region. Indeed, Serbia's President Aleksandar Vučić publicly accused the EU of 'selfishness', and Serbia then engaged in its own 'vaccine strategy', sharing the doses it received with the citizens its neighbouring countries.

Once they obtained a sufficient number of doses, however, the WB countries were not then able to achieve high vaccination rates. Instead, the WB6 followed the path of other South-east European member states, where a large part of the population refused to be vaccinated due to their scepticism about its benefits, a widespread distrust of institutions, and a flood of misinformation surging primarily through social media. Unsurprisingly, the low vaccination rates and inefficient health systems in the WB6 led to a fourth wave of Covid-19, which is now taking a heavy toll on most of the region.

Furthermore, the widespread frustration at the EU's diminishing engagement with the WB6 grew even stronger when it became clear that the WB region was again not taken into account when the EC launched the Conference on the Future of Europe in May 2021. The fact that the Balkan countries were not included as participants in this Europe-wide debate on the future of the EU was taken as confirmation that the European perspective of the WB region is severely compromised. Attempting to rectify the EU's clumsy exclusion of the WB from this conference, the Slovenian presidency of the Council of the EU invited the WB partners in October to attend the second plenary session of the conference as guests. A number of other governmental and non-governmental conferences were consequently organised with high profile EU leaders, relaunching the discussion on the future of enlargement. Yet the damage had been done.

## Regional challenges

If member states' stances on enlargement do not make the situation look encouraging, it looks even worse when considering the current dynamics in the Western Balkans. In 2021, the general political situation degenerated in the weakest of the Western Balkan countries. Kosovo's conflictual relations with Serbia thus escalated further in September over the issue of mutual freedom of movement for the citizens of both countries, in what became known as the 'registration plates crisis' – Pristina's decision to introduce reciprocity meas-

ures, and to compel Serbian drivers to buy temporary registration plates (as Kosovo drivers were already forced to do based under previous agreements). This decision sparked violent protests, especially in the Serbian-majority Northern Kosovo, and the intervention of the Kosovo special police was then required, as well as the mobilisation of certain units of the Serbian army, which were deployed along the border. The escalation in tension was finally stopped thanks to the intervention of Washington and Brussels. The worst was avoided, but the incident proved that the tension between Belgrade and Pristina remains high, and that the road to a future normalisation of the relationship is still long and full of uncertainties.

Currently, five member states – Cyprus, Greece, Romania, Slovakia and Spain – do not recognise Kosovo as an independent state. This situation makes Kosovo’s European perspective particularly complex. The fact that both the High Representative of the Union for Foreign Affairs and Security Policy Joseph Borrell – who comes from Spain – and the EU Special Representative for the Belgrade-Pristina Dialogue, Miroslav Lajčák – from Slovakia – come from member states that do not recognise Kosovo as a sovereign state, creates specific embarrassment in Pristina and reduces the space for the EU to intervene effectively to mediate between the parties.

In the case of Bosnia and Herzegovina, the political stalemate around the need for constitutional reforms has deepened to the point that many commentators now fear risks of a new armed conflict. The tensions particularly spiralled in July 2021, when Valentin Inzko, the outgoing High Representative for BiH, used his prerogatives to criminalise the denial of war crimes, such as the Srebrenica genocide. Unsurprisingly, his decision was met with strong hostility from Milorad Dodik, the leader of the Serbian-majority Republika Srpska, who is now threatening to withdraw the entity from state-level institutions, including the judiciary, military, and tax administration – a move that would effectively bring the country to the brink of dissolution.

Politically fragile and humiliated by the absence of progress on EU accession, despite repeated EU promises of this, the Macedonian government – led by Social Democrat leader Zoran Zaev – took a hard blow in the local elections in the autumn, losing the capital Skopje and most of the main cities. The unexpected defeat has opened a new political crisis for the country, and this is exacerbated by the looming risk of a severe energy crisis just at the onset of winter.

Among the so-called ‘front runners’ for EU accession, the only encouraging signs in 2021 were offered by Montenegro where, despite significant tensions, the new government managed to carry on the transition after three decades of political dominance by the president, Milo Đukanović. During the summer, the government in Podgorica actively sought the EU’s help to address Montenegro’s consistent debt towards China, which has been built up by the Đukanović-led former executive to finance a controversial highway project.

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By contrast, Serbia is heavily criticised by civil society for its democratic decay under the rule of Aleksandar Vučić, although the EC progress report highlights this country's situation as slightly improving. The contested 2020 parliamentary elections in Serbia have left the parliament almost without opposition, mainly due to the boycott of opposition parties. Vučić has therefore decided to schedule early general elections for next spring, along with the presidential and administrative elections in Belgrade, believing that this will strengthen the government's power at all levels.

**Freedom of expression is a grave concern in Serbia, with journalists' organisations regularly denouncing pressures and different kinds of threats**

Freedom of expression is a grave concern in Serbia, with journalists' organisations regularly denouncing pressures and different kinds of threats. In August, Twitter started to label accounts belonging to various pro-government media in Serbia as 'state-affiliated media', underlining that the Serbian state "exercises control over editorial content through financial resources, direct or indirect political pressures, and/or control over production and distribution".<sup>5</sup> Furthermore, despite its official EU integration policy, Belgrade has strengthened its traditional ties with Russia, and has also increasingly developed its political and economic cooperation with China.

The expectation that the local progressive forces in the Western Balkans, along with civil society and think tanks, could fight by themselves against the democratic downturn in the region, and in favour of the enlargement process, has proved a dangerous illusion. Even in consolidated democracies, the imbalance of power between civil society and political elites is considerable, and this is even more the case in the context of fragile institutions, where the judiciary is not really independent from the executive or where corruption is widespread. Indeed, the lack of incentives deriving from the EU enlargement process disempowers civil society and leaves the floor to the authoritarian tendencies of WB leaders. As a consequence, civil society in the region needs to rely on financial as well as political support from abroad.

Moreover, widespread anti-EU rhetoric and disinformation feed an increasingly disillusioned public opinion in the WB region. While keeping a critical stance towards their governments, WB citizens therefore show mounting frustration also towards the EU, and this is especially true in those states where the government considers other available options, such as Russian support for Serbia, or American support for Kosovo. A recent public opinion poll conducted by the Belgrade Centre for Security Policy (BCBP) suggests, for example, that due to government propaganda, people in Serbia believe that China is the country's biggest donor – something that is far from true.<sup>6</sup>

5 Jeremic, I. (2021) 'Twitter labels numerous media accounts in Serbia "state affiliated"', *Balkan Insight*, 16 August (<https://balkaninsight.com/2021/08/16/twitter-labels-numerous-media-accounts-in-serbia-state-affiliated/>).

6 Euractiv (2020) 'Poll: Russia and China are Serbians' "best friends"', 23 November ([www.euractiv.com/section/politics/short\\_news/poll-russia-and-china-are-serbians-best-friends/](http://www.euractiv.com/section/politics/short_news/poll-russia-and-china-are-serbians-best-friends/)).

Montenegro's debt default crisis is nevertheless likely to contribute to clarifying the role of China's investment in the country and in the region. In 2014, Podgorica took a \$1 billion (€0.89 billion) loan from the state-controlled Export-Import Bank of China to build the first section of a controversial highway connecting the Adriatic port of Bar to Belgrade – but the project proved to be far too expensive for Montenegro.<sup>7</sup> When the country had to start servicing the loan in 2021, the new government asked the EU to refinance it in order to avoid a default and the risk of Montenegro falling into the Chinese 'debt trap'. The Commission eluded clear commitments, replying that "the EU does not repay loans from third parties", and instead it offered "a mix of grants, guarantees and preferential loans" from the European Investment Bank and the European Bank for Reconstruction and Development to complete the project.<sup>8</sup>

This case shows the fragilities of the WB6 public sphere where local governments, under pressure from European institutions to carry out reforms, can discredit the EU in the eyes of the population and can play at geopolitical competition with other global powers such as China and Russia. Media freedom is clearly a serious issue in the entire region and local journalists regularly complain that the EU does not do enough to support them in their difficult relationship with local governments. International NGOs for freedom of the media also agree. At the Brdo pri Kranju summit, for example, Reporters Without Borders (RWB) wrote to the Slovenian presidency of the EU Council that "although respect for press freedom is a condition for accession to the European Union, it is not on the [summit's] programme", despite the fact that "none of these countries has made any significant progress as regards freedom of the media [in 2021]".<sup>9</sup>

## Attempts at regional integration

Although the disappointment towards enlargement is widespread and regional stabilisation is still uncertain, there have also been a few positive signs in 2021. During the pandemic, the WB experienced the introduction of the so-called 'green lanes' between the EU and the Central European Free Trade Agreement (CEFTA) countries in order to facilitate the transport of food and medical equipment and to overcome border restrictions.<sup>10</sup> Since this introduction, the European Commission, supported by the Regional Cooperation Council, has been working to build on the experience in order to make these arrangements permanent, and to adapt the green lanes to other areas of economic interest and strategic cross-border points so as to enhance the perspective of regional cooperation.

7 Pantelić, Ž. (2021) 'Il Montenegro nella trappola del debito cinese', OBCT, 7 April ([www.balkanicaucasus.org/aree/Montenegro/Il-Montenegro-nella-trappola-del-debito-cinese-209732](http://www.balkanicaucasus.org/aree/Montenegro/Il-Montenegro-nella-trappola-del-debito-cinese-209732)).

8 Strupczewski, J. (2021) 'EU says it can't help Montenegro on China loan but can on financing', Reuters, 12 April ([www.reuters.com/article/us-montenegro-china-debt-eu-idUSKBN2BZ22Q](https://www.reuters.com/article/us-montenegro-china-debt-eu-idUSKBN2BZ22Q)).

9 RSF (2021) 'Press freedom should be high on EU-Balkans summit agenda, says RSF', 4 October (<https://rsf.org/en/news/press-freedom-should-be-high-eu-balkans-summit-agenda-says-rsf>).

10 CEFTA (2021) 'The first year of the green corridors/green lanes implementation', 15 April (<https://cefta.int/news/the-first-year-of-the-green-cooridors-green-lanes-implementation/>).

In addition, three countries in the region – Albania, North Macedonia and Serbia – decided to strengthen their political and economic ties, launching the Open Balkan Initiative (previously known as ‘Mini-Schengen’). Different agreements have now been signed on

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disaster risk reduction and on the free movement of goods, but the most important proposals concern the possibility of creating a totally free labour market in the region, and of dropping border controls for people and goods by January 2023 – a move that according to the World Bank could save up to €2.7 billion for the countries involved.<sup>11</sup>

Bosnia and Herzegovina, Kosovo, and Montenegro have also been invited to join the Open Balkan Initiative, but until now they have shown little interest. Kosovo has explicitly linked its opposition to Serbia’s refusal to recognise its independence, despite previously agreeing to join the initiative in the controversial ‘Washington Agreement’ that was pushed by the Trump administration and signed by both parties in September 2020.<sup>12</sup>

Bosnia and Herzegovina and Montenegro see the Open Balkan Initiative as overlapping with the already existing Common Regional Market Initiative. They also say that they are primarily focused on the EU integration process. Regardless of the official motivations, these countries appear weary of seeing the predominant role of a reinvigorated Serbia in the Open Balkan Initiative, and they seem concerned that the creation of a space for free movement in the WB region could in reality represent a mere consolation prize, while EU accession slips further away.

To make things more complicated, while the US and Germany have to some extent expressed their support for the Initiative, the EU approach towards it remains unclear. Indeed, after their last meeting in the framework of the Open Balkan Initiative in early November, the governments of Albania, North Macedonia and Serbia said in a joint statement, that the Initiative was necessary due to the “questionable capacity of the EU to integrate new members. They also said that the WB “paid grave costs for the delays in the EU perspective”.<sup>13</sup>

It is not completely clear whether the Open Balkan Initiative is a fruitful continuation of the EU policies in the WB or a competing project. During the visit of German Chancellor Angela Merkel to Tirana in September 2021, Albania’s President Edi Rama called the Open

11 Brezar, A. (2021) ‘As EU membership stalls, Balkan countries make controversial move to create their own mini-Schengen’, *Euronews*, 31 August ([www.euronews.com/2021/08/31/as-eu-membership-stalls-balkan-countries-make-controversial-move-to-create-their-own-mini-](http://www.euronews.com/2021/08/31/as-eu-membership-stalls-balkan-countries-make-controversial-move-to-create-their-own-mini-)).

12 The agreement aimed at facilitating economic normalisation between the two countries, yet it was highly criticised for the inclusion of some non-economic clauses that risked undermining the EU membership perspective of both countries. The clauses also risked compromising the bilateral dialogue that was facilitated by the European Union itself.

13 EWB (2021a) ‘Joint statement of the Open Balkan members: region stuck EU’s dilemmas, we are committed to bridge the gap’, 5 November (<https://europeanwesternbalkans.com/2021/11/05/joint-statement-of-the-open-balkan-members-region-stuck-eus-dilemmas-we-are-committed-to-bridge-the-gap/>).



Balkan Initiative a “child of the Berlin Process and a mechanism to accelerate it”.<sup>14</sup> The Berlin Process, promoted by Merkel in 2014, is indeed one of the latest attempts to relaunch the European integration of the WB via economic incentives, focusing in particular on the enhancement of energy and transport infrastructures to improve regional connectivity.<sup>15</sup>

Whether the Berlin Process has been successful in addressing the challenges of enlargement is still an open question. On the one hand, it can be considered a useful mechanism to keep the dialogue between ‘enlargement-friendly’ EU member states and the WB6 alive, while fostering cooperation and good neighbourly relations among the WB6 thanks to its regional approach. Furthermore, the continuous engagement of the WB6 in the Berlin Process has been crucial in order to balance the influence of extra-EU powers in the region at a time when alternatives offered by Russia, China and Turkey are becoming increasingly appealing.

The end of Merkel’s premiership will undoubtedly create a vacuum as she has always been the main advocate of the Berlin Process. The vacuum hopefully will now be filled by a new pro-enlargement German government. During the visit of European Commission President Ursula von der Leyen to the WB region in late September 2021, she ensured her commitment to pushing the Berlin Process forward. Yet it remains to be seen whether these commitments will translate into concrete policies.

The WB focus on economic cooperation at a regional level may risk isolating these countries, instead of bringing them closer to the EU and its member states. The WB’s ‘roam like at home’ regime, for example, has eliminated all roaming costs between the Balkan countries since July 2021 but despite being fully supported by the EC, the agreement – at least for now – does not include mobile telephone tariffs between WB6 and the EU because according to the EC this step has been left for a future “roadmap for the reduction of roaming charges between the EU and the Western Balkans”.<sup>16</sup>

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14 EWB (2021b) ‘Relationship between Berlin Process and Open Balkan Discussed during Merkel’s Tirana visit’, 15 September (<https://europeanwesternbalkans.com/2021/09/15/relationship-between-berlin-process-and-open-balkan-discussed-during-merkels-tirana-visit/>).

15 The Berlin Process has so far involved all of the WB6, and eight EU member states (Austria, Bulgaria, Croatia, Germany, Greece, Italy, Poland, Slovenia) plus the UK.

16 European Commission (2021) ‘The Western Balkans become a roaming free zone: the roam like at home’ regime starts on 1 July with the support of the EU’, 1 July ([https://ec.europa.eu/neighbourhood-enlargement/news/western-balkans-become-roaming-free-zone-roam-home-regime-starts-1-july-support-eu-2021-07-01\\_en](https://ec.europa.eu/neighbourhood-enlargement/news/western-balkans-become-roaming-free-zone-roam-home-regime-starts-1-july-support-eu-2021-07-01_en)).

## The environmental challenge as an opportunity

The WB6 is today a de facto enclave within the geographical space of the EU. This has considerable implications in certain policy fields. Addressing environmental issues, for instance, requires good collaboration between the EU and the WB countries but, although environmental degradation has no borders, the implementation of cross-border policies between the EU and WB6 is challenging.

Western Balkan countries are highly vulnerable to climate change and the region hosts several of the most polluted cities in the world. Problems related to air pollution become particularly evident and alarming during the winter months, as private heating in most cities still relies on wood and coal, making it the main cause of air pollution in the region.<sup>17</sup> Apart from Albania, all other countries in the region have functioning coal plants – most of them built generations ago – and local economies largely depend on coal.<sup>18</sup>

In 2020, the European Commission issued a Green Agenda for the WB, aiming to create stronger links and to promote joint climate and environmental actions between the EU and the WB. The implementation of the Green Agenda is now expected to progress since the adoption in September 2021 of the regulation for the Instrument for Pre-Accession assistance (IPA III) and since the approval of the Agenda Action Plan at the EU-WB summit in Brdo in October 2021.

However, the costs for the adoption of the whole EU environmental acquis for each WB country exceed the sum allocated through the IPA for the entire region. Not only are the costs for the environmental transition much larger than the resources available, but also some of the policies – in particular, those on decarbonisation – cannot be achieved without major social costs. Considering the general economic fragility of the countries involved, it is clear that the WB cannot sustain such costs on their own.<sup>19</sup>

What is worse, the Green Agenda and the growing demand for clean and renewable energy may even have effects that contradict the goals of the green transition. As many environmental activists and researchers have denounced, the extraction of lithium which is largely available in Serbia and used for electric car batteries, or the construction of small hydroelectric power plants as a renewable energy source that exploits the many rivers in the region, cause the devastation of local WB ecosystems.

The problems of pollution and environmental degradation have become a cause of growing concern among the WB population. The over-exploitation of natural resources

17 In Sarajevo, one of the most polluted cities in the region, two thirds of homes are still heated with wood and coal. According to the World Health Organization, the per capita mortality rate in Bosnia and Herzegovina that is attributed to household and environmental air pollution is 223.6 per 100,000, which is one of the highest mortality rates by air pollution in the world: SITA and OBCT (2020) 'Analysis of the territorial challenges, needs and potentials of the Adriatic-Ionian Region and strategic options for post-2020 ADRION Programme Territorial Analysis' ([www.adrioninterreg.eu/wp-content/uploads/2020/09/ADRION-territorial-analysis-post-2020-final-approved.pdf](http://www.adrioninterreg.eu/wp-content/uploads/2020/09/ADRION-territorial-analysis-post-2020-final-approved.pdf)).

18 Coal accounts for over half of the gross electricity production in BiH (75%), Serbia (72%), North Macedonia (60%) and Montenegro (54%): SITA/OBCT (2020) op cit.

19 OBCT and CeSPI (2021) 'EU Strategy for the Adriatic and Ionian Region (EUSAIR) facilitating the enlargement process of Western Balkans' ([https://ec.europa.eu/regional\\_policy/sources/cooperate/adriat\\_ionian/pdf/eusair\\_enlarg\\_west\\_balkans.pdf](https://ec.europa.eu/regional_policy/sources/cooperate/adriat_ionian/pdf/eusair_enlarg_west_balkans.pdf)).

has triggered the creation of numerous environmental movements, both in the main urban centres and in remote areas directly affected by the exploitation of resources.

These environmental movements bring together thousands of people, especially youth, from all over the political spectrum. They thus mobilise to denounce the uncontrolled construction of small hydroelectric power plants, corrupt practices for tendering, and non-compliance with the rules and procedures for environmental impact assessments of the various projects.

One of the most recent initiatives is the Ecological Revolt movement in Serbia. This brings together 70 environmental organisations that call on the government to put an end to the uncontrolled exploitation of the country's environmental resources, in particular for the construction of small hydropower plants and a controversial mining project conducted in western Serbia by the British-Australian company Rio Tinto.

Environmental social movements fighting to protect rivers have also been creating alliances at regional level. This development culminated in summer 2021 with the establishment of the 'Odbranim o r(i)jeka Balkana' (Let's Defend the Balkan Rivers) network which brings together environmental groups from Bosnia and Herzegovina, Croatia, Kosovo, Montenegro and Serbia to campaign against the construction of mini hydroelectric power plants.<sup>20</sup>

The increasing importance that such mobilisations are acquiring indicates the will of the citizens to participate in the decision-making processes, to make their voices heard and to be taken into account, especially in the field of environmental protection where political choices have a direct impact on their lives. The democratisation potential of such initiatives should not be overlooked in terms of European integration either.

In turn, it should be noted how social movements can benefit from the progress made in the negotiation process. For instance, much attention and media coverage were given to the mobilisation against the construction of hydropower plants in the Valbona Valley National Park in Albania. In 2017, residents of the Tropoja Municipality in Northern Albania and the NGO Toka (The Organisation to Conserve the Albanian Alps) took a case to the Administrative Court of Tirana, denouncing the environmental damage and negative impact on people's lives and tourism that was being caused by the construction of two hydropower plants.<sup>21</sup>

In July 2021, following years of civic protests and legal struggles, the Albanian High Court ruled in favour of the temporary suspension of the construction of the power plants. Although it took four months to enforce the ruling of the court,<sup>22</sup> the final success of the legal action was a sign of positive development in the functioning of the judiciary and the rule of law in the country – one of the main achievements of the EU enlargement process that at the end 2020 enforced a complex vetting process of Albanian judges. The challenging EU-driven

20 Sito-sucic, D. (2021) 'Balkan green activists join forces in fight to save rivers', Reuters, 21 July ([www.reuters.com/world/europe/balkan-green-activists-join-forces-fight-save-rivers-2021-07-03/](http://www.reuters.com/world/europe/balkan-green-activists-join-forces-fight-save-rivers-2021-07-03/)).

21 Sinoruka, F. (2021) 'Construction of Two Hydropower Plants Ordered to Halt in Albania', *Balkan Insight*, 3 November (<https://balkaninsight.com/2021/11/03/construction-of-two-hydropower-plants-ordered-to-halt-in-albania/>).

22 After the initial refusal of a local bailiff to enforce the ruling, the case was taken over by another court official who finally decided to execute the order at the beginning of November 2021, under growing pressure from activists and environmental organisations.

**The environment constitutes the best policy field to create an alliance between EU institutions and local WB civil societies in order to advance the EU enlargement process**

reforms on the integrity and independence of the judiciary have had direct implications for civil society and social movements, which can now resort to strategic litigation when defending the environment in their respective countries.

Currently, the environment constitutes the best policy field to create an alliance between EU institutions and local WB civil societies in order to advance the EU enlargement process.<sup>23</sup> There is clear political commitment, with climate action being high on the EU agenda, and with engaged local NGOs and social movements in place. Furthermore, if the WB governments make good use of the available resources, it will be possible to advocate the 'more for more' approach

– in other words, the provision of EU financial support according to the pace of reform. The results from the use of these resources will be in the general interest, including that of the EU member states themselves.

## **The Balkan route: exporting instability instead of democracy**

While environmental policy opens up positive prospects for the WB, the EU asylum policy highlights a political debacle. Since the Balkan route started to become a major migratory path to Western Europe, especially during the humanitarian crisis in 2015-16, the WB6 have been tasked with securing the EU's external borders.

Since this time, there has been a reversal of roles in EU-Balkan relations. It is now the EU member states on the Balkan route – such as Greece, Bulgaria and Croatia – that adopt practices contrary to national, international and European asylum provisions and to general respect for human rights. Pursuing policies of the militarisation of its boundaries and with the practice of illegal pushbacks, the EU has started exporting insecurity and the violation of human rights to the WB region, instead of stability and democracy.<sup>24</sup>

This situation is particularly problematic in Bosnia and Herzegovina, a country on the brink of breaking apart, and which has become the central hub of the Balkan route after the closure of the border between Serbia and Hungary. Most migrants gather in the Una-Sava canton, close to the Croatian border, in an attempt to enter EU territory. The burden of hosting the migrants has fallen primarily on the canton, part of the Federation of Bosnia and Herzegovina (the Croat-Bosniak entity), thus fuelling new tensions with the Serbian-majority Republika Srpska.

23 Clingendael (2021) 'The Green Agenda: providing breathing space for Western Balkans citizens?' ([www.clingendael.org/sites/default/files/2021-07/PB\\_The\\_Green\\_Agenda\\_3thproof.pdf](http://www.clingendael.org/sites/default/files/2021-07/PB_The_Green_Agenda_3thproof.pdf)).

24 Chiodi, L. and Coletti, R. (2021) 'La rotta balcanica 5 anni dopo' ([www.cespi.it/sites/default/files/documenti/rapporto\\_completo\\_def\\_0.pdf](http://www.cespi.it/sites/default/files/documenti/rapporto_completo_def_0.pdf)).

Stuck nearby the EU borders, and violently pushed back by the Croatian police, most of the migrants in BiH are living a precarious life, often in makeshift camps, with no running water, lavatories, showers or electricity. In November 2021, a new migrant centre capable of hosting up to 1,500 people was opened in Lipa by the International Organization for Migration (IOM) after a makeshift camp in the same area was destroyed by fire in December 2020.

The negative consequences of the illegal pushbacks carried out by EU member states include the further weakening of the so-called ‘transformative power’ of the EU enlargement policy. The right of asylum is part of the *acquis communautaire* that the Balkan countries are committed to introducing in their respective national regulations. Once the WB countries transpose the EU *acquis* into their legal systems, they will face the more serious difficulty of giving substance to these obligations – but given that it is the EU member states that betray the very principles that the candidate countries should adopt, the latter can hardly feel encouraged to do so.

Due to its internal difficulties in sharing the burden of migration pressure, the EU is therefore not only betraying its values and its legal order, but is also losing its ability to influence the WB region positively. After years of the EU being severely criticised for favouring stability over democracy in the WB region (an approach that came to be labelled ‘stabilitocracy’), the more recent externalisation of migration management has considerably worsened the situation, and shown the dark face of the European Union.<sup>25</sup>

## Prospects

The prospects for a future enlargement of the EU to the Western Balkans in the middle or even in the long term indeed look grim. Lately, the US has re-engaged in the Bosnian crisis, as well as in the Kosovo-Serbia conflict, but the expectation that Washington would return to play a central role in the region under the Biden administration has been deluded. In the long term, the US is increasingly focused on its Pacific rather than its Atlantic relations – a trend that is not going to change in the foreseeable future. The EU therefore needs to find a solution for the Western Balkans on its own.

It is not guaranteed that the next five rounds of rotating presidencies of the EU Council – France, the Czech Republic, Sweden, Spain and Belgium – will give any special attention to the WB region. Moreover, there is a risk that the EU’s interest towards the WB6 will come from the ‘wrong’ governments, such as Orbán’s Hungary, that are in search of souverainist, authoritarian or secessionist allies in the region. This is something that can only hinder the WB’s European perspective.

However, the new German coalition agreement bears some encouraging signs for the WB region as the German coalition parties have confirmed Berlin’s commitment to back the EU

25 Webb, J. (2020) ‘The “refugee crisis” and its transformative impact on EU-Western Balkans relations’, *Journal of Ethnic and Migration Studies*, December, pp. 1-18 (<https://doi.org/10.1080/1369183X.2020.1851466>).

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accession process of the WB6, to open the first EU accession chapters with Albania and North Macedonia, and to support the EU-led normalisation dialogue between Kosovo and Serbia and the territorial integrity of Bosnia and Herzegovina. Lately, even France has appeared more interested in BiH's constitutional reforms than in the past, while Italy regularly reaffirms its commitment to the EU's enlargement to the WB.

While the large financial package defined by the Economic and Investment Plan in 2020 and approved in Brdo in 2021 was presented as confirmation of EU support towards WB integration, this actually tends to show that EU member states appear more inclined to put money on the table than to give their political commitment to completing the EU integration process of the WB6.

The strongest hopes for enlargement come from developments in the environmental field. The common concern of both the EU and the WB over climate change is a driver for larger EU investment in the WB and creates new dynamism in local civil societies. Indeed, their partnership with the European Commission as part of the enlargement process generates positive changes, despite the contradictions between environmental protection or decarbonisation policies and economic growth.

By contrast, a severe warning comes from the EU deadlock in its asylum policy. While the EU cannot allow deviation from its rules and principles without devastating consequences, the complete loss of EU credibility in its relationship with the WB is just a minor price to pay, in comparison with the collapse of the legal order upon which the EU-WB relationship is built.

New opportunities nevertheless arise when the two processes – EU consolidation and enlargement – influence each other. One example can be seen in the fact that the troubles the EU is today facing with a few member states, which disregard or openly violate EU provisions in different fields (from asylum policy to independence of the judiciary) are being tackled with the Rule of Law (RoL) mechanism that builds on the EU's long and solid experience with the WB.

The EU's experiences with RoL benchmarks in the WB have thus gradually developed into a yardstick by which to measure the drift of member states. For decades the EU worked on voluntary adherence to its principles and rules by member states, and infringement procedures and court rulings were sufficient to address its deviant members. With the 2014 enlargement and the current deepening of EU integration, the need for stronger incentives has emerged.

With the RoL, and the possibility to suspend financial transfers, the EU is today trying to introduce a new and harder mechanism to compel member states to abide by its common rules – a vital condition for the EU to function. With intertwined economies and challenging external competitors, the EU risks disintegrating if respect of the legal order upon which it is based is not guaranteed.

Enlargement of the EU, once considered the greatest success of European external policy, has run aground in the face of successive internal crises. Combining external and internal policy, the EU is hostage to the priorities of its member states and to an EU decision-making process at the mercy of national electoral cycles. Being subject to the EU's unanimous voting rule, enlargement shows its external policy nature – one of the most evident shortcomings in the functioning of the EU.

But the EU enlargement process can ultimately be transformed into an internal matter. Once the WB6 become EU members they will contribute to making the common EU decision-making process even more complex and unpredictable. Added to this is the fact that if candidate countries fail to consolidate their democratic institutions, they will threaten the EU's common political space when they share it, as a few member states are already doing. It is due to the hybrid nature of EU enlargement to the Western Balkans that saving this enlargement and overcoming the EU's existential crisis may become one and the same project: the respect for the rule of law in a member state, as well as respect for common legal provisions in general, is indeed necessary in both an EU of 27 as well as of 33 member states. The outcome of how the EU decides to address the situation in the WB can both help fix the misdeeds of a few member states and save the EU from its decline.

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