

EU enlargement to the Western Balkans: towards 2025 & beyond

John O'Brennan





EU enlargement to the Western Balkans: towards 2025 and beyond

Institute of International and European Affairs, Dublin

By John O'Brennan

In this paper, which is part of the Future of the EU27 Project, Professor John O'Brennan examines the European Commission's Western Balkans Strategy, exploring the context and challenges surrounding this new perspective for EU enlargement.

On 6 February 2018, the European Commission published a new Strategy Paper on EU enlargement that set out how the European Union might engage with and provide an enhanced accession perspective for the six states in the Western Balkans.¹ Montenegro and Serbia are currently negotiating membership but 2025 is the earliest possible date those states could hope to join. The paper declares that the Commission “is ready to prepare recommendations to open accession negotiations with Albania and the Former Yugoslav Republic of Macedonia” and this may happen as early as July if the European Council supports the approach suggested by the Commission. Kosovo and Bosnia and Herzegovina lag behind significantly but may also see their accession status ‘upgraded’ this year. On 17 April 2018 the Commission published individual country reports and recommended precisely this course of action. The publication of these reports has injected new momentum to the enlargement process and provides a roadmap for the six states to converge towards the European Union model of integration. This paper examines the background to the Commission’s decision and the main issues at stake for both Ireland and the EU.

Background

The European Union’s enlargement policy is widely viewed as one of its most successful policy areas. The Union after all has expanded West (1970s), South (1980s), North (1990s) and East (2000s) consecutively over five decades whilst also pursuing ever-closer integration. The relationship between ‘widening’ and

‘deepening’ however has not always run smoothly, especially over the last decade, as the confluence between crisis-induced austerity and ‘enlargement fatigue’ led to enlargement being placed on the backburner by the European Union.

President Juncker made it clear in 2014 that there would be no further accessions to the Union during his (2014-19) mandate. However, in his 2017 State of the Union address, Juncker gave hope to Western Balkan states when he stated that “thereafter the European Union will be greater than 27”.² This statement constituted belated recognition of the promise made to the Western Balkans states at the Thessaloniki European Council Summit in June 2003 that “the future of the Western Balkans is in the European Union”.³

The promise made by the EU at Thessaloniki also signalled acknowledgment that the EU had not played a sufficiently involved or robust role in the region during the devastating ‘Wars of Yugoslav succession’ in the 1990s. As the region imploded in fratricidal ethno-nationalist conflict, the EU was hopelessly divided and failed to act on the dramatic claim made by Jacques Poos, the Luxembourg Foreign Minister, in 1991 that “this is the hour of Europe”.

The EU’s engagement with the Western Balkans since Thessaloniki has proved uneven and unsatisfactory. European integration constitutes the most important force in the economic, political and geopolitical life in the Western Balkans but this is not necessarily because of EU support for the region. Membership of the EU remains the goal of all six states but they have had to contend with an enlargement process which “has been on ‘life support’ for many years, ‘flat lining’ along a trajectory of frozen negotiating chapters and mutual mistrust between inside and outside states, moving towards an increasingly uncertain destination”.⁴

1 European Commission, ‘A Credible Enlargement Perspective for and Enhanced EU Engagement with the Western Balkans’, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions’, COM(2018) 65 final, Strasbourg, 6 February 2018. The Western Balkans region comprises Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Montenegro, Serbia and Kosovo. https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417_strategy_paper_en.pdf

2 Jean Claude Juncker, ‘State of the Union’ speech, Brussels, 13 September 2017, file:///C:/Users/jobrennan/Downloads/SPEECH-17-3165_EN.pdf

3 European Council, ‘Thessaloniki Presidency Conclusions, 11638/03, Brussels, 1 October 2003, <https://www.consilium.europa.eu/media/20847/76279.pdf>

4 John O'Brennan, ‘On the Slow-train to Nowhere? The European



The relative neglect of the region is demonstrated by the fact that EU High Representative Federica Mogherini made her first visit to the Western Balkans only in March 2017, after nearly 30 months in office.

The EU's failure to follow-up adequately on the promise made to the region at Thessaloniki is now mainly attributed to a protracted mood of so-called 'enlargement fatigue' among the Member States, the sense that, in taking in 12 new states between 2004 and 2007 (and one more in 2013), the EU had expanded too far and could not cope with any additional new entrants. 'Enlargement fatigue' was first identified around 2004 as the 'big bang' enlargement to Central and Eastern Europe was taking place and the debate at the Convention on the Future of Europe was unfolding. It suggested that it would be difficult to persuade Member States to consent to further accessions, or at the least that such accessions could only take place if the EU put in place far-reaching institutional reforms. Fears about the EU's 'absorption capacity' took centre stage in debates about future enlargement, and especially in Member State discourses towards the Western Balkans and Turkey.

Applied specifically to the Western Balkans, 'enlargement fatigue' manifested as a reflex towards outright obstruction of further expansion based on retrospective doubts about the EU's alleged 'transformative effect' on applicant states and fear of weakening the internal EU momentum towards further integration. This tendency towards obstructionism has been less likely to materialise within formal positions in Council discussions but rather in a pattern of some Member States insisting on placing an ever-increasing burden on Candidate States (of asymmetric adjustment to EU rules). The Council, rather than the Commission, is increasingly setting the 'benchmarks' for individual chapters in the accession talks, thus largely determining the pace at which negotiations proceed. The resulting politicisation of the enlargement process has damaged the EU's reputation for fairness in the Western Balkans and 'creeping nationalisation' emerges as both a cause and effect of 'enlargement fatigue'. This can be evidenced in the Slovenian dispute with Croatia over the Bay of Piran, not to mention the ongoing Greek obstruction of Macedonian progress because of the alleged territorial aspirations of the latter towards part of northern Greece.⁵ Most recently Croatia temporarily blocked the opening of crucial accession chapters with Serbia in 2016. This has the effect of

Union, 'enlargement fatigue' and the Western Balkans', *European Foreign Affairs Review*, Volume 19, Issue 2, pp.221-41.

5 See Patrick Smyth, 'Balkan states clear hurdle to join EU', *The Irish Times*, 18 April 2018, <https://www.irishtimes.com/news/world/europe/eu-recommends-turkish-accession-be-kept-on-hold-over-human-rights-concerns-1.3464972>

weakening the credibility of the enlargement process and reduced EU leverage over difficult accession-related reforms in Serbia.⁶ Mindful of these developments, the Commission explicitly warns that "special arrangements and irrevocable commitments must be put in place to ensure that new Member States are not in a position to block the accession of other Western Balkan candidates".⁷ The determination here seems to be one that no Western Balkan state which becomes a member of the EU should be in a position to use the asymmetric power they will enjoy as members over other Candidate States from the region.⁸

The research conducted by scholars following the 2004 enlargement demonstrates that these fears about the EU's absorption capacity (the impact of 'widening' on 'deepening') were not justified.⁹ Far from prompting paralysis within the inter-institutional system, enlargement seems to have encouraged a more efficient model of interaction to take root. Rather than slowing the process of legislation through the EU system, enlargement helped to streamline the number of legislative proposals coming before the Union's institutions and at the very least did not impair the functioning of the system.

The EU's decision to keep the Western Balkans at a remove after Thessaloniki may have taken further enlargement off the table. But it came at significant cost to the reform process across the region: 'enlargement fatigue' precipitated 'evaluation fatigue' and 'implementation fatigue' in the Western Balkans. This should not surprise.

Enlargement scholarship demonstrates an incontrovertible link between the credibility of the promise made by the EU to outside states and the seriousness of purpose that elite actors in Candidate States demonstrate towards implementing EU reforms. Reform minded individuals and political parties are more likely to transpose and implement EU rules if they believe the membership perspective they are offered by the Union is credible and serious. Conversely, if they believe that the prospect of membership is insufficiently credible they are more likely to engage in 'fake compliance' or

6 Marko Kmezić, 'Croatia's blocking of Serbia's EU integration: another case of bilateral conditionality in the Balkans', *EUROPP Blogs*, LSE, 17 May 2016, <http://blogs.lse.ac.uk/europpblog/2016/05/17/croatias-blocking-of-serbias-eu-integration-another-case-of-bilateral-conditionality-in-the-balkans/#Author>

7 European Commission, 'A Credible Enlargement Perspective for and Enhanced EU Engagement with the Western Balkans', op.cit., p.16.

8 Florian Bieber, 'A Way Forward for the Balkans? Europe's new plan is promising but not tough enough', *Foreign Affairs*, 6 February 2018

9 See Dimitar Toshkov, 'The impact of the Eastern Enlargement on the Decision-making Capacity of the European Union', *Journal of European Public Policy*, Volume 24, Number 2, 2017, pp.189-90.



partial compliance, running the risk that EU rules can be uprooted after membership has been achieved.

This may well account for the Commission's decision to title its Strategy Paper, 'A *credible*¹⁰ enlargement perspective for and enhanced EU engagement with the Western Balkans'. The paper suggests, "a credible accession perspective is the key driver of transformation in the region". As such, the Commission is acknowledging the symbiotic link between EU intent towards and Candidate State capacity to deliver, the enlargement agenda, and that the approach pursued by the EU to date has been less than credible. Credibility cuts both ways: a renewed EU commitment to the Western Balkans will have to be met with the credible implementation of EU rules by Candidate States.

The 'Berlin Process', instituted in 2014, provided some useful initiatives to increase regional cooperation was over-reliant on modes of technocratic governance and did not meaningfully engage with the serious deterioration in democratic institutions across the Western Balkans.¹¹ Whilst 'Berlin' helped in stabilising EU policy towards the region, the Commission now promises a series of six so-called 'flagship initiatives' which will underpin its renewed commitment to the Western Balkans:

1. Strengthened support for rule of law;
2. Reinforcing engagement on security and migration;
3. Supporting socio-economic development;
4. Increasing connectivity (particularly transport and energy) across the region;
5. Launching a digital agenda and connecting it to the EU Digital Agenda, and;
6. Supporting reconciliation and good neighbourly relations.

These new initiatives are designed to break the logjam in the process and help underpin the renewed reform effort needed across the region.¹²

¹⁰ Author's italics

¹¹ See Velina Lilyanova, 'The Western Balkans' Berlin Process: a new impulse for regional cooperation', European Parliamentary Research Service (EPRS), 4 July 2016.

¹² European Commission, 'A Credible Enlargement Perspective for and Enhanced EU Engagement with the Western Balkans', op.cit., p.9-115.

Rule of law and democratic 'back-sliding'

The substantial body of research on EU enlargement indicates that the EU acts as a 'lodestar' for outside states and enables political actors in Candidate States to mobilise constituencies effectively so as to drive through the (often very costly) reforms demanded by the EU in advance of membership. The 'Copenhagen Criteria', underpinned by different modes of accession conditionality and significant levels of EU subvention, thus combine to produce 'transformative effects' in Candidate States which, over time, enable convergence with EU rules and ultimately membership of the bloc. Deeper institutionalisation of relations inevitably results in a 'Europeanisation' of politics and policies in Candidate States. The EU provides the anchor for this far-reaching re-constitution of state and society, as Candidate States draw closer to membership and eventually join the 'club'.

There is a significant divide amongst scholars, however, about how deeply Candidate States internalise EU rules during the accession process. In the Western Balkans the EU deployed conditionality very effectively in forcing Croatia and Serbia to comply with the demands of the International Criminal Tribunal for Yugoslavia (ICTY). This led to the interdiction of individuals accused of war crimes and the transfer of those individuals to the jurisdiction of the ICTY in The Hague. A total of 161 persons were indicted by the ICTY, including very senior Serbian leaders, Slobodan Milošević, Ratko Mladić and Radovan Karadžić. In Croatia the most controversial case was that of General Ante Gotovina, considered a war hero by many Croats but indicted by the Hague for war crimes (he was eventually acquitted). Both Croatia and Serbia initially resisted EU demands for ICTY compliance but fell in line as it became clear that non-compliance would result in the EU terminating the accession process.

There are significant 'gaps' between transposition of EU rules and implementation of those rules in some jurisdictions. This is the phenomenon of 'Potemkin Implementation' or a 'world of dead letters' where Candidate States transpose EU rules on to domestic statute books but then either fail to implement those rules or only partially implement them.¹³ The 'transposition-implementation gap' provides evidence of the extent of 'backsliding' from commitments entered into via accession conditionality and thus emerges as an

¹³ See Antoaneta Dimitrova, 'The new Member States of the EU in the aftermath of enlargement: do new European rules remain empty shells', *Journal of European Public Policy*, Volume 17, Number 1, 2010, pp.137-48; Asya Zhelyazkova, Cansarp Kaya and Reini Schrama, 'Notified and Substantive compliance with EU law in enlarged Europe: evidence from four policy areas', *Journal of European Public Policy*, Volume 24, Number 2, pp.216-38.



important reason that the Commission is now insisting on earlier and much more robust implementation of the rule of law acquis by Candidate States.

The Commission Strategy Paper places rule of law issues at the core of the challenge facing Western Balkan states. It argues that across the Western Balkans “countries show clear elements of state capture, including links with organised crime and corruption at all levels of government and administration, as well as a strong entanglement of public and private interests”. It also points to “political interference in and control of the media” and a posture of impunity among political and business actors engaged in such practices. The persistence of ‘governance gaps’ facilitates such impunity.¹⁴ The paper states that “the authorities must dismantle criminal networks and their economic bases more effectively, making systematic use of financial investigations and applying more targeted tools like the precautionary freezing of criminal proceeds....full ownership requirements for companies, and enhanced judicial cooperation. A concrete and sustained track record in tackling corruption, money laundering and organised crime should be established as a matter of urgency”.¹⁵

The muscular language employed here is unlike anything seen in enlargement documentation previously, reflecting the degree of concern within the Commission at the sheer scale of state capture, corruption and of organised crime’s grip on society and state in the Western Balkans. Candidates are urged to put strong and independent institutions in place, accompanied by robust judicial procedures “leading to final court rulings that are enforced, and include dissuasive sanctions”. The abuse of Public procurement procedures is singled out as a particular vehicle associated with state capture across the region. Reform of the judiciary and public administration are critical to addressing corruption and are singled out for immediate and sustained attention: the Commission states that “the independence, quality and efficiency of the judicial system must be ensured”.¹⁶

The failure to build pluralist institutions is striking throughout the region. Polarisation between political parties has been particularly striking in Albania, Kosovo, Macedonia and Montenegro over the last decade. This has included violent attacks against MPs in some chambers, the use of tear gas within parliaments and protracted standoffs between government and opposition, including regular boycotts of parliament by opposition parties

in Albania, Macedonia and Montenegro. The paper thus calls for constructive dialogue across the political spectrum, notably within Candidate State parliaments.

A worrying pattern of authoritarianism has also developed out of existing practices in the region and in particular the systematic deployment of informal clientelist networks to suborn public processes to private ends. These networks have succeeded in instrumentalising national and sub-national political actors with the result that organised crime has penetrated every aspect of public life in the Western Balkans, most strikingly on judicial independence and the rule of law.

The dualistic approach to accession negotiations taken by Western Balkan elites carries clear echoes of the Bulgarian and Romanian enlargement: political actors demonstrate rhetorical commitment to EU rule transfer but continue to govern through informal clientelist networks. Outwardly this practice appears to offer stability but it does so at the price of fake compliance with EU demands. For some regional experts, the EU appears guilty of collusion with these elites: the need to preserve stability across the region sometimes required Brussels to ‘look the other way’ as these contradictions were exposed.¹⁷ The EU preference for ‘stabilitocracy’ over meaningful reform in the Western Balkans cannot be sustained.¹⁸ The phenomenon of ‘strongman’ regimes associated with ‘stabilitocracy’, from Milo Đukanović in Montenegro to Milorad Dodik in Republika Srpska and Alexander Vučić in Serbia, all pursuing a dualist approach to European integration (the localised equivalent of Brexit-like ‘cakeism’), has got to be confronted if durable reforms facilitating convergence with EU rules is to be delivered. Clientelist patronage networks will have to be decisively broken up for rule of law reforms to succeed in the Western Balkans.

The Commission’s insistence on Candidate States addressing chapters 23 (Judiciary and Fundamental Rights) and 24 (Justice, freedom and Security) of the enlargement framework at the earliest stage of the negotiations constitutes an acknowledgment of the difficulties that previous entrants have experienced in solidifying and substantively embedding the rule of law within their domestic jurisdictions. The dramatic and sustained attacks on pluralism by governments in Hungary and Poland and the attendant

14 European Commission, ‘A Credible Enlargement Perspective for and Enhanced EU Engagement with the Western Balkans’, op.cit., p.3.

15 Ibid.p.4.

16 Ibid.

17 Jasmin Mujanović, ‘The EU and the Crisis of Democracy in the Balkans’, *Political Insight*, April 2018, pp.9-11, <http://journals.sagepub.com/doi/pdf/10.1177/2041905818764698>

18 Srđa Pavolvić, ‘West is Best’: how ‘stabilitocracy’ undermines democracy building in the Balkans’, LSE Europp blog, <http://blogs.lse.ac.uk/europpblog/2017/05/05/west-is-best-how-stabilitocracy-undermines-democracy-building-in-the-balkans/>



regression in the rule of law in both jurisdictions underline the vulnerability of accession candidates and states transitioning to democracy to illiberal forces.

The recently published *Nations in Transit* report from Freedom House also underlines the alarming pattern of accelerated ‘illiberalism’ in Central, Eastern and South Eastern Europe. It argues that “contempt for independent institutions and open discussion has become entrenched” as Illiberalism has “become the new normal”. It highlights the “bulldozing of the judiciary” in Poland and how the composite ‘democracy score’ of every country in Central and Eastern Europe has declined since 2008, “with the biggest setbacks in the media, the judiciary, and the functioning of national democratic institutions like parliaments and presidencies”.¹⁹

The opening by the Commission of an ‘Article 7 procedure’ against Poland in late 2017 represented a frank confession that many of the ‘gains’ supposedly entrenched by the eastern enlargement round have been reversed over more than a decade of membership, or at the least that there has been significant ‘backsliding’ on rule of law commitments and fundamental freedoms. Zselyke Csaky describes the EU’s moving toward formal sanctions against Poland as a “pivotal moment in EU history. The process’s outcome will fundamentally define the nature of the European project for years to come”.²⁰ And, although to date, Hungary has not been subject to an ‘Article 7 procedure’, many scholars of EU law have been deeply critical of the European People’s Party (EPP) for allegedly providing ‘protection’ to Viktor Orban and his Fidesz party as they carried out sustained attacks on Hungarian NGOs, universities and independent media organisations.²¹

The political groups located in the European Parliament already have links to political parties across the Western Balkans. These groups could act as ‘transmission belts’ for EU enlargement reforms and key actors in re-shaping the contours of party politics in the Western Balkans, particularly the EPP and the S&D. But that can only happen if the EPP is prepared to both withdraw its support for Fidesz and ask searching questions about the activities of its affiliate parties in the region. These include the (ruling) Serbian Progressive Party (SNS) and

the Internal Macedonian Revolutionary Party – Democratic Party for Macedonian National Unity (VMRO-DPMNE). Arguably, both of these parties have very dubious records when it comes to respect for democratic norms. Both have used political office to capture state institutions for their own purposes. VMRO-DPMNE secured public support from Sebastian Kurz, then Austria’s foreign minister and now its Chancellor, despite very serious accusations of wrong-doing against Nikola Gruevski and senior figures in the party.²² Angela Merkel’s government (amongst others) has been a strong supporter of President Alexander Vučić, even as he has overseen the erosion of Serbia’s independent institutions and press freedom.²³

The experience of Bulgaria and Romania before and after accession is also frequently cited within the ‘lessons learned’ narrative on enlargement. A common view of the 2007 accession round is that neither state was actually ready to take on the obligations of EU membership and that the ‘transposition-implementation gap’ was significantly greater than pertained in the 2004 entrants. Both jurisdictions continue to evidence significant levels of state capture and predatory rent-seeking by oligarchic groups that succeeded in suborning the state to their own interests. Both Bulgaria and Romania were subject to a ‘Cooperation and Verification mechanism’ (CVM) on accession to the EU. This was an instrument of oversight designed to convince sceptical EU Member States that the new entrants would continue to be subject to strong conditionality by the Commission after accession. The academic literature on the functioning of the CVM, however, suggests it added little to narrowing the implementation gaps in Bulgaria and Romania or improving rule of law performance.²⁴

EU Enlargement policy has always been driven, in part, by distinctive normative concerns, reflected in the values announced in Article 2 TEU.²⁵ The content of the Commission’s rule of law recommendations to Candidate States reflects the norms and values which have come to define the European integration process. EU engagement with the Western Balkans,

19 Freedom House, ‘Confronting Illiberalism’, *Nations in Transit 2018*, <https://freedomhouse.org/report/nations-transit/nations-transit-2018>, p.1.

20 Zselyke Csaky, ‘The Challenge at the core of Europe: Poland and the Future of the European Union’, in Freedom House, ‘Confronting Illiberalism’, *Nations in Transit 2018*, <https://freedomhouse.org/report/nations-transit/nations-transit-2018>, p.5-8.

21 See Kim Lane Scheppele and Laurent Pech, ‘Is there a better way forward?’ *Verfassungsblog*, 10 March 2018, <https://verfassungsblog.de/is-there-a-better-way-forward/>

22 See Daniel McLaughlin, ‘Macedonian prosecutors target ex-premier Gruevski and allies’, *The Irish Times*, 29 June 2017, <https://www.irishtimes.com/news/world/europe/macedonian-prosecutors-target-ex-premier-gruevski-and-allies-1.3138264>

23 Florian Bieber, ‘A Way Forward for the Balkans? Europe’s new plan is promising but not tough enough’, *Foreign Affairs*, 6 February 2018, <https://www.foreignaffairs.com/articles/southeastern-europe/2018-02-06/way-forward-balkans>

24 Linka Toneva-Metodieva, ‘Beyond the Carrot and Sticks Paradigm: Re-thinking the Cooperation and Verification Mechanism (CVM) in Bulgaria and Romania’, *Perspectives on European Politics and Society*, Volume 15, Number 4, 2014, 534-51.

25 See John O’Brennan, *The Eastern Enlargement of the European Union*, Abingdon: Routledge, 2006.



however, has also demonstrated more worrying logics of ‘realpolitik’ and ‘securitisation’, especially during the migration crisis.

The closure of borders, which prevented the passage of refugees through the ‘Balkan corridor’, may have helped ‘solve’ an immediate ‘problem’ many Member States were unhappy about. But it also further empowered local ‘Strongman’ illiberal elites in the Western Balkans and signalled that the EU was prepared to both overlook the worst excesses of these groups and reward bad behaviour. The EU deal with Turkey only underscored this tendency toward favouring ‘realpolitik’ over the normative impulses that are set out in Article 2 TEU/Article 6 TEU and Article 49 TEU and which are supposed to guide the enlargement process. It signalled that the EU was prepared to discard enlargement norms where these clashed with short-term political imperatives.

The fact that recent entrants such as Hungary have been able to engage in serious transgression of those norms from within the EU encourages Candidate State elites to believe that they too can engage in ‘fake’ compliance and graduate to EU membership without disrupting established patterns of behaviour. Rather than being sanctioned for serial violations of rule of law norms, Turkey has in fact been rewarded (EUR 6 billion in aid to support refugee resettlement) by the European Union.²⁶ Thus the nexus between the internal and external dimensions of the enlargement process converge in ways that make it difficult to sustain an accession framework that demands Candidate States genuinely commit to substantive rule of law reforms. Why commit to a ‘virtuous path’ when peer states (both inside and outside the EU) face no material sanction for aberrant behaviour?

The scale of the problems the EU faces in transposing the accession rule of law framework in the Western Balkans requires a different type of approach to oversight by the Commission. The Commission must make it clear to Member States that a consistent and credible enlargement policy requires Member State buy-in to the recommendations in the Strategy Paper (and individual country papers) and an end to Member State toleration of rule of law violations. Coordination among EU actors will be critical to the delivery of reforms and should proceed from the policy prescriptions provided in the Commission Strategy Paper. Simply put, this enlargement process will require a much more invasive interrogation of Candidate State compliance than has ever been attempted before. And while the EU should

emphasise that compliance will bring sequential and cumulative rewards to individual Candidate States, the process demands a more focused and consistent EU scrutiny of compliance with, and implementation of, EU rules.

The benchmarks set for progress in each of the 35 chapters of the acquis will need to be assessed regularly with particular attention paid to transposition and implementation activities by Candidate State administrations. It is likely that the Commission will employ a more targeted approach to the provision of subvention to support reform efforts and this will also require vigilant oversight. To reference this against recent examples of such oversight: the approach should resemble more that taken by the so-called ‘Troika’ engagement with the Irish and Greek governments after the EU ‘bailouts’ in 2010, rather than the Cooperation and Verification mechanism employed in Bulgaria and Romania. Early and consistent implementation of rule of law commitments, aided by close EU oversight, will enable Candidate States to properly embed reforms and close chapters 23 and 24 at a satisfactory point in the accession timeframe. The Commission also favours an upgrading of existing contacts, including “increased participation of the Western Balkans in informal EU Councils” as well as regular ministerial level contacts and more intense engagement with technical committees and Commission working groups. This kind of immersion in EU policy spaces will help socialise Candidate State elites into EU practice and help counter narratives of excessive interference in their states ‘by Brussels’.

There is also a case to be made for more concretely carrying over rule of law conditionality into the European Union. There is already a debate taking place within the EU about linking future budgetary/MFF commitments to Member State compliance with EU norms and values. There is a strong argument to be made for employing the kind of conditionality regimes which have come to define the enlargement framework within the broader European integration process. The European Commission moved in this direction in May 2018 by proposing a new mechanism which would reduce access to EU funds for Member States deemed in violation of EU rule of law norms. Decisions on such cases would be adopted by the Council using qualified majority voting, on a proposal by the Commission.²⁷ Although that throws up important issues of state sovereignty, no rules-based system can survive if some Member States are in more or less constant violation of the obligations they accept under the EU treaties. This enlargement round might thus create further

²⁶ Joshua Posner, ‘Turkey calls on EU to speed up cash flow in Migrant deal’, Politico, 30 December 2017, <https://www.politico.eu/article/turkey-syria-refugees-calls-on-eu-to-speed-up-cash-flow-in-migrant-deal/>

²⁷ Radio Free Europe RFE/RL, ‘Long term EU Budget Plan would reduce Rule of Law deficiencies’, 2 May 2018, <https://www.rferl.org/a/eu-long-term-budget-plan-would-punish-rule-of-law-deficiencies/29204662.html>



momentum toward tackling rule of law deficits within the European Union and also concretely link rule of law performance inside and outside the EU.



Economy and society

The Commission paper places equally significant emphasis on improved economic performance and the ability of Western Balkan states to compete effectively in the future within the EU Single Market. The starting point for consideration of the task ahead of the Western Balkan states is the extent to which they lag behind both the EU average standard of living and GDP per capita levels in the 2004, 2007 and 2013 entrants.

The region's economies are uncompetitive, with oversized public sectors unduly susceptible to corruption and underdeveloped private sectors. All Western Balkan states suffered from contagion effects as the 2008 EU financial crisis deepened: EU austerity policies led to de-leveraging and dis-investment and compounded the stagnation in what Dimitar Bechev termed 'the periphery of the periphery' of Europe.²⁸

²⁸ Dimitar Bechev, 'The periphery of the periphery: the Western Balkans and the Euro Crisis', European Council on Foreign Relations, 30 August 2012, http://www.ecfr.eu/publications/summary/the_periphery_of_the_periphery_the_western_balkans_and_the_euro_crisis

Judged against the Copenhagen Criteria, none of the Western Balkan states can currently be considered a functioning market economy, and none can be considered anywhere near ready to withstand competitive market pressure within the EU. Markets are inefficient (and, in many cases, politically rigged in favour of rent-seeking insiders), productivity is low, enterprise enjoys only limited access to finance, and property rights are still unclear in some jurisdictions. Cumbersome regulation and excessive bureaucracy chokes enterprise. The persistence of a 'grey economy' which is vastly larger than in other parts of Europe discourages participation in the labour market. The Commission Strategy Paper concludes that "the levels of investment and growth rates are insufficient to significantly reduce the gap with the EU".²⁹

Despite this grim trajectory, in 2016 the region's total trade with the EU was over EUR 43 billion, up 80 per cent since 2008. Growth rates have picked up in recent years with output projected to rise from 2.6 per cent in 2017 to 3.3 per cent in 2018 and 3.6 per cent in 2019. Approximately 230,000 jobs were created in 2017, an increase of 3.8 per cent on 2016.³⁰ The level of economic integration with the European Union is already high, partly due to the Stabilisation and Association Agreements, a kind of 'ante-chamber' to membership negotiations. EU companies are responsible for by far the largest share of Foreign Direct Investment (FDI) across the Western Balkans, with over EUR 10 billion invested in the last five years alone.³¹ The Western Balkans is also being integrated into EU supply chains. For all the claims made about market encroachment by China and Russia, this is not particularly reflected in investment decisions nor trade patterns.

The experience of Central and Eastern Europe (CEE) is highly relevant here, although differentiated between stronger (Poland) and weaker performers (Bulgaria). Despite the recurring rule of law issues, CEE has experienced very strong growth rates since 2004 and this has enabled those states to close the gap on their EU15 partner states. Over the last two decades, GDP in CEE grew at a rate of about twice the level of the EU15. Strong growth led to significant increases in GDP per capita, leading to the CEE region ranking amongst the best performing regions globally.³²

²⁹ European Commission, 'A Credible Enlargement Perspective for and Enhanced EU Engagement with the Western Balkans', op.cit., pp.3.

³⁰ Erwan Fouéré, 'A decisive year for the EU's re-engagement with the Western Balkans', CEPS Policy Insights, no. 2018/01, January 2018, <https://www.ceps.eu/publications/decisive-year-eu%E2%80%99s-re-engagement-western-balkans>

³¹ Ibid.

³² Marcin Grela et al, 'Is Central and Eastern Europe converging towards



Convergence is clearly in evidence, from integration of supply chains to increased living standards and better social outcomes. This has undoubtedly been accelerated by access to much increased EU subvention over the last decade, which has helped build vital physical infrastructure and leverage private capital. The changes in CEE also confirm much of the theory of regional economic development that countries starting from a lower threshold tend to close the gap on wealthier neighbours at a fast pace.

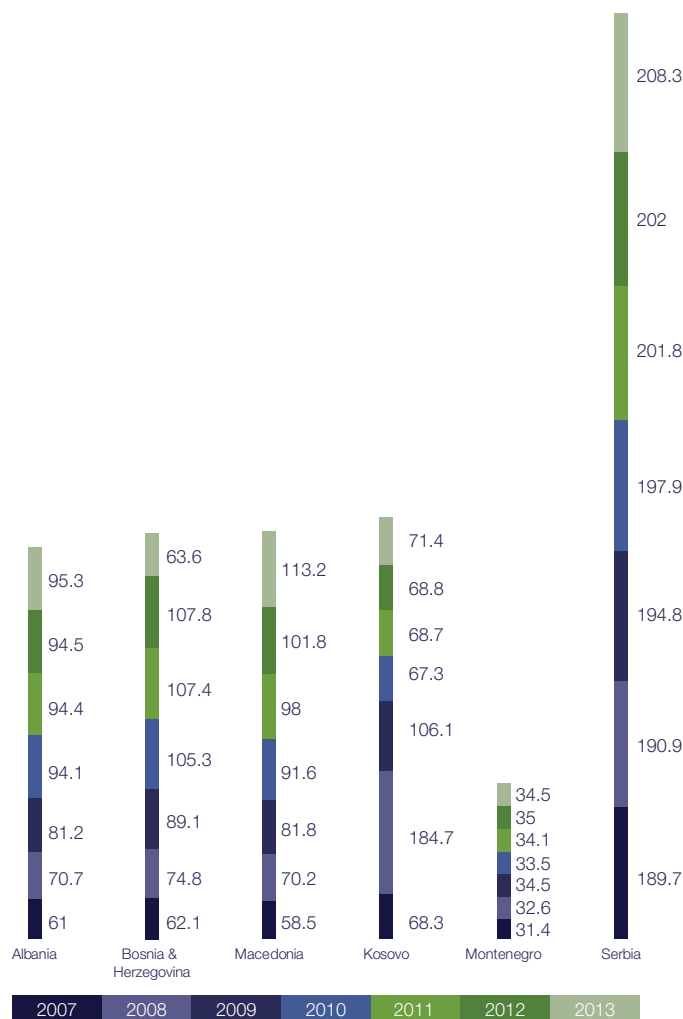
For all of those positive developments, however, Erwan Fouéré's recent CEPS paper points out that, even with projected growth rates in excess of the EU average (and working from a low base) the economies of the Western Balkans could take "at least 15 to 20 years to catch up" with the EU average. Unemployment rates remain extremely high across the region (26 per cent in Macedonia, 15 per cent in Serbia and over 30 per cent in Kosovo). Albania, Montenegro and Serbia are burdened with high levels of public debt. The 'brain drain' is a central element of the socio-economic landscape across the region, and emigration has accelerated significantly in recent years, especially among the young and highly educated, in response to protracted economic malaise.³³ Radical reform of economic structures will be required if these negative characteristics are to be addressed.

Contagion from the Greek crisis has been particularly marked on its near neighbours: Greek investment in Serbia, for example, declined from EUR 336 million in 2007 to just EUR 46 million in 2009 and thereafter continued to stagnate. The drastic reduction in remittances from Greece has also been very consequential. The Albanian economy, for example, remains uniquely dependent on remittances from diaspora workers. Prior to the crisis, it was estimated that some 600,000 Albanians were working in Greece. In 2017 remittances amounted to EUR 650 million or about 8 per cent of Albanian GDP. That was down from about EUR 950 million pre-crisis but significantly up on the 2014 figure of EUR 544 million. Prior to 2008, the Greek banking sector was a leading player in the Balkans with a market share of around 30 per cent in Bulgaria, 25 per cent in Macedonia, 23 per cent in Albania and 15 per cent in Serbia. About 12 per cent of Albania's 3.2 million population live below the World Bank-defined poverty-line of \$2 a day.³⁴

the EU-15?' NBM Working Paper 264, Warsaw, 2017, https://www.nbp.pl/publikacje/materialy_i_studia/264_en.pdf

33 Erwan Fouéré, op.cit., p.9. See also Balkan Insight, 'Reports of Migrant 'Exodus' mystify Kosovo Police', 8 September 2017, <http://www.balkaninsight.com/en/article/reports-of-migrant-exodus-mystify-kosovo-police-09-08-2017>

34 See John O'Brennan, 'Enlargement fatigue and its impact on the



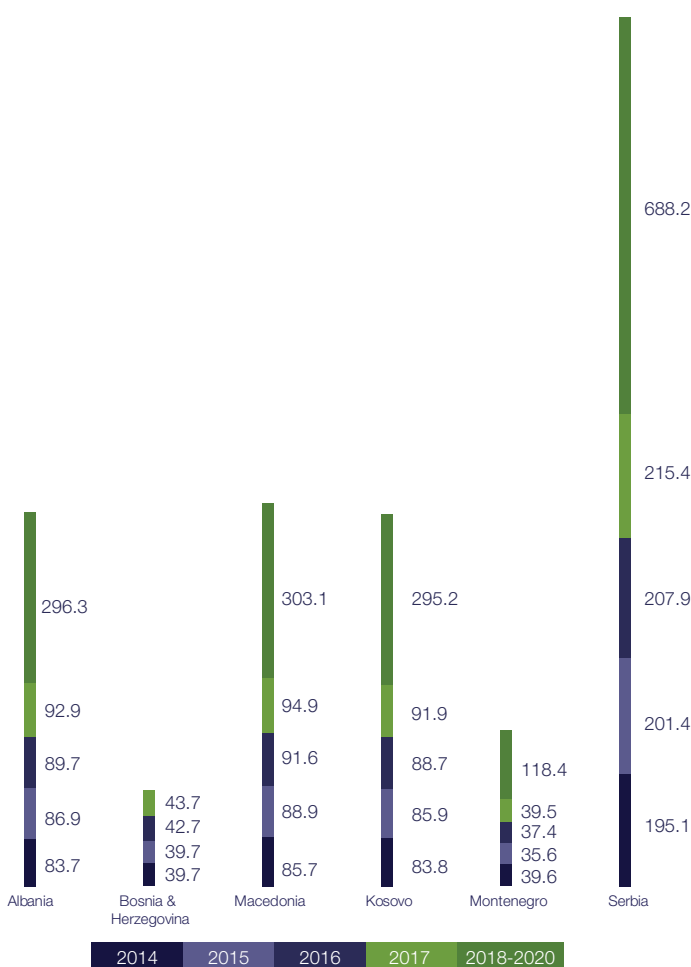
EU Subventions under IPA I (2007-2013) | (in millions €)

The Greek implosion also led to the loss of the most consistent and effective advocate for the Western Balkans within the EU. The Thessaloniki 'promise' represented the high-water mark of Greek influence on the process and demonstrated the extent to which Greece had become the 'ambassador for the Western Balkans' within the EU.³⁵ The loss of influence attendant on economic collapse has markedly reduced Greece's voice in the European Council and this has resulted in Bulgaria replacing Greece as the strongest advocate for the Western Balkans in recent years. Indeed the primary goal of Bulgaria's current (first) EU Council Presidency has been to renew and intensify the EU commitment to the Western Balkans.

enlargement process in the Western Balkans', in Luc-Andre Brunet (Ed.), The Crisis of EU Enlargement, LSE Ideas Special Report, London, London School of Economics, 18 November 2013, <http://www.lse.ac.uk/ideas/Assets/Documents/reports/LSE-IDEAS-Crisis-of-EU-Enlargement.pdf>

See also Tony Barber, 'Albania braced for fallout from Greek Crisis', Financial Times, 2 July 2015, <https://www.ft.com/content/55ea2a34-2082-11e5-ab0f-6bb9974f25d0>

35 Ritsa Panagiotou, 'The Greek Crisis as a crisis of EU Enlargement: how will the Western Balkans be affected?', Journal of Southeast European and Blacksea Studies, 13/1 (2013), pp.89



EU Subventions under IPA II (2014-2020) | (in millions €)

If political and administrative conditionalities constitute the main driver of EU accession policy, the ‘stick’ is balanced with finely tuned ‘carrots’. The most important of these is the subvention provided by the EU to underpin and support economic transformation, public administration reform and rule of law compliance. As Candidate States deepen their relationship with the EU they can expect to draw down significantly larger sums of money.

Western Balkan states are already in receipt of pre-accession aid from the EU. Between 2002 and 2017, the EU invested approximately EUR 9 billion through the Instrument for Pre-Accession Assistance (IPA). In 2018 EUR 1.07 billion is committed, with IPA funding being targeted at structural projects designed to facilitate acquis-related reforms. In total, IPA 11 (2014-2020) will disperse more than EUR 4 billion to the six Western Balkan states. But, as Fouéré points out, that instrument supports subvention to 18 million people. Bulgaria with a population of only slightly more than 7 million will receive more than EUR 10 billion in the same period and Poland in excess of EUR 64 billion. Thus Poland will receive more than 15 times the total subvention awarded to the Western Balkans states, despite having a population only

slightly more than double that of the candidate and would-be Candidate States.³⁶ This ‘largesse gap’ is indicative of the stark difference between being inside and outside the EU ‘club’. CEE states found themselves in exactly the same position in the early 2000s: EU aid to that region lagged far behind that to the EU15 ‘Cohesion’ states (Ireland, Greece, Portugal, Spain). The real ‘subvention dividend’ only arrived after full membership of the EU was attained.

The Commission notes in its Strategy Paper that some CEE states have experienced problems of ‘absorption capacity’, i.e. difficulties in fully satisfying EU criteria for spending regional funds. It anticipates similar problems in the Western Balkans and argues that this will require a gradual and incremental increase in EU funding to allow localised absorption capacity to develop. The emphasis on a more targeted approach to pre-accession preparations can also be found in the Commission’s declaration that EU conditionality attached to pre-accession aid will be strengthened: “increased funding...should be linked to progress on implementing fundamental reforms and good neighbourly relations”. This is a new departure for the enlargement process. The Commission is saying very directly to the Candidate States that their access to EU funds will be decided in part by the extent to which they engage with neighbouring states in meaningful and conciliatory interaction (see next section). The ‘stick’ approach will thus likely feature very prominently in the Commission’s approach to further economic integration of the Western Balkans with the Union. Structural reforms should be closely tied to accession priorities and scrutinised more rigorously than was the case in the three most recent accession rounds.

The EU approach also emphasises the importance of enhanced connectivity, both within the Western Balkans and between the region and the EU. The Commission points out that “far too many obligations from regional agreements have not yet been met”. In particular, the EU transport and energy acquis (as well as related standards) must be met prior to accession. This will require significantly enhanced cross-border cooperation and a move well beyond the limited innovations of the Berlin Process.³⁷ Thus connectivity emerges both as an end in itself (to support effective market integration) and as a means to an end (encouraging reconciliation between erstwhile adversary states).

³⁶ Erwan Fouéré, *op.cit.*, p.9.

³⁷ European Commission, ‘A Credible Enlargement Perspective for and Enhanced EU Engagement with the Western Balkans’, *op.cit.*, p.6.



Conflict resolution and reconciliation

The Western Balkans region remains extremely fragile more than two decades after the end of fratricidal ethno-national conflicts which left more than 100,000 people dead. The EU has played an important role as a guarantor of peace agreements in both Bosnia and Herzegovina and Kosovo but there is acknowledgment that “the wounds of the 1990s still need time to heal”. The Commission Strategy Paper thus places significant emphasis on reconciliation, both within individual jurisdictions and between states, and argues that regional cooperation is a prerequisite for a successful enlargement. Further, because the Commission favours individual, merit-based accession perspectives (rather than a 2004-style ‘big bang’) the onus will be on individual Western Balkan states to demonstrate their commitment to resolving inter-state and inter-ethnic disputes.

Without explicitly referencing recent developments, the Strategy Paper emphasises how difficult some inter-ethnic and inter-state relationships remain. Bosnia’s Dayton ‘Settlement’ remains as politically unworkable as ever. Within Bosnia, Republika Srpska remains unreconciled to Dayton and continues to obstruct inter-communal institutions while agitating for a Greater Serbia and openly wooing Russia.³⁸ The Kosovo-Serbia relationship continues to be fractious. The rights of ethnic minorities across the region are the subject of considerable contestation. The long-standing dispute between Greece and Macedonia over the name of the latter state has still not been resolved, despite the efforts of the new reform-minded government of Zoran Zaev in Skopje. The EU has an important stake in this bilateral dispute: if a reform-minded administration in Macedonia continues to be denied progress in the negotiations by Greek recalcitrance on the name issue, it throws into doubt any justification for Skopje initiating reforms in the first place.

The February 2008 declaration of independence by Kosovo has still not been recognised by five EU Member States – Cyprus, Greece, Romania, Slovakia, and Spain. Acknowledging that this is the contentious landscape in which enlargement will unfold, the Strategy Paper asserts that “the EU cannot and will not import bilateral disputes” and “where border disputes are not resolved bilaterally, parties should submit them unconditionally to binding, final international arbitration”. Here the shadow of the Cyprus conflict and the more recent Croatia-Slovenia dispute loom large. There is a recognition that unresolved bilateral disputes carried into

the European Union are too big a risk for the EU and this will not be countenanced. All regional leaders, the Commission states “must take full ownership and lead by example. They must avoid and condemn any statements or actions which would fuel inter-ethnic tension and actively counter nationalist narratives. There is no place in the EU for inflammatory rhetoric, let alone for glorification of war criminals from any side”. Here the Commission is putting down markers for Western Balkan leaders and asserting that the EU will no longer countenance the rhetorical dualism practised by many political actors in the region when they combine promises to Brussels with continued mobilisation of support around ethno-nationalist positions.³⁹ All countries, the Commission states, “must unequivocally commit, in both word and deed, to overcoming the legacy of the past, by achieving reconciliation and solving open issues well before their accession to the EU. In particular border disputes”. The paper is also noteworthy in placing pressure on Serbia to take a lead on resolving the bilateral dispute with Kosovo. The Commission provides more detail in the individual country papers published on 17 April 2018.⁴⁰

Russia, Turkey and China are all present to different degrees in the Western Balkans, pursuing geopolitical agendas often directly at odds with the objectives of the EU enlargement process. The recent turmoil in the Kosovan government, following the extradition to Turkey of six Turkish nationals alleged by Ankara to be Gulen supporters, is just one example of the capacity of these powerful external actors to act as ‘spoilers’ across the Western Balkans, and, in particular, to interfere with and damage modes of regional cooperation and impulses toward cross-national reconciliation.⁴¹ Russia has launched anti-EU disinformation campaigns across the region and supported political allies and nationalist groups with revanchist ambitions.⁴² The alleged Russian support for a coup d’état in Montenegro in October 2016, designed to prevent Montenegro’s accession to NATO, constitutes an even more striking example of what is at stake in the Western Balkans. The coup envisaged an attack on the Montenegro parliament, the assassination of prime minister Milo Đukanović, and the installation of a pro-Russian government in Podgorica.⁴³

39 European Commission, ‘A Credible Enlargement Perspective for and Enhanced EU Engagement with the Western Balkans’, op.cit., p.7

40 See European Commission, ‘Strategy and Reports’, Brussels, 17 April 2018, https://ec.europa.eu/neighbourhood-enlargement/countries/package_en

41 Balkan Insight, ‘Gulen accuses Erdogan of ‘Hijacking’ deportees’, 4 April 2018, <http://www.balkaninsight.com/en/article/fethullah-gulen-criticises-erdogan-amid-the-rapid-deportation-of-turks-from-kosovo-04-04-2018>

42 Florian Bieber, ‘A Way Forward for the Balkans? Europe’s new plan is promising but not tough enough’, Foreign Affairs, 6 February 2018

43 For more on Russia and the Western Balkans, see: Dimitar Bechev, *Rival Power: Russia in South East Europe*, New Haven: Yale University Press, 2017; Mark Galeotti, ‘Do the Western Balkans face a coming Russian Storm?’

38 Jasmin Mujanović, ‘Stagnant Bosnia awaits its ‘Macedonian Moment’’, Balkan Insight, 21 June 2017, <http://www.balkaninsight.com/en/article/stagnant-bosnia-awaits-its-macedonian-moment--06-20-2017-1>



China's interest in the region is primarily economic and tied up with its 'One Belt, One Road', initiative.

Civil society

The enlargement process is a 'top down' process where engagement by the EU takes place primarily with policy-makers and officials at very high levels of government and administration. Transposition and implementation of EU rules necessitates a 'whole of government' approach but involves a relatively small and narrow range of actors in Candidate States. The Commission's preference in previous enlargement rounds was to engage with a small subset of preferred (elite) civil society actors who could help provide the greater legitimisation which EU 'rule transfer' demanded.

The Commission now acknowledges, however, that this hierarchical approach may have been mistaken. Given the dramatic deterioration in democracy and rule of law across the Western Balkans (and parts of Central and Eastern Europe), the EU approach to enlargement should embrace a significantly enhanced role for civil society, in particular, in monitoring rule of law issues and media freedom within their jurisdictions and contributing to reconciliation efforts. Civil society actors and social movements create pressure for better standards of governance and more transparency in decision-making. This will not be easy as the space in which civil society can operate has been significantly eroded by the acceleration of illiberal 'strongman' politics.

Erwan Fouéré points to the enormous potential of civil society groups to promote positive change (which coincides with EU objectives). Civil society has pushed back against the worst excesses of illiberal regimes in Hungary, Poland, Bulgaria, Slovakia and Romania in recent years and helped those jurisdictions avoid even worse outcomes than those that ensued. In Romania civil society played an important role in protesting the corruption which contributed to the 'Collective' fire disaster in Bucharest in October 2015 and the attempts by the PSD-led government elected in December 2016 to reverse existing anti-corruption measures.⁴⁴ In Bulgaria successive cycles of protest since 2013 led by civil society have helped moderate the worst instincts of rent-seeking elites. The murder of Slovak journalist Ján Kuciak and his partner Martina Kušnírová in January 2018 triggered a political crisis and huge protests that led to the resignations of

Prime Minister Robert Fico, two ministers of the interior and the police chief.⁴⁵ In Macedonia, in 2015-16, civil society groups traversing the ethno-national and political divides came together to protest the Gruevski regime's trampling of democratic checks and balances and call for much greater accountability of political actors. The Macedonian case demonstrates that the European Union can successfully ally with civil society groups and disrupt and overcome recalcitrant and corrupt local elites unwilling to depart from nationalist, clientelist patterns of governance.

Many civil society organisations have faced intimidation and even violence when seeking to confront entrenched political and oligarchic forces within their jurisdictions. EU enlargement policy must provide enhanced support to such groups and incorporate them meaningfully within the oversight and scrutiny frameworks of Candidate States' implementation of EU rules. If state capture and illiberal governance are to be tackled effectively there must be substantial opportunities for civil society to participate in the enlargement process. The Commission Strategy Paper states that "governments should ensure stakeholders can actively participate in the reform and policy-making process" and favours "inclusive structured dialogues on reform priorities with the involvement of an empowered civil society. An enabling environment for civil society organisations is therefore crucial". Whereas in previous enlargement rounds civil society was under-utilised and neglected, it should occupy a central role in helping EU and local actors embed EU rules in the Western Balkans.

Conclusion - The 'new' EU approach

The objective of EU policy towards the Western Balkans is to use the accession process to promote and police an accelerated 'Europeanisation' strategy for the region, designed to help the region fully democratise, modernise, and pluralise societies that have drifted away from the European integration process over the last decade, with the ultimate aim of securing membership of the European Union for all states in the region. But, over many years, EU 'enlargement fatigue' has been mirrored in the Western Balkans by 'evaluation fatigue' and 'implementation fatigue'. The weakening of the 'EU anchor' precipitated weaker Candidate State pursuit of enlargement reforms.⁴⁶ In some Western Balkan states, arguably, the reform process went into full scale reverse.

European Council on Foreign Relations, Policy Brief ECFR/250, April 2018, http://www.ecfr.eu/publications/summary/do_the_western_balkans_face_a_coming_russian_storm

⁴⁴ 'Romania braced for huge protests over 'big step backwards' on rule of law', The Guardian, 19 January 2018, <https://www.theguardian.com/world/2018/jan/19/romania-braced-for-huge-protests-amid-big-step-backwards-on-rule-of-law>

⁴⁵ Daniel McLaughlin, 'Slovakia's police chief to step down in wake of journalist's murder', The Irish Times, 18 April 2018, <https://www.irishtimes.com/news/world/europe/slovak-police-chief-the-latest-to-fall-in-crisis-over-journalist-death-1.3464860>

⁴⁶ John O'Brennan, 'On the Slow-train to Nowhere? The European Union, 'enlargement fatigue' and the Western Balkans', op.cit.



The European Commission's Strategy Paper is emphatic in stating that "the six Western Balkans partners are a part of Europe, geographically surrounded by EU Member States" and these countries "now have a historic window of opportunity to firmly and unequivocally bind their future to the European Union". The new approach proposed for the Western Balkans is itself a tacit acknowledgment that the EU has done far too little to tackle the root causes of what Erwan Fouéré calls the 'deep malaise' in the region. The EU has been too tentative and disengaged about the reform agenda, and that disengagement over the last decade undoubtedly contributed to the 'backsliding' in rule of law and pluralism. Weak or deficient compliance mechanisms employed by Brussels enabled a deepening of patterns of state capture and the weakening of civil society. That cycle has to be reversed in the Western Balkans is to make progress in the years ahead.

The publication of the Commission's Strategy Paper and country papers has injected new and much needed momentum to the enlargement process, as has the decision to host a EU-Western Balkans Summit in Sofia on 17 May focused on enlargement. The June European Council meeting is now expected to give the green light to opening negotiations with Albania and Macedonia.

The European Council should provide a clear roadmap for Candidate States based on tangible implementation of EU rules in the Western Balkans and the delivery of benchmarked commitments. The Commission will employ a range of mechanisms to underpin oversight and monitor progress, including comparative peer review of commitments. To that end EU missions in the Western Balkans should be boosted substantially and their work targeted at the rule of law, economic competitiveness and reconciliation dossiers. EU subvention also needs to be substantially increased and targeted to support these three critical areas of activity.

Enlargement and the European Council

Ireland has been a strong supporter of EU enlargement over the last two decades. The Irish Presidency of the European Council facilitated a landmark 'Day of Welcomes' for the ten states which acceded to the Union on 1 May 2004. Not all Member States demonstrated solidarity with accession candidates back then and assessments of Member State positions towards the Western Balkans suggests there may be significant opposition to the Commission strategy within the European Council.⁴⁷

⁴⁷ 'EU split over Expansion into Western Balkans', Reuters, 15 February 2018, <https://www.reuters.com/article/us-eu-balkans-ministers/eu-split-over-expansion-into-western-balkans-idUSKCN1FZ1OC>

The Western Balkan applicants have had to contend with an accession process which is now managed more on an inter-governmental basis than the eastern enlargement and which has, at times, been held hostage to the particularistic bilateral demands of incumbent states. Enlargement politics has been characterised over time by a complex division of labour (internally) between the EU institutions: although the Commission plays a central bureaucratic role in the accession negotiations this is balanced by the (territorial) input of both the Council and the (representative) functions of the European Parliament. The Commission had, however, undoubtedly been the pre-eminent actor within enlargement politics since taking on responsibility for the newly democratising states from Central and Eastern Europe in the early 1990s.

The chauvinist, particularistic and hyper-nationalist sentiments now sweeping through much of the European Union have an easy target in the Western Balkans: enlargement would result in many more immigrants who are poorer and more difficult to integrate into a Union that is already 'too full', whilst the uncertain constitutional status of Bosnia and Kosovo would potentially import into the Union an unwelcome new set of inter-ethnic disputes.⁴⁸

Acknowledging those concerns, however, it is evident that a renewed EU commitment to the Western Balkans could also break the depressing trajectory of escalating crises and the consolidation of power by illiberal and authoritarian-minded regimes. At one and the same time it has the potential to restore faith in the 'transformative power' of the EU's enlargement model and help the Western Balkans region 'Return to Europe' as Central and Eastern European states did in 2004 and 2007.

⁴⁸ Ibid.



This paper has been published as part of the IIEA's Future of the EU27 Project, which is supported by the Department of Foreign Affairs and Trade

The Institute of International and European Affairs (IIEA) is Ireland's leading international affairs think tank. Founded in 1991, its mission is to foster and shape political, policy and public discourse in order to broaden awareness of international and European issues in Ireland and contribute to more informed strategic decisions by political, business and civil society leaders.

The IIEA is independent of government and all political parties and is a not-for profit organisation with charitable status. In January 2017, the Global Go To Think Tank Index ranked the IIEA as Ireland's top think tank.

© Institute of International and European Affairs, May 2018

Creative Commons License

This is a human-readable summary of (and not a substitute for) the license.

[https://creativecommons.org/licenses/Attribution-NonCommercial-ShareAlike 4.0 International \(CC BY-NC-SA 4.0\)](https://creativecommons.org/licenses/Attribution-NonCommercial-ShareAlike 4.0 International (CC BY-NC-SA 4.0))

You are free to:

- Share - copy and redistribute the material in any medium or format
- Adapt - remix, transform, and build upon the material
- The licensor cannot revoke these freedoms as long as you follow the license terms.

Under the following terms:

Attribution — You must give appropriate credit, provide a link to the license, and indicate if changes were made. You may do so in any reasonable manner, but not in any way that suggests the licensor endorses you or your use.

NonCommercial — You may not use the material for commercial purposes.

ShareAlike — If you remix, transform, or build upon the material, you must distribute your contributions under the same license as the original.

No additional restrictions — You may not apply legal terms or technological measures that legally restrict others from doing anything the license permits.



The Institute of International and European Affairs,

8 North Great Georges Street, Dublin 1, Ireland

T: +353-1-8746756 F: +353-1-8786880

E: reception@iiea.com W: www.iiea.com