

19-21 of November 2021

## Integration of Western Balkans towards EU

**Dr Erjola Xhuvani, Dr Edit Kane**

Lecturer, Wisdom University Collage, Albania

Vice Dine, Business University Collage, Albania

### Abstract

In 2003 the EU declared that “the future of the Balkans is within the European Union”. The European perspective is a commitment not only of politics of WB countries, but also a great expectation of the citizens of these countries. After the first steps in integration process, the European Union has strengthen its support by offering to the countries of Western Balkans different forms of cooperation with the aim of strengthening rule of law, economic and financial system. The countries of the Western Balkans, known as “a weak spot of Europe”, due to the involvement in the conflicts of the end of last century, seems to got stuck in the euro-integration process. On the other hand EU itself faces some problems recently with the Brexit phenomenon of UK which effected several sectors such as finance, economy and defense. European Union fatigue from its recent enlargement and Brexit of UK slowed down the integration process of Western Balkan countries.

The first part of the article describes the steps of European integration process and the instruments offered by the EU to the Western Balkan countries in order to succeed to the integration process. The second part is focused on the attempts and the achievements of the Western Balkan countries in their integration process. This article aims to explain to the reader the efforts made by the EU in order to help the countries of Western Balkans in their process of European integration, the difficulties of this process and its implementation by the countries of the Western Balkans, which have emerged from brutal post-communist system.

**Keywords:** Integration of Western Balkans, European policies, European Union, EU Enlargement, Potential candidate countries

19-21 of November 2021

## 1. The European Integration Process of the Western Balkan Countries

The successful expansion of the European Union with 10 member countries of Central and Eastern Europe, geographically filled a gap of the EU, while politically and economically, it strengthened its role in the international arena. Meanwhile, the situation around the European countries was not as calm as it seemed. The Balkan Peninsula had not been manifesting peace and stability for a long time. Ethnic-political conflicts in the countries of the Western Balkans, since the 1990s, had always been among the main concerns for the European Union.

Not without purpose, the EU focused all its attention on the Western Balkans after the expansion with the countries of Central and Eastern Europe, as the next objective, in order to realize the project of unification of the Continent.

It was the meeting of the Prime Ministers of the member countries of the EU, which took place in Thessaloniki on June 19 and 20 of 2003 that made public the beginning of the Stabilization-Association Process between the EU and the countries of the Western Balkans. At this Summit, the Thessaloniki Agenda<sup>1</sup> for the countries of the Western Balkans was approved, in which, including Kosovo, a European perspective was promised to these countries.

The Council declared that “The EU reiterates its unequivocal support to the European perspective of the Western Balkan countries”. The future of the Balkans is within the European Union. The ongoing enlargement and the signing of the Treaty of Athens in April 2003 inspire and encourage the countries of the Western Balkans to follow the same successful path<sup>2</sup>.

Preparation for integration into European structures and ultimate membership into the European Union, through adoption of European standards, is now the big challenge ahead. The speed of movement ahead lies in the hands of the countries of the region. The countries of the region fully share the objectives of economic and political union and look forward to join an EU that is stronger in the pursuit of its essential objectives and more present in the world.

The European Commission produced an ‘Enlargement Strategy Paper’, setting out the extent of its commitment to the Western Balkans build upon those agreed at Thessaloniki in 2003. It recognized that “The journey towards membership has value in itself, even in cases where

---

<sup>1</sup>The Thessaloniki Agenda for the Western Balkans (2003). Moving towards European Integration. [Online]. pp.10. Available at:

[http://www.consilium.europa.eu/ueDocs/cms\\_Data/docs/pressdata/en/gena/76201.pdf](http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressdata/en/gena/76201.pdf)

<sup>2</sup>Tzifakis, N. 2007, *EU's Region-Building and Boundary-Drawing Policies: the European Approach to the Southern Mediterranean and the Western Balkans*, Journal of Southern Europe and the Balkans, 9 (1), pp.9

19-21 of November 2021

accession is many years away. This journey is often difficult, so it is essential for the EU to stay engaged throughout the process and committed to the outcome<sup>3</sup>”.

The European Union strategy for the Western Balkans has 3 important principals as follows:

1. Regional Co-operation<sup>4</sup>.
2. Conditionality.
3. Tailored Country Strategies.

### **Regional Co-operation**

Regional cooperation has become a tool for the assessment of the six Balkan countries and it would “replace the complicated system of 31 bilateral trade agreements in South East Europe with a single pact”. Moreover, all regional organizations and initiatives aim to harmonize with EU approximation agendas and policies. As a result to the Central European Free Trade Agreement (CEFTA) members, have been joined also Albania, Bosnia-Herzegovina, Serbia, Montenegro, Moldova, and Kosovo<sup>5</sup>.

### **Conditionality**

According to the principle of conditionality, enlargement policy needs to demonstrate its power of transformation in a region where states are weak and societies divided. A convincing political perspective for eventual integration into the EU is crucial to keep their reforms on track. But it is equally clear that these countries can join only once they have met the criteria in full.

### **Tailored Country Strategies**

The summit approved the appropriate instruments for the integration of the countries of the Western Balkans into the EU such as confirmation of the Association Stabilization Process and its further strengthening as a framework oriented towards the expansion of the countries of the Western Balkans<sup>6</sup>. This agreement aims to bring the countries of the Western Balkans closer to the European Union by creating mechanisms that allow cooperation for the common

---

<sup>3</sup> Communication from the Commission (9 November 2005). Enlargement Strategy Paper, COM (2005) 561 final. [Online]. pp.3. Available at [http://eur-lex.europa.eu/LexUriServ/site/en/com/2005/com2005\\_0561en01.pdf](http://eur-lex.europa.eu/LexUriServ/site/en/com/2005/com2005_0561en01.pdf)

<sup>4</sup> Dinan, D. 2009, *Institucionet e Bashkimit Evropian*, Adrilon, pp.49

<sup>5</sup> GlogalEDGE (2017). CEFTA Introduction. [Online]. Available at: <https://globaledge.msu.edu/trade-blocs/cefta>

<sup>6</sup> D’Arcy, F. 2007, *Politikat e Bashkimit Evropian*, Adrilon, pp.59

19-21 of November 2021

interests of the parties. The Stabilization and Association Agreement (SAA)<sup>7</sup> rests on an appropriate legal basis that paves the way for full integration into the EU. The Article 310 of the Treaty of the European Community (TEC), which is the legal basis of the European agreements signed with the countries of Eastern and Southern Europe, establishes that “The Community may sign with one or several States or international organizations, agreements that create an association characterized by mutual rights and obligations, joint actions and special procedures”. The process for negotiating an SAA has resulted a prolonged one for all potential candidate countries (for Albania it took 2 years and a half). Important is that after the signature of an SAA the country should work hard in order to implement all of the articles of the agreement within in the established time<sup>8</sup>.

An important instrument approved by the Samite was also the application of the European Partnership which determines in accordance with the specific needs of each country, the goals, priorities, criteria and financial assistance of the process pre-accession<sup>9</sup>. This process is monitored by the annual publication of Progress Reports presented by the European Commission. Every year the European Commission publishes the Progress reports for the countries of the Western Balkan. In this reports it is evaluated the progress made by these countries related to the democracy, implementation of the rule of law, guarantying of human rights and protection of minorities, approximation of legislation with *acquis communautaire*, a functioning market economy, the capacity to cope with competition and market forces in the EU.

The EU can open membership negotiations with the countries of the Western Balkans only after the implementation of the Stabilization and Association Agreement, which can last from 10 to 15 years. The accession negotiations are dedicated to 35 chapters. EU decided to start the negotiating procedure with the countries of the region with the chapter of justice and home affairs. The first step is the screening process of each field of candidate country. This process is dedicated to the identification of the legislation and its compatibility with the EU legislation. Tables of concordance are drafted for each field in order to make a comparison of the level of compatibility of national legislation with that of EU.

During the final step of the accession process, the outcome of the negotiations is translated in a draft Accession Treaty. The final version of Accession Treaty after its signature is submitted for ratification to the Parliaments of the Member States and to the acceding country. When the ratification process is complete and the Treaty takes effect, the acceding country becomes a Member State.

The long and demanding process of EU membership requires financial support from the European side. In reality no sector of the candidate countries can be developed if the EU does

---

<sup>7</sup>Jacque, J. 2010, *E drejta Institucionale e Bashkimit Evropian*, Papyrus, pp.97

<sup>8</sup>Zajmi, I. 2010, *E drejta Evropiane*, Adrilon, pp. 79.

<sup>9</sup>Ujkani, E. 2012, *E drejta e Bashkimit Evropian*, LexLibri Press, pp.47

19-21 of November 2021

not offer financial support to build stable institutions and administrative capacities. The policy for building institutions through Twinning programs and TAIEX, participation in community programs of scientific research and education and increased EU financial support to the region through the CARD program was on the top of EU priorities. €4.6 billion was offered by EU to the Western Balkan countries for investment and institution-building during the years 2000-2006.

After that year, precisely in 2007 the financial institutions of the European Union decided to introduce a new instrument for financial support. It was decided that the new European support will be entitled IPA<sup>10</sup> program (Instrument for Pre Accession).

From 2014 till 2020 IPA I was substituted with IPA II. The main aim of IPA I was the EU support in institution building and technical assistance for the Western Balkan countries. IPA II was oriented more on technical support of the established institutions.

From 2021 till 2027 the EU decided to draft a new scheme of technical support under the same title IPA III. Unlike IPA I and II, IPA III foresees a technical assistance drawn up by the countries of the Western Balkans. The action fishes shall be designed by countries of the region and not by the EU institutions. This change was made in order that the countries of the region could strengthen their capacities regarding IPA programming.

Another important change in comparison with the previous IPA I and II is that the proposals for the draft action fishes from all the counties of the region for every field shall be evaluated by the European Commission. At the end of the evaluation process it will be decided which action fishes is best drafted. The best proposal shall be approved by the European Commission.

This form of competition between the countries of the Western Balkans for the absorption of EU support will point out the best prepared county in this field. It is important to stress that the EU support in IPA III is also based on the continuity of the started reforms and the needs of each field as for example in Albanian case the fulfillment of justice reform.

Another important process for EU integration established by the Thessaloniki Summit is strengthening of political cooperation and that in the field of Common Foreign Policy and Security - which consists in the formalization of the high-level political forum between the EU and the countries of the region.

An important output of the Thessaloniki Summit was the approval of its commitment for the liberalization of the EU visa regime for citizens of the countries of Western Balkans, based on the reforms required in the field of strengthening the rule of law, document security, and

---

<sup>10</sup>European Commission (2017). "Albania Financial Assistance under IPA II" [Online]. Available at: [https://ec.europa.eu/neighbourhood-enlargement/enlargement-policy/overview-instrument-pre-accession-assistance/albania-financial-assistance-under\\_en](https://ec.europa.eu/neighbourhood-enlargement/enlargement-policy/overview-instrument-pre-accession-assistance/albania-financial-assistance-under_en)

19-21 of November 2021

border control, the fight against organized crime, corruption, and illegal migration. The visa liberalization was welcomed by the Western Balkan countries. It helped to develop the economy, tourism and cultural heritage of the countries of this region.

## 2. The integration process of candidate and potential candidate countries

The countries of the Western Balkans should fully implement the obligations deriving by the Stabilization and Association Agreement. Only after they successfully pass this phase, they can apply for the candidate status. This chapter will give information on the achievements and the weakest points of the countries of the region during their integration process towards EU.

### Albania

After the fall of communism in 1991 in Albania, many processes were carried out with great speed within a decade, processes which in Eastern European countries have lasted more than a century. At that time Albania was characterized by a domestic market with not very competitive advantages. Albania was considered as the country with the most closed economy in the region and with autocratic internal policies which implemented a strategy that limited connections with the rest of the world and its neighbors. The first legal act that opens the relations between the European Union and Albania was the signature of a Trade Agreement in 1992. Free trade agreements contain mechanisms that help to develop a fair trade and aim to adapt to new conditions that may arise.

An important point of the integration process of Albania is the signature of the Stabilization and Association Agreement between the EU and Albania on 2006. It took three years of negotiations till the final step of signature of SAA. Till now Albania is implementing the SAA. During the last two years Albania has applied for the opening of the negotiations for the EU membership.

The process was very long because even though the European Commission different times issued a recommendation for opening of the negotiations with Albania, the European Council decided not to open the accession negotiations with Albania and North Macedonia. It was geographical border issues that inhibited the opening of membership negotiations.

The <sup>11</sup>decision to open accession negotiations with Albania was on 26 March 2020.

---

<sup>11</sup>European Commission (2018) "Recommendation" [Online] Available at: [https://ec.europa.eu/neighbourhood-enlargement/enlargement-policy/negotiations-status/albania\\_en#:~:text=In%20its%20June%202019%20Conclusions,presented%20to%20the%20M ember%20States](https://ec.europa.eu/neighbourhood-enlargement/enlargement-policy/negotiations-status/albania_en#:~:text=In%20its%20June%202019%20Conclusions,presented%20to%20the%20M ember%20States)

19-21 of November 2021

As regards the political criteria, the political environment in Albania is still polarized by intense polarization. The opposition party, due to different political positions with the ruling party, decided to burn the mandates of the members of its parliamentary group. The vacant seats in the Parliament were gradually filled, but during the remaining period of the parliamentary term the situation was unstable. The local elections of 2019 were boycotted by the opposition.

One of the biggest benefits from the implementation of the process of stabilizing the association was the liberalization of visas for Albanians.

Another important achievement is related to the judicial system. Albania's judiciary has made good progress in this field, since the temporary re-evaluation of all judges and prosecutors (vetting process) under the supervision of the International Monitoring Mission has offered its assistance in order to help Albanian intuitions to fulfill their duty. The implementation of the justice reform has lasted for 5 years and it resulted effective although the process was very difficult and demanding. The new institutions of the vetting process have worked in a record time in order to move on with process, “including managing the processes to fill the vacancies at the High Court and the Constitutional Court”<sup>12</sup>.

### *Bosnia and Herzegovina*

Bosnia has been close to opening negotiations with EU several times, but due to the post-war situation, it managed to complete this process only in 2005. The opening of negotiations was realized after the EU was convinced for the achievements of Bosnia in some priority areas such as defense and police reform. The first meeting of negotiations was held on in the beginning of 2006 and in the subsequent meetings the EU kept a clear position that the signature of the Stabilization and Association Agreement depended upon the successful reforms undertaken by Bosnia especially in the well functioning of the police and full cooperation with the International Criminal Tribunal for the Former Yugoslavia (ICTY).

Even though the EU was clear on its position regarding the success of the reforms, the political parties failed to cooperate for their implementation and the overall direction of the country. In many cases was necessary the political will to make function the institutions. The result was negative and it affected the integration process of Bosnia. The continuity of reforms was obviously not good. As in Albanian case the EU decided to offered visa free regime for Bosnia in December 2010. This result was consequence of some positive achievements of Bosnia in several fields.

---

<sup>12</sup>European Commission (2020) “Albania Report” [Online]. pp 18. Available at: [https://ec.europa.eu/neighbourhood-enlargement/system/files/2020-10/albania\\_report\\_2020.pdf](https://ec.europa.eu/neighbourhood-enlargement/system/files/2020-10/albania_report_2020.pdf)

19-21 of November 2021

In May 2019, the Commission adopted its Opinion and accompanying analytical report on Bosnia and Herzegovina's EU membership application<sup>13</sup>. In this document were presented a list of priorities which should be accomplished by Bosnia in order that EU decided to open the negotiations for this country.

Only after 14 years the EU decided to take in consideration the achievements of Bosnia in the key reforms and to mention in its annual reports the implementation of key priorities from the Opinion<sup>14</sup>.

Regarding the political criteria, as in the other Balkan countries, it remains an obstacle. During 2020 the Parliamentary Assembly of Bosnia and Herzegovina was blocked for political reasons, which resulted in a legislative backlog, and the Council of Ministers acted in caretaker function, pending the appointment of a new government, which only took place in December 2019, 14 months after the general elections. Bosnia and Herzegovina's Constitution remains in breach of the European Convention on Human Rights (ECHR), as per the Sejdić-Finci and related cases<sup>15</sup>.

In the area of judiciary Bosnia and Hercegovina had some level of preparation. The judiciary field faced some obstacles during its reformation because of the issues such as integrity of judges and prosecutors. The integrity of the system and regain citizens' trust in the judiciary was crucial. In the same way as in Albania the implementation of a judicial reform is very important.

### *North Macedonia*

The first country in the region who signed the SAA with the EU is North Macedonia. This process was realized during April 2004. After its implementation North Macedonia decided to apply for the opening of the accession negotiations. It was foreseen to be finalized in June 2019, but the Council decided to postpone its decision in October 2019. In the meeting it was decided that the opening of accession negotiations shall not be finalized after the EU-Western

<sup>13</sup>European Commission (2019) "Commission Opinion on Bosnia and Herzegovina's application for membership of the European Union" [Online]. Available at: <https://ec.europa.eu/neighbourhood-enlargement/system/files/2019-05/20190529-bosnia-and-herzegovina-opinion.pdf>

<sup>14</sup>European Council (2019) "Conclusions on the Commission's Opinion on Bosnia and Herzegovina's application for membership of the European Union" [Online]. Available at: <https://www.consilium.europa.eu/en/press/press-releases/2019/12/10/council-conclusions-on-commission-opinion-on-bosnia-and-herzegovina-s-application-for-membership-of-the-european-union/>

<sup>15</sup>Council of Europe (2019) "Sejdic and Finci- After 10 years of absence of progress, new hopes for a solution for the 2022 elections" [Online]. Available at: <https://www.google.com/search?q=Sejdi%C4%87-Finci+vs.+Bosnia+and+Herzegovina+case%2C+December+2009.&oq=Sejdi%C4%87Finci+vs.+Bosnia+and+Herzegovina+case%2C+December+2009.&aqs=chrome..69i57.1364j0j15&sourceid=chrome&ie=UTF-8>

19-21 of November 2021

Balkans summit in Zagreb in May 2020<sup>16</sup>. EU finally decided to open the accession negotiations on 26 March 2020 with North Macedonia.

In Commission report of March 2020 EU noted increase efforts and tangible results in the fields of judiciary, fight against crime, intelligence service reform and public administration reform.

Regarding the political criteria North Macedonia was persistent in guarantying democracy and rule of law. This was realized through implementation of the existing laws and structures and also through debates on main policy and legislative issues.

The ongoing reform of the intelligence services resulted in the setting up of the National Security Agency in September 2019, designed as an independent state body without police power. The **judicial system** of North Macedonia in comparison with that of Albania is moderately prepared. In this regard North Macedonia is implementing the judicial reform strategy, just like in Albanian case, but with a different approach. In the North Macedonian case it is not implemented the vetting process of judges and prosecutors, as it is implementing in Albania. North Macedonia is implementing the 'Urgent Reform Priorities' and recommendations from the Venice Commission and the Senior Experts' Group. Although North Macedonia is doing a good job in this direction still it's needed the implementation of the updated action plan of the judicial reform strategy.

### 3. Conclusions

The European Union has long supported its partners in the Western Balkans on their respective integration path. The membership of the countries of the Western Balkans is a strategic investment in the security and prosperity of Europe and has contributed to keep peace in the war-torn countries. The conditionality of EU enlargement as well as the focus on strong regional cooperation helps to create a favorable political environment for the resolution of bilateral issues or to remove political instrumentalization.

EU support and cooperation with European partners in the region today gives concrete benefits to travel and to study abroad, gradual improvement of governance and the rule of law, good neighborly relations and regional cooperation.

On the other hand, the European Union is interested in a calm climate in the Western Balkans, due to its geographical position. Political stability and economic development of the region are in favor of the European citizens and governments.

---

<sup>16</sup> European Commission (2020) "2020 Communication on EU enlargement policy" [Online]. Available at: [https://ec.europa.eu/neighbourhood-enlargement/system/files/2020-10/north\\_macedonia\\_report\\_2020.pdf](https://ec.europa.eu/neighbourhood-enlargement/system/files/2020-10/north_macedonia_report_2020.pdf)

19-21 of November 2021

Currently, the EU is facing major crises. Firstly, the management of the global pandemic COVID-19 caused a fatigue even for the powerful states of the EU. This pandemic found large countries unprepared to face such emergency situations. They spent a considerable budget on medical equipment and drugs. Also, the beginning of the war between Russia and Ukraine was another fatal blow to the world economy, including the European one. The consequences of the war in the world economy will continue to be felt for a long period. Apart from the economic consequences, the war can cause turbulences also in the international field. Russia is an old ally with Serbia and there is a risk that in order to balance the forces, Russia will encourage Serbia to restart the war with the countries of the former Yugoslavia. A second war in the Western Balkans could bring drastic consequences for the region.

Assessing these possible risks, the EU must be very careful in its attitude towards the Western Balkans. An important step for the countries of the region was the opening of membership negotiations with Albania and North Macedonia, which once again affirmed the political, will of the EU for its interest in the Western Balkans.

On the other hand, the countries of the Western Balkans must be responsible for the importance of membership and the cooperation between the political forces in these countries should overcome the parties interest, in order to to implement the reforms required by the EU.

The process of EU membership of the countries of the region can be realized only through the seriousness in the implementation of reforms by the countries of the Western Balkans and the understanding and positive perspective of the EU.

## References

1. European Council, 2003
2. European Council, European Commission, 2003
3. Dinan D, 2009
4. Global EDGE, 2017
5. Jacque J, 2010
6. D'Arcy F, 2007
7. Zajmi I, 2010
8. Ujkani E, 2012
9. European Commission, 2014
10. European Commission, 2018
11. European Commission, Albania 2020
12. European Commission, Bosnia and Hercegovina, 2020

19-21 of November 2021

13. European Council, Bosnia and Hercegovina, 2019
14. Council of Europe, 2019
15. European Commission, 2020
16. Wikipedia, 2016
17. Tzifakis N, 2007