

A BROKEN PROMISE: EU ENLARGEMENT INTO THE WESTERN BALKANS

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This article examines the stalled progress of EU enlargement into the Western Balkans, contrasting it with the successful accession of post-communist countries in East Central Europe (ECE) and the Baltics. While EU officials and some scholars attribute the delay to the Western Balkans' political instability and failure to adopt EU norms, the author argues that the EU's actions, or lack thereof, are primarily responsible. Despite initial momentum following the 2003 Thessaloniki agenda, which promised Western Balkan states EU membership, enlargement fatigue and concerns over absorption capacity led the EU to tighten accession conditions. The article critiques the EU's approach, suggesting that it has used enlargement promises as a foreign policy tool, for achieving the geopolitical interests of its member states, as seen in the sudden granting of candidate status to Ukraine and Moldova after Russia's invasion of Ukraine. The author concludes that the EU's enlargement into the Western Balkans is more about achieving member states' stability-security interests than ensuring membership for candidate states.

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There is wide academic and political consensus that the EU enlargement process has decisively contributed to the successful democratization and marketization of the post-communist countries of East Central Europe (ECE) and the Baltics, all of which became EU members in 2004 or 2007. More disputed are the reasons why this process slowed down after 2007 and effectively stopped after 2013 when Croatia acceded the EU.

EU officials and a number of scholars¹ argue that the main causes for the ‘enlargement delay’ of other post-communist European states should be found in their ‘chronic’ political instability and structural inability to adopt the core EU norms and values incorporated in the accession conditions. The latter primarily considers the functioning of institutions of democracy and respect for the rule of law. However, the reality appears to be less clear cut, particularly regarding the reasons behind the postponed accession of a small group of the Western Balkan (WB) states,² which are geographically surrounded by EU member states (including their Balkan neighbors Bulgaria, Romania, and Croatia) with which they share a lot of common history and values. While it is true that WB states were socio-economically less developed (like neighboring Romania and Bulgaria) than most of the post-communist states that joined the EU in 2004, there were no significant differences in the development of the institutions of liberal democracy and market economy between the latter and the Western Balkan states during their pre-communist and communist past.³ It is also true that due to the emergence of post-communist nationalist-authoritarian regimes and post-Yugoslav wars in the 1990s, the Western Balkan states were not able to make any significant progress in post-communist reforms before the early 2000s and objectively were not able to apply for EU membership, let alone to meet the Copenhagen accession conditions⁴ together with their post-communist counterparts from ECE and the Baltics. However, the reasons why Croatia is the only Western Balkan state to have succeeded in reaching this goal 21 years after the EU stated in the 2003 Thessaloniki agenda⁵ that all these states ‘will be an integral part of a united

1) Arista Maria Cirtautas and Frank Schimmelfennig, “Europeanisation Before and After Accession: Conditionality, Legacies and Compliance,” *Europe-Asia Studies*, Vol. 62, No. 3 (2010), p. 421-441; J. Seroka, “Issues with Regional Reintegration of the Western Balkans,” *Journal of Southern Europe and the Balkans*, Vol. 10, No. 1 (2008), p. 15-29; Andrew C. Janos, *East Central Europe in the Modern World. The Politics of the Borderlands from Pre-to Postcommunism* (Stanford: Stanford University Press, 2000).

2) The term “Western Balkans” was invented by the EU in the late 1990s when it launched the Stabilisation and Association Process (SAP) for post-Yugoslav states (excluding Slovenia) and Albania (see below) in order to make a distinction between them and other two (eastern) Balkan states, Romania and Bulgaria which were by then included in the 2004/07 enlargement process.

3) For more details see Richard. J. Crampton, *Eastern Europe in the Twentieth Century and After* (Routledge, 1997); M. Petrovic, “The Role of Geography and History in Determining the slower progress of Post-Communist Transition in the Balkans,” *Communist and Post-Communist Studies*, Vol. 41, No. 2 (2008), and M. Petrovic, *The Democratic Transition of Post-Communist Europe* (Palgrave Macmillan, 2013).

4) Accession conditions for new candidates for EU membership adopted at the European Council’s meeting in Copenhagen of 22-23 June 1993.

5) EU General Affairs and External Relations Council, 2003. *The Thessaloniki agenda for the Western Balkans: Moving*

Europe', are primarily caused by the EU's (in) actions.

Following the successful replacement of post-communist authoritarian regimes with pro-reformist and pro-EU governments in the two largest countries in the region, Serbia (then with Montenegro) and Croatia,⁶ and speedy progress in accession negotiations with the ECE and Baltic states, the EU's enlargement promise given in the Thessaloniki agenda (and at several other EU Council and European Council meetings held in the early 2000s) seemed genuine and led to significant acceleration of post-communist political and economic transformation in the Western Balkans (Table). However, the prospects for the accession of the Western Balkan states to the EU began to deteriorate just a few years after the Thessaloniki agenda was issued, and even before the 2004/07 enlargement round finalized. Emerging enlargement fatigue and fears for the EU's 'absorption capacity' in key member states, pressured the Council to 'renew [the] consensus on enlargement' and de facto tighten the Copenhagen accession conditions and make the accession process more demanding and complex for new applicants.⁷ From that moment on, the basic objective of EU enlargement policy towards the Western Balkan states was not to speed up the accession of these states, but rather to try to avoid 'mistakes' from previous enlargement rounds, particularly those related to the 'premature' accession of Romania and Bulgaria⁸ and use the enlargement promise as a 'carrot' to achieve the goals of its stabstabilization policy in the region.⁹

In addition to the tightened Copenhagen 1993 accession conditions and conditions coming from the Stabilisation and Association Process (SAP) for post-war reconciliation and peace-building in the region,¹⁰ the new approach to EU enlargement after 2006 (i.e. after completion of the 2004/07 enlargement) also included the additional conditions related to compliance with the EU's initiatives for resolving

towards *European Integration, Council Conclusions*, Luxembourg, 16 June 2003, Annex A.

6) After the death of Croatia's authoritarian president Tudjman in December 1999 and the overthrow of Serbia's post-communist dictator Milosevic in October the following year.

7) European Council, 2006a. *Presidency Conclusions*, Brussels, 14-15 December 2006, point 4. For further reading see Petrovic 2013, op. cit and David Phinnemore, "Beyond 25—the Changing Face of EU Enlargement: Commitment, Conditionality and the Constitutional Treaty," *Journal of Southern Europe and the Balkans*, Vol. 8, No. 1 (2006), p. 7-26.

8) However, more thorough analyses show that there is no real evidence that the post-accession trajectories of these two countries have significantly differed from those of their post-communist counterparts who joined the EU in 2004. See e.g. G. Pop-Eleches and P. Levitz, "Monitoring, Money and Migrants: Countering Post-Accession Backsliding in Bulgaria and Romania," *Europe-Asia Studies*, Vol. 62, No. 3 (2010), 461-79 and U. Sedelmeier, "Anchoring Democracy from Above: The European Union and Democratic Backsliding in Hungary and Romania after Accession," *Journal of Common Market Studies*, Vol. 52, No. 1, (2014), p. 105–21.

9) V. Anghel and J. Dzanic, "Wartime EU: Consequences of the Russia-Ukraine War on the Enlargement Process," *Journal of European Integration*, Vol. 45, No. 3 (2023), p. 487-501.

10) Although necessary for overcoming the negative legacies and consequences of the 1990 wars, the SAP conditions, particularly those related to cooperation with the International Criminal Tribunal in The Hague [ICTY] were sometimes very difficult to comply with as they involved 'high political costs of compliance [for] the targeted governments', see Frank Schimmelfennig, (2008).

the contested statehood status of some of the Western Balkan states. In this way, candidates and potential candidates for EU membership from the Western Balkans have had to cope with several sets of additional accession conditions imposed after the EU offered them an ‘EU future’ in 2003.¹¹ In comparison, the post-communist states that joined the EU within the 2004/2007 enlargement round had only to meet the Copenhagen conditions defined in 1993.

Although EU officials and a significant number of scholars often use arguments of insufficient democratization, continuously high levels of corruption, and (in more recent EU documents and academic sources) the ‘captured state’¹² as the basic reasons for the slow progress of EU enlargement into the Western Balkans, the Copenhagen conditions on democratization or the establishment of a ‘functioning market economy’ have never been the most important accession requirements for the Western Balkan states. Besides, as Petrovic and Smith argue¹³ (and is also visible from the data presented in Table 1), the level of democratization and economic marketization reached by the most advanced Western Balkan candidates for EU membership – Serbia, North Macedonia, and Montenegro - by the early 2010s was not much below that of the neighboring EU member states – Croatia, Bulgaria and Romania.

Table 1. Indicators of Post-Communist Democratization*

Country	2010	2014	2018	2022
Hungary	5.61	5.04	4.29	3.57
Poland	5.68	5.82	5.11	4.54
Slovakia	5.32	5.39	5.39	5.25
Romania	4.54	4.54	4.54	4.36
Bulgaria	4.96	4.75	4.61	4.50
Croatia	4.29	4.32	4.25	4.25
North Macedonia	4.21	4.00	3.64	3.82

11) For more details see M. Petrovic, “Post-Communist Transition under the Umbrella of Univen Europeanisation: East Central Europe, the Baltic States and the Balkans,” In Fish, Steven, M., Gill, Graeme and Milenko Petrovic (eds.). *A Quarter Century of Post-Communism Assessed* (Palgrave Macmillan, 2017), p. 41-74.

12) See e.g. Soren Keil, “The Business of State Capture and the Rise of Authoritarianism in Kosovo, Macedonia, Montenegro and Serbia,” *Southeastern Europe*, Vol. 42, No. 1 (2018), p. 59–82 and Solveig Richter and Natasha Wunsch, “Money, Power, Glory: the Linkages Between EU Conditionality and State Capture in the Western Balkans,” *Journal of European Public Policy*, Vol. 27, No. 1 (2020), p. 41-62.

13) Milenko Petrovic and Nicholas Ross Smith, “In Croatia’s Slipstream or on an Alternative Road? Assessing the Objective Case for the Remaining Western Balkan States Acceding into the EU,” *Southeast European and Black Sea Studies*, Vol. 13, No. 4 (2013), p. 553-573.

Albania	4.07	3.82	3.89	3.75
Bosnia and Herzegovina	3.75	3.57	3.36	3.29
Montenegro	4.21	4.14	4.07	3.82
Serbia	4.29	4.36	4.04	3.79
Kosovo	2.93	2.86	3.07	3.25
Ukraine	3.61	3.07	3.36	3.36
Moldova	2.86	3.14	3.07	3.11
Georgia	3.07	3.32	3.32	3.07

Source: Freedom House, Nations in Transit 2020 and 2022.

The necessity to further consolidate and improve the functioning of the country's democratic institutions, which after 2014 considerably deteriorated in all the Western Balkan states (as well as in many EU member states, particularly in Poland and Hungary – Table 1)¹⁴ certainly exists, but it has never been the main reason for their slow progress in the accession process. Compliance with the SAP conditions and other requirements raised from EU strategic visions on the stability and security in the region (primarily defined by the EU's stances on and incentives for the resolution of the 'hot political issues' in the region)¹⁵ have always been at the core of the EU's accession conditions for Western Balkans candidates. Both the opening of Croatia's accession negotiations in October 2005 and the signing of Serbia's Stabilisation and Association Agreement (SAA) with the EU in 2008 were postponed (and Serbia's SAA also frozen immediately after it was signed in April 2008) due to these two countries' lack of cooperation with the ICTY in The Hague in delivering their citizens accused of war crimes to the Court.

Similarly, the Council postponed its response to the Commission's recommendation to grant official candidate status to Serbia from December 2011 to March 2012 due to Serbia's unsatisfactory progress 'in the Belgrade-Pristina dialogue' on issues arising from its refusal to recognize Kosovo's unilateral declaration of independence in 2008.¹⁶ Although the Commission had recommended to the Council to open accession negotiations with North Macedonia already in 2009¹⁷ the Council has continued to block the opening of accession negotiations with this country until the

14) See also S. Keil, (op.cit), and Anna Gora and Pieter de Wilde, "The Essence of Democratic Backsliding in the European Union: Deliberation and Rule of Law", *Journal of European Public Policy*, Vol. 29, No. 3 (2022), p. 342-362.

15) Most notably the Serbia-Kosovo dispute over the latter's independence, the Bosnia-Herzegovina intra-ethnic disputes regarding the country's constitutional order and North Macedonia's disputes with its neighbours about its name, national identity and language.

16) European Council, 2011. *Presidency Conclusions*, Brussels, 9 December, 2011, point 13.

17) European Commission, 2009. *Enlargement Strategy and Main Challenges 2009-2010*, COM(2009) 533 final, Brussels, 14 October 2009.

present day. The main reason for this was not related to the country's democratization or respect for the rule of law but, it was the Greek veto over North Macedonia's former constitutional name 'the Republic of Macedonia.' However, after officially changing its name in 2019, Bulgaria's veto over North Macedonia's national/ethnic identity and language became the primary obstacle to opening accession negotiations with this country, nearly 15 years after the European Commission declared it ready in 2009.

That the EU has largely prioritized its (leading member states') stability-security goals in the Western Balkan region over advancing democracy standards and other necessary socio-economic reforms that could indeed prepare Western Balkan candidates for membership became obvious after the European Commission began to include requirements related to regional political stability in the accession negotiation process. Although the Commission has traditionally been responsible for carrying out the administrative-technical aspects of the accession process related to the candidates' capacity to meet EU standards and norms defined in the Copenhagen conditions, in the accession negotiations with Serbia (opened in 2014) an additional chapter on the resolution of Serbia's relations with Kosovo was included. This additional 'stability-security' accession condition was later applied to all candidate countries in the Commission's 'new' Enlargement strategy for the Western Balkans of February 2018¹⁸ through the requirement that the Western Balkan candidates have to find 'definitive solutions to disputes with neighbours' (p. 3) and solve them 'as a matter of urgency' (p. 8) as the EU 'will not accept to import these disputes and the instability they could entail' (p.3).

While the insistence on re-establishing good neighborly relations has been at the core of the Stabilisation and Association Process (SAP) since its inception, a firm request for the resolution of disputes between candidate countries and their neighbors as a de facto accession precondition had never been imposed on any candidate country in previous enlargement rounds. When Cyprus was admitted into the EU in 2004, it was not asked to solve its (still) unresolved dispute with Türkiye over its partition on the northern (Turkish) and southern (Greek) part, nor was Croatia asked to resolve its (also still ongoing) dispute with Slovenia over their maritime border before it joined the EU in 2013. As Petrovic and Wilson argue, this accession pre-condition has 'in contrast to all other Copenhagen and post-Copenhagen accession conditions, broadened the scope of its fulfillment beyond the capacity and competency of the [candidate] country governments'.¹⁹ In fact, it enables an EU member state that has a bilateral dispute with an EU candidate, to hold up the latter's accession bid until

18) European Commission, 2018. *A credible enlargement perspective for and enhanced EU engagement with the Western Balkans*. COM(2018) 65 final. EN. Strasbourg, 6 February.

19) Milenko Petrovic and Garth Wilson, "Bilateral relations in the Western Balkans as a challenge for EU Accession," *Journal of Contemporary European Studies*, Vol. 29, No. 2 (2021), p. 201-218 (p. 202).

their dispute is resolved to the former's satisfaction, even before the Commission's recommendation comes to the Council. Whereas earlier, a member state could have blocked a candidate's accession bid only in the Council, after the Commission had submitted its recommendation about this candidate's progress in accession (as was the case with the Greek veto over North Macedonia's name) the Commission's 2018 Enlargement strategy allows this to happen already during the accession negotiations process. Given the level of difficulty in finding solutions to bilateral disputes in the region (both by the countries involved and by the EU through its incentives that have so far failed to resolve any of the Western Balkans' hotspots), an EU member state can now hold up one's accession negotiations indefinitely.

The current European Commission, formed in 2019 to be, in words of its President Ursula von der Leyen, a 'geopolitical Commission'²⁰ and the new enlargement methodology adopted in February 2020 have further strengthened the involvement of the Council and individual member states in the accession negotiations process and prioritization of their political preferences in it.²¹ Final confirmation that the EU's enlargement into the Western Balkans (and generally Eastern Europe) after 2013 is merely a foreign policy tool for achieving the stability-security interests of EU member states, with no real intention of guaranteeing membership status to candidate states,²² came with the sudden 'expansion' of the enlargement process after Russia's invasion of Ukraine in February 2022. Only three months after the invasion, in June 2022, the EU granted candidate status to Ukraine and Moldova, irrespective of these two's problematic democratic records and although it had continuously refused to offer to them (and the other four East European post-Soviet states) anything more than expanded cooperation within its Eastern Partnership programme, with no enlargement promise for almost two previous decades.²³

Following developments, the final opening of the accession negotiations with North Macedonia and Albania in July 2022 (17 and 8 years, respectively after the EU granted them candidate status), the granting of candidate status to Bosnia and Herzegovina in December 2022, and the European Council's decision of 14 December 2023²⁴ to grant candidate status to Georgia and (already) open accession negotiations with Ukraine and Moldova can hardly convince the most naïve enlargement optimists that EU leaders really plan to enlarge the Union with any of these countries. More likely, they will share the fate of the two current 'frontrunners' Montenegro and Serbia, which

20) European Commission. 2019. *The von der Leyen Commission: for a Union that strives for more*. Press release IP/19/5542. Brussels, 10 September.

21) Milenko Petrovic and Nikolaos Tzifakis, "A Geopolitical Turn to EU Enlargement, or Another Postponement? An Introduction," *Journal of Contemporary European Studies*, Vol. 29, No. 2 (2021), p. 157-168.

22) Compare Anghel and Dzankic, op. cit.

23) See Table 1 and Anghel, V. and J. Dzankic, op. cit.

24) European Commission, 2023. 'European leaders decide to open accession negotiations with Ukraine and Moldova in a historic summit'. https://ec.europa.eu/commission/presscorner/detail/en/ac_23_67110

are still negotiating their accession chapters with no sign of closure in the foreseeable future (twelve and ten years, respectively, after their accession negotiations opened).