

The Thorny Road to the European Integration of the Western Balkans Region

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ABSTRACT

The so far EU enlargement policy towards the WB6 countries needs fresh strategy and operational programs for its realization. The new approach should stimulate developments that are contributing to the stability and progress of WB6 countries and of the region as a whole. In doing this the EU should develop more systematic cooperation with other international organizations. Reconciliation is a precondition for an efficient EU enlargement process. Therefore, the EU should find ways and means to support, with adequate measures, the elaborated and well-aimed reconciliation processes, which achievements would create a favorable environment for the solution of particular existing problems in the region and thus ensure the systematic integration of WB6 countries into the EU system of values. Besides, the needs genuine regional cooperation based on reconciliation tenet. For its credibility, the EU should first declare strongly its "one voice" commitment to the close cooperation with the WB6 countries, aimed at realizing their overwhelming inclusion in the EU political and economic structure and the emerging common foreign, security, and defense policy as well.

KEYWORDS: Western Balkans, enlargement policy of the European Union, reconciliation, Albania, Bosnia and Herzegovina, Kosovo, Montenegro, Republic of North Macedonia, Serbia

POVZETEK

Dosedanja *širitvena* politika EU do držav ZB6 potrebuje svežo strategijo in operativne programe za njeno uresničitev. Nov pristop bi moral spodbujati razvoj, ki prispeva k stabilnosti in napredku držav *WB6 in regije kot celote*. EU bi morala razviti bolj sistematično sodelovanje z drugimi mednarodnimi organizacijami. Sprava je predpogoj za učinkovit proces širitve EU. Zato bi morala EU najti načine in sredstva, da z ustreznimi ukrepi podpre izdelane in dobro usmerjene procese sprave, katerih dosežki bi ustvarili ugodno okolje za reševanje posameznih obstoječih problemov v regiji in tako zagotovili sistematično povezovanje držav ZB6 v sistem vrednot EU. Poleg tega regija potrebuje pristno regionalno sodelovanje, ki temelji na načelu sprave. Če želi EU ohraniti svojo verodostojnost, mora najprej odločno izraziti svojo „enoglasno“ zavezanost tesnemu sodelovanju z državami WB6, katerega cilj je uresničitev njihove velike vključenosti v politično in gospodarsko strukturo EU ter nastajajoče skupne zunanje, varnostne, pa tudi obrambna politika.

KLJUČNE BESEDE: Zahodni Balkan, širitvena politika Evropske unije, sprava, Albanija, Bosna in Hercegovina, Kosovo, Črna gora, Republika Severna Makedonija, Srbija

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INTRODUCTION

Taking into account the strategic importance of the Western Balkans (in continuation WB6) region for the EU on the one side and the entangled relations between the states in the region on the other, the step-by-step integration of these states into the EU is the most important, if not the only, tool for the social and economic progress of the WB6 states and for improving the stability and security of the region and Europe as a whole.² Bosnia and Herzegovina (in continuation of BiH), Kosovo, Montenegro, North Macedonia, and Serbia, as part of ex-Yugoslavia, have had a long tradition of cooperation with the European Community since the adoption of the Declaration on the Relations between SFR Yugoslavia and the EEC in 1967.³ At the same time, Albania was an isolated, authoritarian country. The term “Western Balkans” does not correspond either to geographic nor geo-political realities; it was “invented” by the EU in order to divide Bulgaria and Romania, which were supposed to become EU members, from other Balkan countries. The WB6 region is now an island in the EU space, surrounded on the other side of the Adriatic by Croatia, Hungary, Romania, Bulgaria, Greece, and Italy.

Unfortunately, the road of WB countries towards European integration and values has proven to be more burdensome and lengthier than many had hoped a few years ago. The EU council declared in 2003 in Thessaloniki its “unequivocal support for 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. Preparation for integration into European structures and ultimate membership in the European Union, through the adoption of European standards, is now the big challenge ahead... Moving towards European Integration represents a new important step in the privileged relationship between the EU and the Western Balkans. Its content shall be considered as our shared agenda, and we all commit to its implementation. The

2 Albania, Serbia, Montenegro, and Northern Macedonia are the candidate states, while Bosnia and Herzegovina and Kosovo are the potential candidates. The region has a population of 19,9 million people, a land area of 218,750 square km, and a total GDP of 94,2 billion euros.

3 In 1968, the Permanent Mission of the SFRY to the EEC was opened. In 1980, a Cooperation Agreement between the European Community and Yugoslavia was signed. It contained provisions concerning trade, financial aid, and cooperation in the areas of industry, science, and technology, energy, agriculture, transport, the environment, and tourism. By 1980, the European Investment Bank granted two loans with a total value of 50 million ECUs to link the Yugoslav high-voltage electricity distribution network to the Greek and Italian grids and for the construction of part of the trans-Yugoslav road.

countries of the region will focus their efforts on meeting the recommendations this agenda refers to.”⁴

Since then, has the EU adopted many “strategic” and “operational” documents, “progressive reports” and the similar in order to find a way forward?⁵ Besides, interesting were the initiative of Germany and France. The Berlin Process is a German-led European initiative whose goal is to facilitate regional cooperation between the Western Balkans Six (WB6) countries with the view to helping them fulfill criteria to join the European Union (EU). German Chancellor Angela Merkel launched this initiative in 2014. Its most important component is the so-called “Connectivity Agenda,” which first aimed to link the WB6 together in the fields of transport and energy; it was later expanded into youth exchanges and economic connections.⁶

On April 30, 2019, the Office of President of France Emmanuel Macron (Ambassade de France en Macédonie du Nord, 2019) published the “French Strategy for the Western Balkans.” The strategy lists three measures: 1) the French intensification of relations with the region in general, 2) the strengthening of bilateral cooperation with the countries of the region in the economy, security, justice and defense, and 3) the intensification of exchanges with the countries of the region in terms of political-strategic dialogues concerning defense. The strategy put forward also challenges, as are unresolved disputes, various economic and social issues, difficulties in permanently establishing the rule of law, security issues and external influences that divert the region from its European vocation.

As for the EU Commission, perhaps the most promising document is its “new strategy” toward the WB6 of February 6, 2018, in which it resumed, among other things, responsibility for developing six initiatives aimed at supporting reforms in WB6 countries. The Annex to this instrument contains a timetable for the announced actions, including the supervision of their realization. Almost all actions are allocated until 2019 when ended the mandate of the than incumbent Commission [European parliamentary research servis, 2018].

4 EU-Western Balkans Summit, Thessaloniki, 21 June 2003. 10229/03 (Presse 163).

5 In 1999, the EU launched the Stabilization and Association Process (SAP), a framework for relations between the EU and countries in the region, and the Stability Pact, a broader initiative involving all key international players. The Stability Pact was replaced by the Regional Cooperation Council in 2008. The “European perspective” was reaffirmed in the Commission’s February 2018 Western Balkans Strategy and in the declarations following successive EU-Western Balkans Summits.

6 The Berlin Process. Available at: <https://berlinprocess.info>.

However, after 28 years of “realizing” the EU enlargement policy, has the EU even retreated its WB6 support? In the declaration adopted at the EU-Western Balkans summit held in Brdo, Slovenia on October 6, 2021, only “reaffirms its unequivocal support for the European perspective of the Western Balkans and welcomes the commitment of the Western Balkans partners to the European perspective, which is in our mutual strategic interest and remains our shared strategic choice.” All other points of the declaration refer to the “obligations” of the WB6 countries.⁷

The WB6 countries have, with the support of the EU and other foreign factors⁸, made efforts to ensure peace, transition reforms, and regional cooperation. Nevertheless, the region is still rifted with unresolved war crimes problems, with corruption, a deficient judiciary, weakness in the rule of law, with suspicious political and media discourses, with open borders and other problems, with mistrust, animosities, hate speech, with cleavages and hatred between people (mostly on an ethnic and religious basis). Sadly, the younger generation is immigrating, mainly to EU member states, at alarming rates, and these are likely to increase even further, thus seriously harming the potential for innovation progress in the region (Westminster Foundation for Democracy, 2021).

The “supervision” of the international community has “limited” the sovereignty of Kosovo and of BiH. United Nations Resolution 1244 authorized the deployment of military forces (KFOR) to Kosovo and the establishment of a civilian administration (UNMIK). The Kosovo Force (KFOR) is a NATO-led international peacekeeping force in Kosovo. The purpose of the High Representative for BiH, together with the Office of the High Representative (OHR), established in 1995, is to oversee the civilian implementation of the Dayton agreement. Both also serve to represent the countries involved in the implementation of the Dayton Agreement through the Peace Implementation Council (PIC).⁹ The Principal Deputy High Representative (so far always American) serves as International Supervisor for Brčko, representing the international community in the Brčko District. The role of the High Representative has been compared to that of a viceroy due to its vast powers over Bos-

7 <https://www.consilium.europa.eu/media/52280/brdo-declaration-6-october-2021-en.pdf>.

8 As to the investments and financing of the countries in the region, see European Investment Bank (2019).

9 The PIC comprises 55 countries and agencies that support the peace process in many different ways - by assisting it financially, providing troops for SFOR, or directly running operations in Bosnia and Herzegovina. There is also a fluctuating number of observers.

nian politics and essential veto powers.¹⁰ Relations between the states in the region are, as already said, entangled with political, ethnic, and religious animosities and security risks.

This European region is strategically important for achieving peace and political stability in the EU. Therefore, it is essential to develop new ideas and fresh operational approaches in the EU policy towards WB6 countries in order to ensure the progress of the WB6 countries and the region and to keep peace and stability in Europe as a whole. The author puts forward some considerations that could be useful in further structuring and especially in implementing the updated EU strategies towards WB6.

AN ENTANGLED INTERNATIONAL ENVIRONMENT

In elaborating fresh policies towards WB6 and in their implementation, the EU has to be aware of the presence and interests of other international powers in the region. The WB6 is, due to their regional characteristics, a typical mid-region, exposed to the contradictory influences of the most influential agents of international relations, which are usurping the political and socio-economic instability of the states and the disunity of the region as a whole, also through adopting the historical and confirmed approach of *divide et impera*. The EU's policy toward the WB 6 thus has to cope with the interests of other states that are involved in this part of Europe.

Major international actors are using their financial and political power to gain influence in the Balkans. Weak local governments continue to balance among competing nations. The USA is taking the WB6 and its neighboring states in accordance with its confirmed policy of permanent confrontation with Russia. As the new cold war "front line", by supporting, in addition, the line that spans from the Black to the Baltic Sea (Romania, Poland, three Baltic States) and including also the states on the coast of the Adriatic Sea, first of all Croatia, Albania, and Montenegro.¹¹

During his visit to Russian neighbors, Georgia and the Baltic states, aimed at assuring the USA's support against Russian aggression, US Vice-President Pence visited on August 2, 2017 Montenegro. He spoke at the Adriatic Charter Summit, which was attended by the leaders of

10 Incumbent High Representative since 1 August 2021 is Christian Schmidt from Germany.

11 See: <http://three-seas.eu/> (Accessed on 10. June 2019).

Montenegro, Croatia, Albania, and Slovenia (all NATO members), as well as Serbia, Bosnia and Herzegovina, North Macedonia, and Kosovo. He confirmed Washington's commitment to the region and said Balkan states must be "resolute and uncompromising" toward Russia, which he called "an unpredictable country that casts a shadow from the East." He underlined that "Russia continues to seek to redraw international borders by force and, here in the Western Balkans, Russia has worked to destabilize the region, undermine democracies and divide you from each other and the rest of Europe." (Chan, 2017).

However, the US has been the main international factor in stopping the bloody war in BiH by pushing the belligerent "factors" to sign the Dayton agreement. The Trump administration pushed forward with Serbia and Kosovo to sign on September 4, 2020, an agreement on economic cooperation (Muharremi, 2021) that contains some political points (declaration of Hezbollah as a terrorist organization, recognition of Jerusalem as the Israeli capital, and opposition to the Chinese 5G system) (Stojanović and Bami, 2020).

Joe Biden is no stranger to the Balkans. He began the first of his regular visits to the region back in the early 1990s, initially to Bosnia and Herzegovina, and later to Kosovo. The relationship regarding the western Balkans between the EU and the US has deteriorated in the last four years. Donald Trump's special envoy, Richard Grenell, created havoc and annoyed many in the EU and the region with his foreign policy adventurism, side-lining the EU's efforts and devising initiatives that had little to do with creating peace and prosperity (Morina and Tcherneva, 2021). Biden's special relationship with the Balkans should ease the path to a resumption of joint efforts in the Euro-Atlantic integration of the Balkans. A re-energized US policy in the region could be transformative, especially when working in tandem with the EU (Dragojlo, Kovačević and Sinoruka, 2021). As one of the first steps, Biden issued an Executive Order allowing the US government to seize property and suspend entry into the US of individuals who are contributing to the destabilization of the Western Balkans (Šemić, 2021). The US "strongholds" in the region are Kosovo,¹² Albania, and partly Northern Macedonia.¹³ The political elite of Montenegro is divided on this issue in spite of being a member of NATO.

12 The Cam Bondsteel facility in Kosovo build up without any agreement is the biggest US base in Europe.

13 In illustration: North Macedonia, Montenegro and Albania have with the US the agreement on exempting all Americans (and even some non-nationals) from accountability for genocide, crimes against humanity, and war crimes. These agreements, in the form requested by the US government, are illegal under the Rome Statute, are not required by US law and are in controversy with EU law.

The WB6 is seen by Russia as an arena where it can achieve significant effects with relatively few resources, predominantly through “soft” methods and intelligence, to distract, weaken, and divide the Western community of states.¹⁴

China’s efforts to maintain and expand its presence in WB6 countries, particularly in the economic field, also contribute to “raising the value” of the Balkans in the current process of the world’s new geopolitical division. Germany, France, and Italy called attention to the fact that the EU should be given powers to rule on whether or not Chinese take-overs of major European companies are motivated by political rather than economic goals. This refers, of course, also to the WB6.¹⁵ In 2021, China, with a 32-billion-euro budget, developed 136 projects in the WB6 region, 61 in Serbia, 29 in BiH, 15 in Northern Macedonia, and 8 in Albania. China does not recognize Kosovo but nevertheless has a Liaison Office in Pristina and has realized some economic projects through firms in Northern Macedonia (Stojkovski, et al., 2021).

Balkan countries do not want to have to decide between warm ties with China and Russia political and strategic commitments to the West – but they may have to. Serbia’s foreign policy envisages accession to the European Union in combination with preserving friendly relations with Moscow and Beijing and the development of relations with Washington. Belgrade is determined to stay military neutral and refrain from joining NATO or other military alliances (Vangeli, 2021).

Turkey has been, since 1990, “re-discovering” the Balkans.¹⁶ The Gulf States have been struggling to keep pace with others in expanding their presence and influence in that part of Europe (also by spreading Wahhabism).¹⁷

14 Russia does not play a significant economic role in the Western Balkans: only 6.6% of foreign direct investment in the region comes from Russia and Russia’s share of regional foreign trade is 3.9% for exports and 5.3% for imports. However, the region is dependent on Russia for its energy supply, though this dependence is waning. Viewed as a whole, Southeast Europe is only a sideshow in Moscow’s strategic thinking, albeit one that should not be underestimated. See also Bechev (2018).

15 Beijing appears to be a “stabilizer” and hence an apparent ally of the EU, since China supports the states’ integration into European structures, and its long-term investment in the region means that, unlike other external actors, it is not in its economic and strategic interests to destabilize the Balkans, a region that is often described as a “powder keg”.

16 Turkey officially supports the Euro-Atlantic and European integration of the Western Balkan states; it is also pursuing an independent “neo-Ottoman” foreign policy with the aim of creating its own sphere of interest. In addition to economic activities, Ankara’s resources are mainly poured into trade, banking, construction, telecommunications, and critical infrastructure (e.g. Prishtina, Skopje, Ohrid, and Zagreb airports), with a primary focus on soft power and the cultural and religious ties that have grown over the centuries and that are now being systematically expanded. See also Aydıntaşbaş (2019).

17 Arab countries are increasingly making economic investments, particularly in tourism, construction (e.g. Belgrade Waterfront), agriculture, aviation (Air Serbia) and military technology, and are also providing loans and generous development aid. This investment is not restricted to the Muslim countries of the Western Balkans.

The EU's policy should not follow the Cold War philosophy, aimed at building new frontlines in confrontation with Russia, but should stimulate the progress of the Balkans as an area of peace, security, and progress - in the context of the future peace and stability in Europe, in which construction and management should have the EU's decisive, autonomous role. As a result, it is critical to avoid the situation that existed in Ukraine in 2013, when the EU platform for the Vilnius summit on the eastern neighborhood put Ukraine in an "or-or" position, contributing to the subsequent dramatic events in this country with so many huge, obviously long-term negative consequences for Europe's stability, peace, and development as a whole.¹⁸

THE EU NEEDS FRESH POLICIES

After years of taking the WB6 region for granted, there were great expectations that the European Commission's strategy paper, published in February 2018, would herald a new and more determined EU engagement. Unfortunately, this has not been the case, raising serious concerns as to whether some member states fully grasp what is at stake in the region. Driven mainly by domestic concerns, France, the Netherlands, Denmark, and Bulgaria are set to kick the can further down the road. The Dutch Parliament has even called for the suspension of visa-free travel for Albanians. This shows that the member states are ultimately governing their decision-making regarding enlargement within and between them by political and not by Copenhagen criteria. As an example, the Albanian Prime Minister, Edi Rama, has blamed the nationalism of the EU's more powerful member states for his country's (and Northern Macedonia's) failure to make any real progress in their EU integration process (Sinoruka, 2021).

The credibility of the EU will be called into question if the EU does not implement its strategies and policies in a fruitful way. Especially if the people of the region will not be convinced that the results of the EU's policy changed the current problems in their country for the better and hence improved the quality of their lives. Indicative in this regard is, for instance, the statement in the research of the Institute of European Democrats that "keeping the status quo can only generate

18 At the very beginning of that crisis the former American Secretary of Foreign Affairs, Henry Kissinger said: "The European Union must recognize that its bureaucratic dilatoriness and subordination of the strategic element to domestic politics in negotiating Ukraine's relationship to Europe contributed to turning a negotiation into a crisis. Foreign policy is the art of establishing priorities. To treat Ukraine as part of an East-West confrontation would scuttle for decades any prospect to bring Russia and the West - especially Russia and Europe - into a cooperative international system" (Kissinger, 2014).

disenchantment in these states and a possible democratic regress. A new EU leadership could see here the makings of an early win for its current foreign and security policy as well as a sign of the strength of the EU's soft power.”(Sebe, 2021)

Therefore, there is an urgent need to improve the EU WB6 enlargement process policies and the interconnected activities with new, fresh initiatives and programs. They should be elaborated based on the evaluation of so far achievements and shortcomings and first of all on the analyses of the real situation in the region and each WB6 country.

The new, improved, fresh policy supported by adequate financial resources should include the support for the further continuation of all achievements of the Berlin Process, including those that have not yet been realized by particular WB countries or by them as a whole,¹⁹ the relevant proposals of the French strategy of 20 April 2019 and other stakeholders. The new policy should be the outcome of the European Commission's consultations not only with the WB6 governments but also with other stakeholders in the region (regions and local communities, chambers of commerce, professional and civil society organizations, etc.).

The new strategy and the operational programs for its realization should not be confined to the “classical model”—to the mere fulfillment of the requirements of the EU *Acquis Communautaire*—but should stimulate developments that are also contributing to the progress of WB6 countries and of the region as a whole. It should also stimulate the creation of necessary preconditions for the realization of the aims of EU policy. For instance, reconciliation, support for accelerating war crimes cases in the context of the reconciliation process, regional cooperation of states and people, the improved, new, role of national minorities in inter-state cooperation, and relevant political, cultural, economic, and similar developments, interconnected with and supporting the realization of the *acquis communautaire* platform.

In addition, it would be commendable to address the recognition and implementation of social and economic rights, particularly for the most vulnerable social strata, which is becoming increasingly relevant in the context of general dissatisfaction towards politics and social dis-

19 For instance, custom union, removal of Kosovo's 100 percent customs on import from Serbia and Bosnia and Herzegovina violating the free trade agreement (CEFTA).

illusion, especially among the younger generations ²⁰ and groups of people who live “on the other side” of the poverty gap. ²¹

The European Commission and other stakeholders should more precisely explain to the WB6 and the wider EU public the aims of the new EU policies and disseminate them as far as possible in a way that will be understandable for ordinary people. In the same language, it would be commendable to explain to people the membership prospects of all WB6 countries, thus mobilizing them in favour of building up the criteria that are necessary for becoming a member of the EU.

In assessing the results of the EU’s improved policy, it will be commendable to be flexible: in addition to common criteria mandatory for all, it would be necessary to take into account the traditions of each country, their so far achievements and specific interests as well. The realization of the improved EU policy would also require a revision of the EU negotiation process. At present, the EU negotiates the accession process largely with the elites of the WB6 countries. Local communities, chambers of commerce, professional associations, education and research institutions, civil society associations and institutions, and similar entities will need to be included in this process in the future. This will be the proper way to promote shared “values” or principles and to increase the pro-European attitude of the population. As to the civil society organizations, it is necessary to support their independence and to avoid the situation that could be discerned now, of them being transformed into “proxies” of EU delegations, particular states or political parties. Moreover, it would be commendable to avoid “privatization” and “bureaucratization” of current and eventual new structures.

In realizing its improved policy, the EU should develop more elaborate cooperation with other international organizations (UN, OSCE, WB, IMF, and others). Cooperation with the OSCE should be developed, especially in fields where it has achieved remarkable results in developing activities that have contributed to reconciliation, stability, and the democratic development of WB6 countries (Devetak, 2016). As to NATO, it will be commendable if the EU evaluates carefully what is in

20 According to the World Bank Development Indicator has been in 2016 the percentage of youth unemployment in labour force aged 15-24 as follows: B&H - 62,3, Kosovo - 57,7, Macedonia - 47,3, Serbia - 43,3, Albania - 39,8 and Montenegro - 37, 7. In comparison - EU - 22,7 and Germany 7,2.

21 According to the World Bank Development Indicator the following percentage of people lived in 2013 at 5,50 USD per day: Macedonia - 13 %, Albania - 10,3 %, Kosovo - 5,8 %, Montenegro - 2,4 % and Serbia - 2 %.

the common interest of both organizations concerning WB6 and what is the particular strategic interest of the U.S. as a leading NATO power that does not coincide with the interest of the EU and its (present and future) members in the Balkans area.

RECONCILIATION IS A PRECONDITION FOR AN EFFICIENT EU ENLARGEMENT PROCESS

Reconciliation is *conditio sine qua non* for developing understanding, cooperation, and progress in the WB6 region. Having in mind the current political, security, and socio-economic circumstances in the WB6 region and in each of the member countries in particular, should the EU find ways and means to support, with adequate measures, the elaborated and well-aimed reconciliation process, which achievements would create a favorable environment for the solution of particular existing problems in the region and thus ensure the step-by-step integration of WB6 countries into the EU system of values.

Reconciliation means finding a way in which two situations or beliefs that are opposed to each other can agree and exist together. It is a very complex task (Kjell-Åke, 2006). Its ways and means should be elaborated after analyzing the factual situations and finding an adequate methodology for building up activities that could create an adequate environment and stimulate solutions to the existing problems (Bloomfield, et al., 2003). In post-conflict societies where past injustices remain unresolved; there exists a latent risk of a renewed outbreak of violence, years or decades later. Therefore, reconciliation has become increasingly important in the context of conflict prevention and development cooperation.²² The well-known scholar on peace building, Johan Galtung, distinguished between “negative peace” as the outcome of efforts to stop physical or personal violence (direct violence) and “positive peace” as the goal of efforts to end indirect structural and cultural violence (indirect violence) that threaten the economic, social, and cultural well-being and identity of individual human beings and groups (Galtung, 1969).

I would like to draw attention to the following proposals, which could be considered in elaborating the new EU-WB6 policy:

1. The EU should support and make mandatory proper forms of reconciliation processes, which should be established both on

²² See Mainstream Conflict Prevention (2005). The drafting of this Issues Brief was led by Germany's International co-operation enterprise for sustainable development (GTZ), 2005.

a bilateral (for instance, reconciliation between Serbs and Croats; between Bosnians-Serbs-Croats in Bosnia and Herzegovina; between Serbs and Albanians; between Macedonians and Albanians; between Slovenes and Croats and so on and so forth) and a multilateral, regional level as well. As to the later, it will be commendable to organize common activities dedicated to the specific areas of reconciliation, aimed at finding ways and means for developing positive future activities and programs on these issues.

2. It is necessary to continue and conclude efficiently the persecution and punishment of the perpetrators of war crimes in the wars of 1990-1999. The lack of sufficient coordination and close cooperation between international stakeholders and a general reticence on the part of the national authorities to engage meaningfully with past wrongs have resulted in a situation where many perpetrators of war crimes remain unpunished and individual victims have barely received any reparations.

The international tribunal for the former Yugoslavia in The Hague has closed its procedures. Persecuting and punishing those who commit war crimes and crimes against humanity, as well as compensating victims, will thus remain in the hands of national jurisdiction and, thus, in many cases, under the influence of the political elites in power. For example, it was impossible to organize the prosecution of the leaders and members of the Kosovo Liberation Army (among the suspects are the president of the republic, the government, and the national assembly) who allegedly committed war crimes and crimes against humanity during and after the war in Kosovo. The international community thus established the Kosovo Special Chamber with a seat in The Hague. The EU nominated 19 judges of this court.²³ However, punishment of perpetrators of war crimes and crimes against humanity could produce even greater animosity between people if it is not the first element of the reconciliation process!

3. Existing narratives in the region are obstructing regional recon-

23 On 3 August 2015, the Kosovo Assembly adopted Article 162 of the Kosovo Constitution and the Law on Specialist Chambers and Specialist Prosecutor's Office, following the Exchange of Letters between the President of Kosovo and the High Representative of the European Union for Foreign Affairs and Security Policy in 2014. This structure has jurisdiction over crimes against humanity, war crimes and other crimes under Kosovo law in relation to allegations reported in the Council of Europe Parliamentary Assembly Report of 7 January 2011.

ciliation and cementing existing prejudices that can incite repetition, divisions, mistrust, and denial. It is necessary to overcome the historically-rooted hatred that has been revived in the recent wars for the dissolution of the former Yugoslavia and “flavoured” with new ethnic, religious, and political “incentives”. This negative attitude is supported, as an example, by the existence of parallel, segregated (ethnic) schools, by the teaching of history that creates ignorance of pupils or negative attitudes towards others and by the part of the mass media in general (Koulouri, 2002 and 2009).²⁴

Reconciliation is not only the matter of politicians but also of all of the other social factors that could influence public opinion in a positive, constructive way regarding relations between neighbors – educators, historians, researchers, philosophers, writers, poets, musicians, journalists, sportsmen, and similar social factors. As a result, it is necessary to more precisely elaborate on the support of projects in the fields of education, culture, science, media, and similar in the new EU policy documents.²⁵

The exchange and cooperation of youth could be one of the “tools” of reconciliation. At the Paris meeting of the Berlin Initiative, held on July 4, 2016, as part of efforts to promote reconciliation in the region, an important emphasis was given to the role of youth, with the establishment of a Regional Youth Cooperation Council. According to the Final Declaration by the French Chair of the Summit, this Youth Council will be modelled on the 50-year experience of the Franco-German Youth Office and will “support activities that promote reconciliation of the peoples as well as programs on remembrance, diversity, intercultural exchange, regional mobility, citizen participation, and the promotion of democratic values” (Directorate-General for Neighbourhood and Enlargement Negotiations, 2016). However, for the time being, there is no evidence of the impact of these offices’ activities on social relations in particular countries or in the region as a whole.

²⁴ See also Kaprinis (2006).

²⁵ One of the commendable examples is the Program of academic network for support of academia in 6 Western Balkans countries the EU policy towards the Western Balkans with emphasis on regional cooperation based on reconciliation ANETREC. The project proposal was prepared within the Erasmus+ call-2018-by nine universities from the WB6. Proposed actions: 6 virtual teaching programs (EU policy towards WB6; reconciliation; multiculturalism; human rights and discrimination; religion; migration), summer school, training seminars, international conference on EU enlargement policy towards the WB6 countries with emphasis on regional cooperation based on reconciliation). See: www.anetrec.eu.

4. The EU needs new approaches to the role of national minorities in the bilateral and regional cooperation. The WB6 region is a patchwork of national minorities of nations living in new sovereign states in the neighboring country before but Albania being a part of a common state. The control of one's ethnic territory has been the main goal of the recent Balkans nationalistic wars. Besides, due to the former migration a great number of members of "other" ethnic origin are living not in "their" nation-state but "another" state and some of them not fully enjoying the rights deriving from the constitutional status of a national minority.

Due to the fact that in the region, all political entities are based on ethnicity, the interest of the "mother nation" in "its" minority in neighboring states could be a source of conflict and political tensions. The spread of ideas that it is necessary to unite all Albanians (currently living in Albania, Kosovo, North Macedonia, Montenegro, and Serbia), all Serbs (at least those currently living in Serbia, Bosnia and Herzegovina, and Northern Kosovo), and all Croats (currently living in BiH) into one state will be the most dangerous thing in this regard. These dangerous notions are usually supported by the "idea" that it is necessary to "adjust" the borders in order to satisfy national interests and ensure peace in the region.

This is the main reason why it is necessary to affirm another role of national minorities in inter-state relations. The "declaration on democracy, human rights, and protection of persons belonging to ethnic and religious minorities in South-Eastern Europe", adopted on February 25, 2001 by the participants of the conference organized by the ISCOMET Institute in Maribor, Slovenia, to which took part participants from all parts of the former Yugoslavia, was the first action dedicated to this goal (ISCOMET, 2001).

In this context, it would be commendable to consider the support of more advanced ways and means of protecting minorities than the classical ones embodied in inter-state agreements. One of the already functional forms is the creation of so-called "common cultural spaces", which enables free linguistic and cultural flows across the (open) state borders while respecting the states' sovereignty and territorial integrity and the principle of not inter-

fering in internal affairs. Such an approach to the role of minorities in inter-state relations in the WB6 region would probably weaken the aspirations to “unite” the national minorities with the “mother nation.”

5. Having in mind the hesitation of political structures to assume this responsibility, the reconciliation processes should be elaborated and launched in parallel by civil society organizations, education and research institutions, by religious communities or other non-governmental organizations and entities. The EU should support and co-finance their well-elaborated reconciliation projects, coordinated by those who have experience and enjoy credibility in this field.²⁶ The state authorities should assume the responsibility of at least not blocking them if they are unprepared or unable to support these reconciliation endeavors.

The religious communities of the region, especially the monotheistic religions (Catholicism, Orthodoxy, and Islam) could have a very important role in contributing to the conciliation, respect of otherness, peaceful inter-human relations, and thus stability in the region of WB6. This showed the results of the project “Contribution of Religious Communities to Reconciliation, Respect of Diversity, Democracy, Human Rights, Protection of Minorities, Co-operation and Stability in South Eastern Europe” (the so-called “Maribor Initiative”). It was realized between 2001 and 2003 in the frame of the WT1 of the Stability Pact for South for SEE. The coordinator was ISCOMET - Institute for Ethnic and Regional Studies from Maribor, Slovenia. The EU co-financed it upon the decision of the Council. In the framework of the project, the first appeals of all major religious communities from the former Yugoslavia for the “removal of the consequences of the war” and “reconciliation and cooperation” were adopted at the gatherings in Slovenia on 2 December 1994 and on 21 September 1997, respectively, followed by pertinent meetings in Serbia, Romania, and Moldova (ISCOMET, 2001a).

26 One positive example is the EU co-financed project “Academic network supporting EU policies towards the Western Balkans with emphasis on regional cooperation based on reconciliation - ANETREC”, which joined 9 universities and research institutes from WB6 countries and Slovenia and Croatia. They developed, among other things, an online education program, the academic proposals for Serbia-Kosovo reconciliation. See: www.anetrec.eu.

THE WESTERN BALKANS REGION NEEDS GENUINE REGIONAL COOPERATION BASED ON RECONCILIATION TENET

Regional cooperation based on reconciliation tenets is a workable tool for consolidating peace, stability, and progress in the region and for its European integration. In spite of some positive achievements, as is the agreement of friendly relations between North Macedonia and Bulgaria and a lot of particular cooperation between the WB6 countries and from time to time expressions of “good bilateral relations” between particular states and common “declarations of good will”, for instance, at the periodic conferences of these countries in the frame of the so-called Brdo/Brijuni process²⁷ or at Berlin Initiative summits²⁸, relations between the countries which succeeded the former Yugoslavia are still riddled with the revival of old animosities, especially with the consequences of the wars in the nineties.

The EU will contribute to the reconciliation process in the WB6 region if it supports and finances more targeted and relevant multilateral and regional cooperation projects, enhancing the cooperation and good neighbor relations between the WB6 countries in the fields of culture, science, education, etc. The already established Regional Youth Cooperation Council (RYCO) with a seat in Tirana and the functioning civil society forum could, with well-elaborated programs and their efficient management, substantially contribute to the improved cooperative attitude in general and to new forms of constructive cooperation in the region. The Regional Cooperation Council, with its seat in Sarajevo, could, with proper programs and adequate management, have an important role in the region.²⁹

As to the economy, Bela Balassa, a professor of political economy at John Hopkins University, defines economic integration as both a “process and a state of affairs. Economic integration comprises the set of political and economic measures to eliminate discrimination between economic units that belong to different national states. It represents the absence of discrimination between national economies” (Balassa,

27 Brdo - Brijuni Process in informal cooperation initiated in March 2010 (at that time named as Brdo process) by Slovenia and Croatia to strengthen relations between the countries of the region of Western Balkans so that the strengthened cooperation in the region would help its faster progress towards the European integration. The most important meetings of leaders of Western Balkans States were July 2013, Brdo, Slovenia, July 2014 Dubrovnik, Croatia, June 2015 Budva; Montenegro, May 2016, Sarajevo, BiH and June 2017, Brdo, Slovenia, 2018 in Skopje, North Macedonia, 2019 Tirana, Albania.

28 See: <https://berlinprocess.info/> (Accessed on 12 May 2019).

29 See: <https://www.rcc.int/> (Accessed on 23 May 2019).

1961). Free trade in the region shows the political diversities in the region that are somehow “covered” by the Central European Free Trade Agreements (CEFTA) on trade. However, poor trade between the WB countries could not be an enhancing factor for developing common interests in this field.

The Berlin Initiative has so far produced few results, as, for instance, the signing of the Transport Community between the EU and five WB6 countries; the proposal of an Action Plan to develop a Regional Economic Area (REA), aimed at consolidating a market of some 20 million people and attracting investment and generating growth and jobs. The Action Plan is, in fact, a “declaration of intentions.” It is divided into four sections: trade, investments, mobility, and digital integration. The Central European Free Trade Agreement (CEFTA), whose members are all WB6 countries, will remain the legal basis for the REA. Unfortunately, the EU was unable to persuade the Kosovo government to lift the 100 percent tariff on imports from Serbia, Bosnia and Herzegovina, which constituted a serious breach of the CEFTA agreements (Marjanović Rudan, 2018).

However, the real political situation in the region is shown by the fact that it was not possible to come to a common understanding on any of this action. Because of the rejection of Republic of Srpska, Bosnia and Herzegovina did not sign the treaty on transport community. Albania and Kosovo were opposed to the formation of REA; the latter also opposed the ambitious project of a free customs union proposed by Serbia, Croatia, and Slovenia, as well as participation in the Regional Youth Cooperation Council (RYCO), which would be based in Tirana.³⁰ Indicative is the fact that there is still a visa regime between Kosovo and Bosnia and Herzegovina.

It would be commendable to reinforce engagement on security and migration,³¹ including reinforcement of cooperation on fighting organized crime, countering terrorism and violent extremism, and on border security and migration management. Europol liaison officers should be posted in the region, Joint Investigation Teams should be

³⁰ The reorganization of RYCO is included as a task in the new EU strategy of February 2018.

³¹ The EU should find solutions for the migrants and asylum seekers who are stocked in BiH because they cannot reach the desired EU countries. Perhaps it will be commendable to consider providing an on-spot asylum process, organizing the recruitment of labor by employers from EU countries, providing money for establishing businesses in BiH for those who decide to remain there, and supporting the BiH authorities in returning back to their countries of origin those migrants who do not have conditions for asylum.

further promoted, and status agreements with the European Border and Coast Guard Agency should be concluded.

The idea of creating a “mini-Schengen” came in October 2019, as Prime Minister of Albania Edi Rama and Prime Minister of North Macedonia Zoran Zaev, together with President of Serbia Aleksandar Vučić met in Novi Sad. They declared that this initiative is open to all of the countries of the region and that it will strive to achieve “four freedoms” in the Western Balkans (flow of goods, people, services, and capital). To promote this idea as a truly regional one, Serbia insisted on attracting all of the six countries of the WB to join the initiative, even Kosovo, which it did not recognize (Živanović, 2019).

Serbia and Albania have already adopted biometric IDs for traveling in both countries, and all three countries signed a memorandum on cooperation in the fight against the COVID-19 pandemic. At the meeting of the three premiers in Skopje on July 29, 2021, they agreed to change the denomination of the initiative to “Open Balkans.” In addition, the three premiers announced that border controls between the three countries would be abolished by 2023. In Skopje, the leaders signed three documents: a Memorandum of Understanding and Cooperation on Facilitating the Import, Export, and Movement of Goods in the Western Balkans; a Memorandum on Free Access to the Labor Market; and an Agreement on Cooperation in Disaster Protection (Jakov Marusic, 2021). At the next meeting in Tirana, held on December 20, 2021, the three premiers signed five agreements, which covered labor market access, the interconnection of electronic identification schemes, and cooperation in veterinary medicine and food safety. There were two further agreements on economic cooperation between Serbia and Albania and between North Macedonia and Albania (Sinoruka, 2021).

EU Enlargement Commissioner, Oliver Varhelyi, spoke via video link to praise the Open Balkan initiative as a successor to the Berlin Process. He urged other states to join the initiative. After the second meeting of the three premiers, European Commission Spokeswoman Ana Pisonero told the Belgrade journal *Danas* that the EU supports the leaders’ commitment to regional cooperation, which is an essential element of the European perspective of the western Balkans and an integral part of the stabilization and association process. The idea was also supported by the American administration, in the agreement

on Serbia-Kosovo economic cooperation signed in Washington in September 2020.³²

However, Kosovo, BiH, and Montenegro did not join the initiative. On the occasion of the Open Balkan meeting in Tirana, the opposition party even organized demonstrations against the meeting of the three premiers and the “diabolical Serbia in particular.”³³ In the frame of the Berlin process, the Trieste Summit adopted the Multi-annual Action Plan for Regional Economic Areas (MAP REA).³⁴ Some critics of the Open Balkans initiative are of the opinion that its goals overlap with MAP REA (Muminović, 2020).

On the contrary, the Open Balkans is a very important initiative not only for developing the cooperation aimed at “four EU liberties” but also for “taking away” ground for changing the borders of aspirations and for diminishing the impact of hate speech and spreading hatred among nations of the western Balkans. Therefore, it would be commendable to include the so far initiated modes of regional cooperation-and the new one that will be in due time elaborated-in the improved EU policy towards the WB6 as an important element for strengthening peace, stability, and the way to the progress of the western Balkans.

It will be commendable to explore and elaborate properly on new, much more advanced forms of regional cooperation based on reconciliation tenets. As illustrations: 1) cross-border cooperation and establishment of cross-border regions on the legal basis of the EU Regulation of 2013 on a European Grouping of Territorial Cooperation (EGTC) (for neighbors which are EU members)³⁵; and 2) the stimulation of establishing the so-called Euro-regional Cooperation Groupings (ECGS) on the basis of the 3rd Protocol to the Madrid Convention of the Council of Europe (for all countries).³⁶ It will also be commendable to stimulate the establishment of common regional entities in the fields of technology and sciences.

32 Kurti's tougher stance comes after the previous Kosovo PM, Avdullah Hoti, pledged to join the initiative as part of an agreement signed in separate documents with Serbia's President Vucic under former US President Donald Trump's auspices in Washington in September 2020.

33 See note 27 (Kissinger, 2014).

34 Multi-annual action plan for a regional economic area in the western Balkans – map. Regional Cooperation Council (Co-funded by the EU. https://www.rcc.int/priority_areas/39/multi-annual-action-plan-for-a-regional-economic-area-in-the-western-balkans-map (Accessed 19 December 2021).

35 See: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32013R1302&from=EN> (Accessed 11 May 2019).

36 See: <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/206> (Accessed 11 May 2019).

The solution of open border problems is a tool for stabilization and the promotion of good neighborhood relations between the WB countries. North Macedonia is the only country in ex-Yugoslavia that does not have open border problems with its neighbors. Despite the repeated pledges by both the EU and the countries of the region, there has been little progress in resolving these disputes. The latest stand-off between Croatia and Slovenia, with Croatia refusing to accept the Court of Arbitration's ruling on the maritime border demarcation in the Bay of Piran, does not set a good example for the region. Unresolved border disputes, particularly those between EU member Croatia and its other Western Balkan neighbors (Serbia, Bosnia and Herzegovina, and Montenegro), undermine the credibility of the EU enlargement process and, in particular, the member state directly involved. The president of the European Commission, Juncker, reiterated on several occasions that the EU is "not willing to import" open border problems through the membership of a given state. Nevertheless, the European Commission should be adequately "involved" in searching for solutions to the border problems between the WB countries (and between Slovenia and Croatia as well) as it is obvious that these countries are not able to find solutions by themselves. The cooperation with the OSCE in this regard will be useful.

CONCLUSION

If the structure of the EU is to keep its credibility, then it should first declare strongly its "one voice" commitment to the close cooperation with the WB6 countries, aimed at realizing their overwhelming inclusion in the EU political and economic structure and the emerging common foreign, security, and defense policy as well.³⁷ If the EU wants to avoid history repeating itself to haunt those who forget the lessons of the past, it will need to demonstrate by its actions the irreversibility of the accession process for the Western Balkans and treat the countries in the region as future members. The EU's policy should not follow the Cold War philosophy but should stimulate the progress of the Balkans as an area of peace, security, and progress - in the context of the future peace and stability in Europe, in which construction and management should have the EU's decisive, autonomous role. The reconciliation is a *sine qua non* condition for achieving results.

37 A Strategic Compass for Security and Defence - For a European Union that protects its citizens, values and interests and contributes to international peace and security, Council of the European Union Brussels, 21 March 2022 (OR.en) 7371/22.

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