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– Editors –

THE BALKANS AN UNFINISHED BUSINESS

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1. A Snapshot of the Region: a moving picture for the last three decades

Gheorghe Magheru & Doru Costea, PhD

Before focusing on the current developments in the region it may be useful to draw a bird's eye view on the last three decades.

The reunification of Germany on 3 October 1990 and the formal breakup of the former Soviet Union on 31 December 1991 are the symbolic landmarks for the unravelling of a new stage in Europe's history. At the same time, the violent and dramatic breakup of former Yugoslavia was at the epicentre of the turmoil in the region. Besides the loss of lives and destruction entailed by armed conflicts among previously co-existing entities that had been brought up under the same construction after WWI, since the end of the Cold War the Western Balkans and South East Europe have witnessed major specific developments that are to be viewed within the larger context of the transformation processes developing in Central and Eastern Europe, as well as in what was to become the European Union after the Maastricht Treaty came into force (November 1993) and NATO launched the Partnership for Peace program (1994).

These fundamental changes are widely familiar and need no further comments here. However, it may be worth remembering some consequential moments for the region that steered them to the European and Euro-Atlantic integration processes of today (see Box 1).

The road to Europe

The landmarks for the post-cold war enlargement of the European Union can be identified with the European Councils in Copenhagen (June 1993), Corfu (June 1994) and Essen (December 1994) that opened the door for accession to the countries of the Central and Eastern Europe. They were followed by the Zagreb Summit of 2001 of EU member states (EUMS) and Western Balkan countries, under the French Presidency, and on whose basis the enlargement perspective was granted at the EU-Western Balkans Thessaloniki Summit in 2003, which reiterated 'its unequivocal support to the European perspective

of the Western Balkan countries. The future of the Balkans is within the European Union'; furthermore, the Declaration reads: 'The movement ahead lies in the hands of *the countries of the region*'.¹

BACKGROUND OF EUROPEAN AND EURO-ATLANTIC INTEGRATION OF SOUTH EAST EUROPE

– selected highlights –

- 1992 The war begins, building on tensions that had been simmering in the country since Tito's death more than a decade before. The UN Security Council declares a 'no-fly zone' over Bosnia, which NATO enforced as of 1993.
- 1992-1995, successive UN imposed sanctions on Yugoslavia bring damage to
- 1998-1999 the region as a whole;
- 1995 '*The General Framework Agreement for Peace in Bosnia and Herzegovina*', more commonly known as the 'Dayton Agreement', and the Office of the High Representative established based on Art. II of Annex 10 of the document;
- 1999 NATO intervenes in the Federal Republic of Yugoslavia; takes the lead of the multinational force (KFOR); an UN mission to Kosovo (UNMIK) is set up to administer the territory with a view to implementing the 1244 Resolution of the UN Security Council.
- 2001 The Ohrid Agreement.
- 2006 The referendum and peaceful accession to independence of Montenegro is held in February.
- 2008 Kosovo unilaterally declared its independence.

The war woefully joined other conflicts in Eastern Europe in the 1980s and the 1990s: some of them turned from 'internal' to 'international', like in Nagorno-Karabakh, while others cast their shadow from the domestic level to interstate relationships, like the short, yet most significant crisis of the breakaway Transnistrian territory in the Republic of Moldova in early 1990s. Later developments consecrated the perception of the arc of so-called 'frozen conflicts' heralded by the above-mentioned cases: in the aftermath of the successive Chechen wars, in 2008 the Russian Federation militarily aided the secession of territories of the Republic of Georgia, thus anticipating the unlawful annexation of Crimea in 2014 and its involvement in the still unresolved conflict in eastern Ukraine.

Note: The international background witnessed the recognition and accession to the United Nations of new states and, by mid 2000s, the UN adoption of 'The Right to Protect' – all being developments in international law unparalleled since WWI, with far-reaching effects on the area.

Box 1. Background of European and Euro-Atlantic Integration of South East Europe.

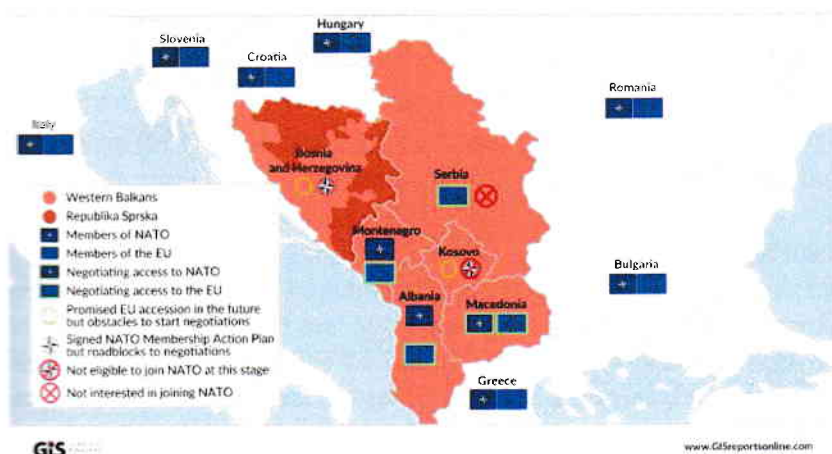
¹ EU-Western Balkan Summit (Thessaloniki, 21 June 2003), *Declaration*, https://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/misc/76291.pdf

According to the EU treaties, membership of the European Union is open to 'any European State which respects the values referred to in Article 2 and is committed to promoting them' (TEU Article 49), and these values are 'respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities.' They are based on the so-called 1993 'Copenhagen criteria' which had been agreed as it became clear that many former Eastern Bloc countries would apply to join².

A corollary to enlargement proper could be considered the accession process to the Strasbourg based human rights organization of the Council of Europe, a necessary staging post of Central and Eastern Europe as a whole to NATO and EU accession.

On a regional level one might mention the establishment in 1997 of the South East European Cooperation Process and the formalisation of its statutory relations with the Regional Cooperation Council (the heir of the Stability Pact for South East Europe) based in Sarajevo. All participants in the SEECP recognize themselves in the major goal of integration.

'The Western Balkans' tortuous road to integration with the West



Map 2. The Western Balkans' tortuous road to integration with the West.

Source: GISreportonline.com

² European Council in Copenhagen, 21-22 June 1993, Conclusions of the Presidency, <https://www.consilium.europa.eu/media/21225/72921.pdf>

Table 1. Post-Cold War European and Euro-Atlantic Integration Processes.

Post-Cold War European and Euro-Atlantic Integration Processes			
Year	European Union		NATO
	Member States	Candidates *	
1995	Austria, Finland, Sweden		
1999			Czech Republic, Hungary, Poland
2004	Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta Poland, Slovakia, Slovenia	North Macedonia	Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, Slovenia
2006			Serbia**
2007	Bulgaria, Romania		
2008		Montenegro	
2009		Albania, Serbia	Albania, Croatia
2013	Croatia		
2017			Montenegro
2018			Bosnia-Herzegovina's first national annual program under MAP was accepted by NATO ministers.
2020			North Macedonia

* Turkey applied for EU membership in 1987 and Bosnia-Herzegovina in February 2016. On 1 April the Stabilisation and Association Agreement entered into force between the EU and Kosovo (NB: This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.)

** NATO recognizes Serbia's neutrality.

In 2014 the Berlin Summit marked the launching of the Berlin Process as an intergovernmental cooperation initiative aimed at revitalising the multilateral ties between the Western Balkans and EU states and the improvement of regional cooperation on infrastructure and economic development.

An outstanding development based on regional concertation relevant in the political, economic and implicit security dimensions, relates to the Three Seas Initiative (3SI), associating along twelve EU member states from Central-Eastern Europe, the USA, Germany and the EU Commission. Launched in 2015 in New York in the presence of, among others, the Presidents of Croatia, Poland, Romania and Bulgaria (the latter to be hosting the upcoming Summit meeting of this year), its significance for the Western Balkans cannot be underplayed. The Business Forum of the 3SI, whose first edition was held during the Bucharest Summit in 2018, is open not only to EU Member States and participating partners but also to the Western Balkan countries, Ukraine, the Republic of Moldova, and Georgia. The binding concept of this initiative is focused on interconnectivity in its three dimensions: infrastructure/transport, digital, energy.

Comparing the dates of accession to NATO and respectively to EU of Central Eastern European countries confirms the assessment made by Ambassador Mircea Geoană, the Deputy Secretary General of NATO, on the contribution of membership to the Alliance to accession to EU³. Preparation for joining NATO is in itself compatible to the implementation of the EU accession criteria.

Even if new developments have taken place on the ground ever since (e.g., accession of Republic of North Macedonia), it may be useful to recall in this context art. 59 of the 2018 Brussels NATO Summit declaration as it underlines its total compatibility with the EU driven integration process: *'The Western Balkans is a region of strategic importance, as demonstrated by our long history of cooperation and operations in the region. We remain fully committed to the stability and security of the Western Balkans, as well as to supporting the Euro-Atlantic aspirations of countries in the region. We will continue to work*

³ *'We are an integral part of the most successful union in human history'*, 4 April 2021, ibidem.

*closely with the Western Balkans to maintain and promote regional and international peace and security. Democratic values, rule of law, domestic reforms, and good neighbourly relations are vital for regional cooperation and for the Euro-Atlantic integration process, and we welcome progress in this regard. We also welcome recent progress on border demarcation in the region.'*⁴

Roadmaps and Reality Checks

In his State of the Union address in 2017, Jean Claude Juncker, the President of the European Commission, re-affirmed the European future of the Western Balkan countries: ***'If we want more stability in our neighbourhood, then we must also maintain a credible enlargement perspective for the Western Balkans. It is clear that there will be no further enlargement during the mandate of this Commission and this Parliament. No candidate is ready. But thereafter the European Union will be greater than 27 members. Accession candidates must give the rule of law, justice and fundamental rights utmost priority in the negotiations'***. (emphasis in original)⁵

President Juncker's statement was followed a year later by the Communication of the Commission, COM(2018)65 on ***'A credible enlargement perspective for and enhanced EU engagement with the Western Balkans'***, adopted during the Bulgarian Presidency. The document⁶ confirms the strong engagement of the EU in the region and its support ***'for the future of the region as an integral part of the EU'***. At the same time, it underlines that ***'the firm merit-based perspective of EU membership for the Western Balkans is in the interest of the Union's very own political, security and economic interest. It is a geo-strategic investment in a stable, strong and united Europe based on common values'*** Moreover, it is essentially that, ***'In order for the countries to meet all membership conditions and strengthen their democracies,***

⁴ Brussels Summit Declaration - Issued by the Heads of State and Government participating in the meeting of the North Atlantic Council in Brussels 11-12 July 2018, https://www.nato.int/cps/en/natohq/official_texts_156624.htm#59

⁵ President Jean-Claude Juncker's State of the Union Address 2017, https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_17_3165

⁶ European Commission, *A credible enlargement perspective for and enhanced EU engagement with the Western Balkans*, 6 February 2018, <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52018DC0065&from=en>

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comprehensive and convincing reforms are still required in crucial areas, notably on the rule of law, competitiveness, and regional cooperation and reconciliation'. (emphasis added).

However, one has to recall that authoritative voices among EUMS saw that further enlargement should be subsequent to EU internal reform, whereas aiming at the same time for asserting the voice of a political Europe⁷.

It may be worth mentioning that in 2018, 2019 and 2020 three countries in South East Europe held the Presidency of the Union: Bulgaria, Romania and Croatia and all had the Western Balkans and enlargement high on their agenda. Between the Summit in Sofia in 2018 and the Summit meeting in Zagreb, in 2020, in 2019 the Romanian Presidency had as one of its main topics in the Gymnich meeting of foreign ministers the accession of the Western Balkans; moreover, during Romania's tenure the 54th meeting of the Association Council, EU-Turkey took place in Brussels – an event not easy to organize after a four years lapse. Romania focused its attention on advancing the negotiations for accession of Montenegro and Serbia, supported the opening of negotiations for accession for Albania and North Macedonia and encouraged the presentation of the candidature of Bosnia-Herzegovina as a member of European Union. Considering the long-term investment made in the democratic transition and consolidation of the region and present-day challenges of a hybrid and asymmetric nature, a whole-of-society type of response is required, which includes building resilience and ensuring cyber-security as essential components – and here Romania can be a contributor through the newly founded EU Cyber Center in Bucharest and the Euro-Atlantic Center for Resilience coordinated by the Romanian MFA. Likewise, on a wider scale, Romania's own experience in institution- and democracy-building would be useful in the general trend of supporting the area's aspirations to European and Euro-Atlantic integration, as the case may be⁸.

⁷ Tefta Kelmendi, Engjellushe Morina, *How Macron can strengthen the EU in the Western Balkans*, European Council on Foreign Relations, 24 February 2021, <https://ecfr.eu/article/how-macron-can-strengthen-the-eu-in-the-western-balkans/>

⁸ See for instance Iordan Bărbulescu (coordinator), Clara Volintiru, Miruna Troncotă, Nicolae Todiraș, *Regional Democracy Promotion – Romania in relation to Western Balkans and Eastern Partnership States*, Tritonic, 2018, mainly *Conclusions and final remarks*, pp. 241-248.