



BiEPAG

Policy Brief

**The migrant crisis:
a catalyst for EU
enlargement?**

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Balkans in Europe Policy Advisory Group

Policy Brief

The migrant crisis: a catalyst for EU enlargement?¹

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Executive summary

When the external EU and Schengen border is compromised, the borders of the Western Balkan states become European borders. When these states lag too much behind their European neighbours in economic development and democratic standards, their citizens migrate. Regrettably, the political response to both dimensions of the migrant crisis in the Balkans has so far centred mostly on containment and deterrence. Worse still, there have been signs of horse-trading stability for democracy in order to have strong leaders able to tackle the migrant crisis. On the contrary, a decisive re-launch of the enlargement process, using existing tools and EU leverage effectively, would enhance both the capacities of the Western Balkan countries to handle external shocks as well as their attractiveness for their own citizens. Such a change in approach, however, requires replacing the current auto-pilot mode with a political driver for the accession process.

Introduction

For a brief moment, the refugee crisis put the Western Balkans back on the political map of Europe, underlining the strategic importance of the region for the EU's stability and security. The European border agency FRONTEX registered close to 800,000 irregular crossings on the Western Balkan route over the course of 2015, up from just 43,000 in 2014.¹ Following the closure of the Balkan route on 8 March 2016, numbers of arrivals have declined dramatically. It was Austria's decision to limit the number of migrants entering its territory that, in concertation with the governments of the other countries located along the transit route, resulted in the sealing of Macedonia's border with Greece. Since this step was taken, the UNHCR has not registered a single arrival to Macedonia, Croatia, or Slovenia, and only a few dozen daily to Serbia via the land border with Bulgaria. While initial concerns focused on the disruptive potential of a migrant tailback on the Greek side of the border, the EU-Turkey deal that entered into force on 20 March has since shifted both the main burden in the migrant crisis and the political attention towards Turkey. Both politicians and commentators have since been concerned whether the decision to "end irregular migration from Turkey into the EU"² will durably halt the inflow of migrants via the Aegean Sea. Meanwhile, the Western Balkan region itself has slipped back into the background.

Viewing the on-going migrant crisis through the broader framework of the EU's enlargement policy, this policy brief uses the current respite in the arrival of refugees as an occasion to take stock of the developments over the past year and the lessons they hold for the EU's engagement with its (potential) candidate states. It focuses in particular on the Western Balkans, whose brief moment in the limelight of the refugee crisis has done little to foster more strategic thinking on how to lastingly stabilise the countries of

- 1 Frontex, "Western Balkan Route," available at <http://frontex.europa.eu/trends-and-routes/western-balkan-route/>.
- 2 EU-Turkey statement, 18 March 2016, available at <http://www.consilium.europa.eu/en/press/press-releases/2016/03/18-eu-turkey-statement/>. For an excellent analysis, see Kerem Oktem, "Zombie politics: Europe, Turkey and the disposable human", openDemocracy, 19 March 2016, available at <https://www.opendemocracy.net/kerem-oktem/zombie-politics-europe-turkey-and-disposable-human>.

the region, ensure their sustainable democratic transformation and assist their economic development. This brief tackles the two dimensions of the migration crisis in the Balkans, in turn arguing that in both cases, the EU's response has centred on fighting the symptoms, rather than on developing more long-term solutions. Besides, the perceived need for strong leaders dealing with the situation has enhanced the tendency of horse-trading of fundamental European values for geopolitical interests and stability. This approach threatens to erode the EU's credibility as a normative power while doing little to resolve the underlying causes of the migrant crisis. Instead, what is needed is a strategic re-launch of EU enlargement policy that replaces the current autopilot mode with a decisive political commitment to successful transformation and tangible membership prospects for the Balkans region.

An external crisis: the Balkans as a transit route

The sudden rise in the inflow of migrants into the EU via the Aegean Sea and Greece brought unexpected prominence to the Western Balkan region. According to the Eurostat office, the EU's 28 member states received a combined total of 1,255,000 first-time asylum applications over the course of 2015.³ The UNHCR registered 856,000 arrivals by sea to Greece during this period, a four-fold increase over the 2014 numbers that had stood at 219,000.⁴ The sudden popularity of the Balkan route underlined the region's often casually ignored location in the heart of the EU, as hundreds of thousands of refugees paradoxically crossed an EU and Schengen country – Greece – to escape through two non-EU countries – Macedonia and Serbia – to eventually reach another Schengen country further north. In a twist of irony, the failure of the Dublin system, with Greece unable to manage the massive inflows of refugees and the EU incapable of relocating them, led to the EU becoming a net exporter of instability to the Balkan region⁵.

The initial transit route passed through Macedonia, Serbia and then Hungary, but the erection by Budapest of a fence on its border with Serbia (and later Croatia) diverted the migrants to Croatia and Slovenia as of mid-September 2015. This initially caused a sharp rise in bilateral tensions between Belgrade and Budapest, and then between Belgrade and Zagreb, with Croatia and Serbia engaging in a tit-for-tat series of reprisals following the arrival of 44,000 migrants on Croatian soil in a single week. German pressure thankfully allowed for a swift resolution of this issue, however, and the transit of up to 9,000 migrants daily took place in a surprisingly

3 Detailed numbers available at http://ec.europa.eu/eurostat/statistics-explained/index.php/Asylum_statistics.

4 UNHCR, “Refugees/Migrants Emergency Response: Mediterranean”, available at <http://data.unhcr.org/mediterranean/country.php?id=83>.

5 Francisco de Borja Lasheras with Vessela Tcherneva and Fredrik Wesslau, “Return to Instability: How Migration and Great Power Politics Threaten the Western Balkans”, European Council on Foreign Relations, March 2016, available at http://www.ecfr.eu/page/-/ECFR_163_RETURN_TO_INSTABILITY.pdf.

orderly fashion.⁶ Moreover, civil society organisations across the region were quick to compensate for the absence of state-provided accommodation and services by erecting temporary refuges and providing meals, clothes and legal advice to migrants transiting through their countries. Still, the rather welcoming and efficient reception of migrants was strongly connected to the short duration of their presence. The threat of migrants remaining ‘stranded’ along the Balkans route once countries further north decided to close their borders fuelled a reluctance to accept more permanent and larger reception facilities, and eventually led to an initial restriction of entrance to only those coming from Syria, Afghanistan or Iraq already as of mid-November 2015.

The EU’s involvement in this external dimension of the migrant crisis in the Western Balkans – and beyond – has focused on containment. A special summit in October 2015 bringing together the concerned EU member states and the Balkan countries⁷ located along the transit route resulted in the adoption of a 17-point plan setting out a series of concrete measures to end what had become known as a ‘policy of waving through,’ including an improved exchange of information, the adequate registration of migrants and the creation of temporary reception capacities for 100,000 migrants along the Balkans route, including in Greece.

However, little has been done to tackle the mostly dysfunctional asylum systems in the Balkan countries, an issue that will likely turn into a problem once higher numbers of refugees are forced to seek asylum there given their way further West has been blocked. Moreover, the additional efforts deployed by the EU to assist and coordinate its response to the crisis with the Western Balkan countries, such as the *Western Balkans Risk Analysis Network*, the concluded working arrangements of FRONTEX⁸ with the countries in the region and the financial support of the European Commission, fall short of demands. The measures taken cannot compensate for the inability to

6 Senada Šelo Šabić and Sonja Borić, “At the Gate of Europe: A Report on Refugees on the Western Balkan Route”, Friedrich Ebert Foundation, March 2016, available at <http://www.irmo.hr/en/publications/the-study-at-the-gate-of-europe-a-report-on-refugees-on-the-western-balkan-route/>.

7 Commission President Juncker convened the leaders of Albania, Austria, Bulgaria, Croatia, Macedonia, Germany, Greece, Hungary, Romania, Serbia and Slovenia.

8 See more at <http://frontex.europa.eu/partners/third-countries/>

deploy FRONTEX in the region, and to make use of other existing security arrangements reserved for EU member states.⁹ Highlighting “the absurdity of the Western Balkans not being part of the EU”¹⁰, the refugee crisis clearly demonstrates the strategic importance of and the urgency to get serious about EU enlargement.

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- 9 Most notably Western Balkan countries are kept out of the EURODAC system, the EU-wide database for identifying asylum-seekers and irregular border crossers.
 - 10 Florian Bieber, “The refugee crisis underlines the absurdity of Western Balkans states being outside of the EU”, London School of Economics blog, 5 September 2015, available at <http://blogs.lse.ac.uk/europpblog/2015/09/05/notes-from-the-western-balkans-summit-in-vienna-small-steps-and-not-so-great-expectations/>.

An internal crisis: the Balkans as a region of origin

In addition to the challenges brought by the Balkans becoming an important transit route, there is an internal dimension to the migrant crisis in this region. Following mild increases in mostly unwarranted asylum applications from the region after the progressive introduction of visa liberalisation with the Western Balkans as of 2009, numbers surged in 2015 as Western Balkans citizens ‘tagged onto’ the wave of refugees transiting through the region. The most striking numbers come from Albania and Kosovo¹¹: from an already sizeable 16,000 Albanian asylum-seekers in 2014, the numbers shot up to almost 66,000 in 2015. The applications from Kosovo multiplied from close to 17,000 in 2013, to 34,000 in 2014 and 66,000 in 2015. These numbers place the two countries among the top five countries of origin of asylum-seekers in the EU for 2015, just behind Syria, Afghanistan, and Iraq.¹² In Germany, Albanian and Kosovar applicants in 2015 came in second only to Syria.¹³

Again, the reaction by the EU and its member states has sought to tackle the symptoms rather than the causes of this sudden increase. Initial blame was placed on the Western Balkans, which in turn started profiling their citizens upon departure, preventing certain categories of citizens from leaving towards Western Europe. However, it was the gradual harmonisation of the list of safe countries and the resulting speed-up of the asylum decision process that led to a decline in applications coming from the region.¹⁴

11 Kosovo is the only country in the region that has not yet been granted visa liberalisation for the Schengen area. This step was proposed in May 2016 by the European Commission, but remains to be endorsed by the Council.

12 Eurostat, “Countries of origin of (non-EU) asylum seekers in the EU-28 Member States”, available at http://ec.europa.eu/eurostat/statistics-explained/index.php/File:Countries_of_origin_of_%28non-EU%29_asylum_seekers_in_the_EU-28_Member_States,_2014_and_2015_%28thousands_of_first_time_applicants%29_YB16.png.

13 Detailed number for 2015 available from the Federal Ministry for Migration and Refugees, <https://zeitschrift-ip.dgap.org/de/ip-die-zeitschrift/archiv/jahr-gang-2016/januar-februar/doppelt-unter-druck>.

14 European Stability Initiative, “Saving visa-free travel”, 1 January 2013,

Recognition rates for Balkan citizens had already been very low, hovering in Germany in 2015 around 0.3% compared to 96% for Syrians. Additionally, certain countries lowered the incentives for asylum claims, with numbers of applicants dropping sharply in Germany following the shift from financial support to a voucher system.¹⁵

Yet, the swift return of Balkan émigrés to their points of departure falls short of tackling the reasons for their exodus: not only are socio-economic conditions in the region dire, with high rates of unemployment causing mainly economically motivated emigration,¹⁶ but discrimination against Roma as one of the main groups of asylum applicants is both widespread and largely ignored by regional governments.¹⁷ Whether these migrants coming from the Western Balkan region are leaving their homes in search of a more prosperous and stable life in Western Europe due to a lack of awareness of the asylum grounds, misguided promises by profit-driven transport companies or the pull factors of free housing, schools, and health care, the fact that so many people have been willing to go through all the trouble for a few months of decent life with basic services provided, should be a wake-up call for both Western Balkan governments and the European Union. The mass exodus of the local population, particularly the most marginalised, is a strong indicator of the growing hopelessness in the face of rampant unemployment, increasing poverty, and rising inequality in a region that still struggles to reach the GDP level of 1989, when Yugoslavia

available at http://www.esiweb.org/pdf/esi_document_id_132.pdf. Additionally, for a fascinating story on migrants from Montenegro see European Stability Initiative, “Montenegro: Germany’s Balkan stipends – Asylum and the Rozaje exodus”, 19 January 2015, available at <http://www.esiweb.org/pdf/ESI-Montenegro%20essay%20-%20Germany%20Balkan%20stipends%20-%202019%20Jan%202015.pdf>.

- 15 Natasha Wunsch, “Doppelt unter Druck: Der Westbalkan als Transitroute und Herkunftsregion“, *Internationale Politik*, January/February 2016, available at <https://zeitschrift-ip.dgap.org/de/ip-die-zeitschrift/archiv/jahrgang-2016/januar-februar/doppelt-unter-druck>.
- 16 Felix Henkel and Bert Hoppe, “Flucht und Migration: Debattenbeiträge aus den Ländern des Westbalkans”, Friedrich Ebert Foundation, September 2015, available at <http://library.fes.de/pdf-files/id-moe/11638-20150930.pdf>.
- 17 Dane Taleski, “The Balkans’ Other Migrant Crisis”, Freedom House, May 2016, available at <https://freedomhouse.org/report/special-reports/balkans-other-migrant-crisis#.V0dhOL4Y35M>.

began to fall apart.¹⁸ The growing disillusionment with the political elites who pay lip service to democracy but practice state capture and clientelism, together with the ever-evasive promise of EU membership, is a further strong incentive to give up and leave. Again, a more decisive use of the tools available under the enlargement policy could help address some of the main drivers of emigration and provide alternatives to those turning their backs on their home countries.

18 Dušan Reljić, “Western Balkans Conference in Vienna: Gloomy Prospects for EU Accession Candidates”, the German Institute for International and Security Affairs, 21 August 2015, available at <http://www.swp-berlin.org/en/nc/publications/point-of-view/western-balkans-conference-in-vienna-gloomy-prospects-for-eu-accession-candidates/print/1.html>.

Beyond containment: using the tools of enlargement policy

In need of stable partners in general, and to tackle the consequences of the refugee crisis in particular, the EU has been all too ready to overlook democratic backsliding among the candidate countries.¹⁹ Freedom House's Nations in Transit 2016 shows that democracy in the Western Balkans has declined for six consecutive years, and is on average back at the levels of 2004.²⁰ The EU's tendency to turn a blind eye to worrying authoritarian tendencies has been particularly apparent in the cases of Macedonia²¹ and Serbia²². Following his last visit to Skopje in January 2016, Commissioner Johannes Hahn underlined that "despite all the talk about new elections, we should not forget that there is a very serious migration crisis in Europe (...) it is also about the European, Euro-Atlantic perspective, where I believe a strong, decisive government, which can take decisions, is important."²³ Similarly, repression of media freedom in Serbia²⁴ has not been sufficiently confronted by the EU, with the recent re-election of Serbian Prime Minister Vučić, accused of keeping domestic media in a stranglehold²⁵, hailed as a victory for reforms and the country's accession process. The EU's unassertive

19 Srdjan Cvijic and Goran Buldioski, "Beyond the Migration route in the Western Balkans", November 2015, available at <http://www.esharp.eu/debates/external-action/beyond-the-migration-route-in-the-western-balkans>

20 Available at <https://freedomhouse.org/report/nations-transit/nations-transit-2016>.

21 For more on Macedonia, see Nikola Dimitrov, Ivana Jordanovska and Dane Taleski, Policy Brief "Ending the Crisis in Macedonia: Who Is in the Driver's Seat?", BiEPAG, April 2016, available at <http://balkanfund.org/wp-content/uploads/2016/04/Ending-the-Crisis-in-Macedonia-Who-is-in-the-driving-seat-web.pdf>.

22 Srdjan Cvijic, "Serbia election: EU grasping at straws", EuObserver, 27 April 2016, available at <https://euobserver.com/opinion/133226>.

23 Video of the statement available at <https://youtu.be/JKLb56-P6rs>.

24 Freedom House, "Freedom of the Press 2016", available at <https://freedomhouse.org/report/freedom-press/freedom-press-2016?gclid=CJTaaqVgs0CFZcy0wod-WeoGCw>.

25 Rodić, Aleksandar. "Srbijo, izvini", *Kurir*, available at <http://www.kurir.rs/vesti/drustvo/aleksandar-rodic-srbijo-izvini-clanak-2008557>.

stance, in the context of the migrant crisis, has allowed Vučić to claim that the way his country has dealt with the refugees “makes us more European than some member states”²⁶ and Macedonian President Ivanov to proudly boast that his country “is defending Europe from itself”²⁷ following the closure of the Macedonian border.

Instead of relying on strong leaders to contain the migrant crisis, the EU should use the strong leverage it has in the Western Balkans – and the tools of EU enlargement policy – to tackle both the internal and the external dimensions of the crisis more forcefully.²⁸ A potential reactivation of the Balkans transit route in the future will be much easier to tackle if functioning mechanisms for coordination between EU and non-EU members, as well as adequate registration and reception capacities on the ground, are in place. When it comes to emigration from the region, declaring the countries in the region as safe countries of origin might temporarily decrease the flow, but helping them become places where people can lead a decent life – through a credible accession process, jobs-generating investments and overall economic modernisation – is what will make a lasting difference.

The EU should use the migration crisis to step up its engagement with the Western Balkan region. The current respite following the EU-Turkey deal needs to serve as a trigger for more in-depth reflection on how to anchor the Balkans firmly in Europe, both politically and economically.

26 Filip Avramovic, Igor Jovanovic, “Serbia will take in some migrants, Vucic says”, BalkanInsight, 2 September 2015, available at <http://www.balkaninsight.com/en/article/serbia-to-receive-certain-number-of-migrants-pm-says-09-01-2015>.

27 Gjorge Ivanov, President of Macedonia. “Macedonia is defending Europe from itself” comment, The Telegraph. March 6, 2016. Available at: <http://www.telegraph.co.uk/news/worldnews/europe/macedonia/12185464/Macedonia-is-defending-Europe-from-itself.html>.

28 For a strong argument in the same direction, see Joschka Fischer, “Europe’s Migration Paralysis”, Project Syndicate, 24 August 2015, available at <https://www.project-syndicate.org/commentary/eu-migration-crisis-by-joschka-fischer-2015-08?barrier=true>.

Recommendations

DEVELOP A COORDINATION MECHANISM BETWEEN EU AND NON-EU STATES TO DEAL WITH CRISIS SITUATIONS. The early response to the surge in migrants transiting through the Western Balkans highlighted the absence of effective channels of communication and coordination both within the region and between EU and non-EU countries more generally. Such a coordination mechanism that can be triggered swiftly to synchronise responses and exchange information needs to be introduced urgently.

KEEP DEMOCRATIC PERFORMANCE AND FULL IMPLEMENTATION OF THE COPENHAGEN CRITERIA AT THE HEART OF THE EU ACCESSION PROCESS. In the long run, maintaining stability at the expense of democracy and the rule of law is not a viable strategy. Turning a blind eye to authoritarian tendencies in the Balkans does not only threaten to undermine the extent of democratic transformation achieved throughout the EU accession process so far, but also risks further deterioration of the situation for populations on the ground, creating further incentives for emigration towards Western Europe.

OPEN CHAPTERS 23 AND 24 FOR ALL ACCESSION CANDIDATES. The EU's 'new approach' placed a prime on improvements in the rule of law at the centre of membership negotiations. Opening the relevant *acquis* chapters with all accession countries will spell out requirements in these areas clearly and forcefully, and give domestic civil society actors a valuable reference point to hold their governments accountable for credible and sustainable reforms that will benefit citizens and enhance the appeal of EU membership for local populations.²⁹

CREATE ALTERNATIVES TO ILLEGAL IMMIGRATION TO WESTERN EUROPE. In the framework of its IPA support and broader economic engagement with the Balkans, the EU and its member states should expand the use of existing legal instruments for temporary employment and training of Balkan citizens in EU member states. Germany, for instance, has opened

29 See also Kmežic, Marko (forthcoming). *EU Rule of Law Promotion: Judiciary Reform in the Western Balkans*, London: Routledge.

its labour market to citizens from countries on the Schengen white list in certain sectors where there is a shortage of qualified labour on the German market. Such opportunities should be actively promoted including by regional governments as a means to alleviate unemployment and allow Balkan citizens to gain work experience abroad.

SUPPORT THE TRANSFORMATION OF LOCAL ECONOMIES AND FOSTER EMPLOYMENT OPPORTUNITIES IN THE REGION. Strengthening the socio-economic conditions within the Balkan region would be a crucial measure to prevent the additional exodus of both well-trained and marginalised sectors of the population. This can include the provision of co-funding for first employments and targeted (re)training measures on the ground to ensure the labour offer reflects the local needs. Short-term employment or training measures in EU member states that foresee support for returnees would improve local capacities in the mid-term while preventing brain drain.

About the Balkans in Europe Policy Advisory Group

The Balkans in Europe Policy Advisory Group (BiEPAG) is a co-operation initiative of the European Fund for the Balkans (EFB) and Centre for the Southeast European Studies of the University of Graz (CSEES) with the aim to promote the European integration of the Western Balkans and the consolidation of democratic, open countries in the region. BiEPAG is composed by prominent policy researchers from the Western Balkans and wider Europe that have established themselves for their knowledge and understanding of the Western Balkans and the processes that shape the region. Current members of the BiEPAG are: Florian Bieber, Dimitar Bechev, Milica Delević, Dane Taleski, Dejan Jović, Marko Kmezić, Leon Malazogu, Corina Stratulat, Marika Djolai, Jovana Marović, Nikolaos Tzifakis, Natasha Wunsch, Srđan Cvijić, Nikola Dimitrov, Mirna Vlašić Feketija, Milan Nič and Vedran Džihić.

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About the European Fund for the Balkans

The European Fund for the Balkans is a joint initiative of European foundations that envisions, runs and supports initiatives aimed at strengthening democracy, fostering European integration and affirming the role of the Western Balkans in addressing Europe's emerging challenges.

The up-to-date programme strategy is based on three overarching areas – Capacity Development, Policy Development and Regional Cooperation - and channelled via flagship programmes and selected projects, complemented with a set of actions arising from EFB's regional identity as a relevant player in its fields of focus.

Their synergetic effects are focussed on continuous “Europeanisation” of the policies and practices of the Western Balkans countries on their way to EU accession, through merging of the region's social capacity building with policy platform development, and a culture of regional cooperation.

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About the Centre for Southeast European Studies, University of Graz

The Centre for Southeast European Studies was set up in November 2008 following the establishment of Southeast Europe as a strategic priority at the University of Graz in 2000. The Centre is an interdisciplinary and cross-faculty institution for research and education, established with the goal to provide space for the rich teaching and research activities at the university on and with Southeast Europe and to promote interdisciplinary collaboration. Since its establishment, the centre also aimed to provide information and documentation and to be a point of contact for media and the public interested in Southeast Europe, in terms of political, legal, economic and cultural developments. An interdisciplinary team of lawyers, historians, and political scientists working at the Centre has contributed to research on Southeast Europe, through numerous articles, monographs and other publications. In addition, the centre regularly organizes international conferences and workshops to promote cutting edge research on Southeast Europe.

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Notes

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