



BiEPAG

The BiEPAG non-paper: Busting 10 myths about EU enlargement

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About BiEPAG

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: Dimitar Bechev, Florian Bieber, Blerjana Bino, Srđan Cvijić, Milica Delević, Srđan Majstorović, Natasha Wunsch, Marika Djolai, Vedran Džihić, Dejan Jović, Marko Kmezić, Jovana Marović, Milan Nič, Corina Stratulat, Dane Taleski, Nikolaos Tzifakis, Alida Vračić, Shpend Emini, Zoran Nechev, Tena Prelec and Donika Emini.

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Myth 1. The French veto over accession talks with North Macedonia and Albania is caused by the countries' lack of progress

With few exceptions, such as the 2016 Paris Summit in the framework of the Berlin Process, there has been little French engagement in the Western Balkans since the 1990s. While there has been widespread opposition to enlargement for years in France and other member states, it has not been based on any proposals for improving the accession process or close monitoring of the developments in the region. Macron's non-paper on a new methodology for enlargement came a year and a half after France had caused the delay in accession talks, in June of 2018. Thus, the proposed change to the accession process is a post-factum justification of President Macron's opposition to the accession talks. Furthermore, it is not addressing some of his primary concerns, such as the issue of asylum seekers from Albania.

The French president's objections are the result of strong reservations with regard to previous enlargements and a long-standing enlargement skepticism among the French elite and concerns about its declining role in the EU, in particular. This was accentuated after Macron's proposals concerning the EU were ignored or rebuffed elsewhere, in particular in Germany.

Myth 2. Enlargement would have succeeded without the French veto

The enlargement process has been in crisis for years, being essentially on autopilot with limited commitment from the member states.¹ Although the French "non" was not the result of the flaws of the accession process as such, the ongoing enlargement process has not delivered. Nearly twenty

1 BiEPAG, Western Balkans and the EU: Beyond the Autopilot Mode, September 2015, <http://biepag.eu/wp-content/uploads/2019/03/BIEPAG-Western-Balkans-and-the-EU-Beyond-the-Autopilot-Mode.pdf>

years since the launch of the Stabilization and Association Process only one country, Croatia, joined, and the others are years away.

Western Balkan countries have been pretending to carry out reforms, and the EU and its members have been pretending to be satisfied with the limited progress in the region. Despite years of negotiations with Montenegro and Serbia, the results have been minimal. Furthermore, it is unclear when talks could begin with laggards such as Bosnia and Herzegovina and Kosovo. Thus, the enlargement crisis is much more profound than the decision of a single member state.

Myth 3. EU Citizens are against enlargement or critical of the EU

Support for the EU and its institutions is at a record high, as is the number of EU citizens identifying as Europeans.² Thus, despite all the populism and nationalism in the EU, citizens have turned more towards the EU. Similarly, citizens' views of enlargement are not as bleak as often portrayed by policymakers. More EU citizens are in favor of enlargement, 46% as opposed to 42% who are against. Only 10 EU member states' citizens are predominantly against enlargement.³ The Eurobarometer survey also does not distinguish specific countries EU citizens could have in mind as future members, so in answering, the respondents might be referring to Montenegro as much as they are to Turkey. More importantly, it does not specify when any further enlargement would take place. The Eurobarometer survey asks about countries joining in "future years". Bearing in mind the fact that for most countries of the Western Balkans membership is between 6 and 15 years off, at best, and that it would follow the implementation of far-fetched reforms and transformation of the societies, the citizens might give different answers.

2 Eurobarometer, European Citizenship, June 2019. <https://ec.europa.eu/commfrontoffice/publicopinion/index.cfm/Survey/getSurveyDetail/instruments/STANDARD/surveyKy/2253>

3 Eurobarometer, Europeans' views on the priorities of the European Union, June 2019, <https://ec.europa.eu/commfrontoffice/publicopinion/index.cfm/Survey/getSurveyDetail/instruments/STANDARD/surveyKy/2253>

If one examines the case of Austria, one of the countries with the largest opposition to enlargement, where only 35% favor enlargement, more detailed data reveals a different picture. While 76% oppose Turkey joining, the opposition to the Western Balkan countries varies between 36% (Bosnia and Herzegovina) and 46% (Kosovo). Similarly, support for countries in the Western Balkans ranges between 23 and 31%. While still skeptical, the opposition is far from absolute and many citizens are undecided.⁴

The fact that some of the greatest enlargement supporters, such as Austria and Germany, and its greatest critics, such as France and the Netherlands, have similarly skeptical populations, suggests that the elites' strategic commitment to enlargement is less a result of popular opinion, but rather that the skepticism among voters is being used as justification or a fig leaf.

Myth 4. A new methodology for enlargement can replace political will of the governments

The EU's tool kit has been constantly improving over the past decade, from the "Fundamentals First" approach to underlining the rule of law, to the more recent emphasis on state capture. Doubtlessly, there is room for strengthening some aspects of the enlargement process, in particular when it comes to the democratic deficits in the Western Balkans. However, there is no methodology that can replace the commitment of governments to undertake these reforms, hence the question is whether the methodology aims to keep the Western Balkans at a distance, or help reform. Even the best methodology will fail if governments are not committed to the reforms required by EU accession and if the process is flawed, a committed government will be able to do what it takes. Citizens and civil society of the Western Balkans should not wait for the EU to reinvigorate the enlargement process; instead, they should exercise pressure on their governments to move with more decisiveness towards the genuine (not procedural) implementation of reforms.

Today, many tools already exist, but are often not used, such as the *imbalance clause*. Therefore, if political weight from EU member states is not invested in the region, there is no methodology in the world that can produce results.

4 <https://oegfe.at/2018/04/16-erweiterung/>

Myth 5. Any revisions to the EU enlargement methodology are futile

While the EU enlargement methodology cannot make up for the lack of political will, it can nevertheless increase the costs caused by non-compliance of Western Balkan political leaders and by the EU members states' arbitrary blocking. At the moment, there is very little incentive for the governments of the Western Balkans to comply with EU demands (especially with those tough, rule-of-law-related issues). Linking meaningful progress with tangible benefits and, conversely, pausing or redirecting such benefits in case of backsliding, could provide a much needed stimulus for deep-seated reform. A more robust and objective process that is more widely recognized as merit-based would highlight member states' vetoes for what they are – bilateral issues and therefore much more politically costly. Any revision of the process should start with these principles in mind.

Myth 6. Energy for change can come from the EU and outside the societies of the Western Balkans

In debates about political change and societal transformation in the Western Balkans, the main actors are often seen as intervening from the outside, in the form of post-war external democratization efforts, including the EU. External democratization often resulted in strengthening post-war political structures, which in turn tends to lower trust in formal institutions. Indeed, the EU can help in offering tools such as laws and rules, and it can intervene and put pressure on autocrats, but the demand for the rule of law, democracy and the standards necessary for a prosperous liberal democracy needs to come from within. Civil society in the region has been trying to play the watchdog role and its empowerment increases the local ownership and the downward accountability of the reform process, whereas the EU is often seen as siding with governments.

Recent years have witnessed different kinds of bottom-up citizens' mobilizations varying from protest movements such as *Justice for David* and *Justice for Dženan* in Bosnia and Herzegovina, a series of protests in Serbia (*Ne davi-mo Beograd, 1 of 5 million*), to a wide variety of local level civic initiatives in all countries of the region. Both civil society and bottom-up participatory

ideas and tools should be used to mend relations between the state and its citizens. While there is potential, it can only be channeled effectively if the scales between help and disruptive external interference are in balance.

If the EU engages more with bottom-up democratic forces, it can help create new avenues for change and shaping the region beyond the usual top-down and elite-focussed external democratization strategy.

Myth 7. Accession talks are a reward

Both in the region and in the member states, accession talks are often perceived as a reward for specific achievements, such as the Prespa Agreement or the judicial reform in Albania. However, the entire accession process is not a reward – it should be based on performance or the readiness by the candidate countries. Thus, what truly matters is whether a country is ready. In particular, accession talks are about preparing a country to join. Negotiations are hardly a reward, nor are they indicating anything about one's readiness to join. As such, they should be treated as an opportunity by the EU and the prospective member states, not as a reward.

Thus, preparedness represents demonstrating a government's political will to undertake key reforms. The primary reason why the Western Balkan countries should reform is to protect the rights and improve the living conditions of their own people.

Myth 8. Countries have to waltz into the EU

Earlier enlargements have been either competitions between those seeking to join, known as the “regatta-principle”, or a joint membership in a *big bang*. Enlargement has now become a waltz into the EU.⁵ It seems that one can only get closer to the EU in pairs - Serbia and Montenegro, North Macedonia and Albania, Bosnia and Herzegovina and Kosovo. There is no compelling logic why countries should be coupled with each other. In the past,

5 We have earlier compared the enlargement process to the Balkan dance, the *kolo*, where all countries pull each other along. BiEPAG, Completing the EU Enlargement to the Balkans: Dancing the European Kolo. A step to the side or a step forward? September 2014, <http://biepag.eu/wp-content/uploads/2019/03/BiEPAG-Policy-Brief.pdf>

the process was either a big bang, with many negotiating at the same time, and an objective of allowing as many as possible to join at once, or it was a trickle, with each country progressing according to their individual merits.⁶ There is no good reason why North Macedonia should move slower because of Albania, or the other way around. While there might be a compelling reason to ratify accession agreements together and have as many countries join in one go, there is no advantage in grouping countries for the beginning of accession talks. After all, Montenegro and Serbia have initiated their respective accession talks years apart. Grouping countries with dissimilar reform track records damages the credibility of the accession conditionality and conveys the wrong message to both frontrunners and laggards.

Myth 9. The integration process is too bureaucratic and should be more political

The EU accession process is often perceived as being too technocratic and bureaucracy-driven. The very nature of accession negotiations proves this to be a wrong perception. Regardless of the fact that the body of EU law is organized into 35 Chapters (which is just a methodological tool of defining particular areas of EU law), the decisions on the opening and the dynamic of accession negotiations and their conclusion depend entirely on political decisions made by the 28 member states, which often take the decision not on the basis of expert assessment, but rather politicize the decisions over bilateral disputes or for internal political benefits. More stringent conditions for the candidates that would enable irreversibility of the accession reforms are welcome, but it would be wrong to expose the EU accession process to even more political influence from the EU member states, in particular in terms of the individual members' ability of halting the EU integration process.

6 BiEPAG, Unfulfilled Promise: Completing the EU Enlargement to the Balkans, June 2014, <http://biepag.eu/wp-content/uploads/2019/03/Unfulfilled-Promise-Completing-the-EU-Enlargement-to-the-Balkans.pdf>

Myth 10. Reforming the EU and enlargement are mutually exclusive processes

The EU requires reform and enlargement. These are not mutually exclusive. The 2004 enlargement process took place in parallel with the Amsterdam Treaty (signed in 1997, entered into force in 1999) and the Nice Treaty (signed in 2001, entered into force in 2003). The European Constitutional Treaty was drafted before the *big bang* and signed just a few months after ten countries had joined. It failed not due to enlargement, but because of opposition in the countries that today are the most critical towards enlargement, such as France and the Netherlands.

Earlier reforms of the EU took place in parallel with accession processes. Given the fact that some member states are more interested in deepening and others in widening the EU, advancing both processes simultaneously has historically provided opportunities for trade-offs which eventually benefited the advancement of both processes. The so-called 'European paradox' of simultaneous deepening and widening has already been criticized by the former French Minister of European Affairs, Pierre Moscovici, who, ahead of the 2004 big bang enlargement, claimed that "On one hand, Europe is stalling, is disenchanted, even disillusioned. On the other hand, the need for Europe is as powerful as it is unsatisfied". History has proven him wrong.⁷

Thus, the debate on the future of Europe and potential treaty revisions should take place in parallel with the discussion on further EU enlargement. Bringing the governments, parliaments and societies of Western Balkans into the Conference on the Future of Europe would also link the two processes and give the future member states a stake in the future EU.

7 Pierre Moscovici, L'Espagne, la France, les vingt-cinq..." Le Figaro, April 14, 2004

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 Balkan 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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