



# Study Guide

European Council

## Table of Contents

<b>1. Greetings of the Board</b> .....	3
<b>2. Introduction to the European Council</b> .....	4
<b>3. Introduction to the EU Enlargement Policy</b> .....	5
<b>4. Introduction to the Topic</b> .....	6
<b>5. Key terms-Definitions</b> .....	7
<b>6. Historical Background</b> .....	11
<b>7. Timeline</b> .....	13
<b>7.1 Albania</b> .....	13
<b>7.2 Bosnia and Herzegovina</b> .....	15
<b>7.3 Kosovo</b> .....	16
<b>8. Legal Framework</b> .....	17
<b>9. Discussion</b> .....	19
<b>9.1. EU and the Western Balkans: Towards a Common Future</b> .....	19
9.1.1. Importance .....	19
9.1.2 Challenges .....	20
<b>9.2. The Question of the Western Balkans: Relations, Accession and Chapters</b> .....	23
<b>9.2.1 Albania</b> .....	23
9.2.1.1 Relations Between the EU and Albania.....	23
9.2.1.2 Accession Negotiations.....	24
<b>9.2.2 Bosnia &amp; Herzegovina</b> .....	25
9.2.2.1 Relations Between the EU and Bosnia and Herzegovina.....	26
9.2.2.2 Accession Negotiations.....	26
<b>9.2.3 Kosovo</b> .....	28
9.2.3.1 Relations Between the EU and Kosovo .....	28
9.2.3.2 Accession Negotiations.....	29
<b>10. Conclusion</b> .....	31
<b>11. Questions Raised</b> .....	32
<b>13. Useful Links</b> .....	33
<b>14. Bibliography</b> .....	33

## 1. Greetings of the Board

Distinguished Heads of States and Governments,

It is our utmost honor to welcome you to EUropa.S. 2024 and specifically to the European Council. This year's topic, "Enlargement Policy of the European Union: The question of Western Balkans (Albania, Bosnia & Herzegovina, Kosovo)", is a priority in the current EU agenda, a topic that has been at the center of the discussion between the EU leaders for many years.

As the Board of the European Council, we hope that this document will guide you throughout your studying and preparation for this year's EUropa.S., will prove to be a useful tool in your effort to deepen your knowledge on the topic under discussion and will motivate you to conduct your own further research. The European Council constitutes one of the simulated European institutions with experienced participants, who are involved every year to get acquainted with its functioning and its substantial role in the European Union. This April, we are waiting for each and every one of you to transform yourselves into a Head of State or Government, actively participate in our heated debates, collaborate, and reach productive conclusions.

We wish that the committee proceedings will be full of excitement, heated debates, and professionalism. Last but not least, should you have any inquiries feel free to contact us. We are really looking forward to meeting you all this April, in the 14th edition of EUropa.S. Get ready for an amazing experience!

Kind Regards,

The Board of the European Council,  
*Alexios Vasileios Tsanos (President)*  
*Evangelia Papachristou (Secretary General)*

## 2. Introduction to the European Council

The history of the European Council starts with the Paris summit of December 1974, hosted by President Valéry Giscard d'Estaing, where it was created, with the intention of establishing an informal forum for discussion between heads of state or government. The European Council acquired a formal status in the Treaty of Maastricht in 1993, where it is defined as providing the impetus and general political guidelines for the EU's development. Finally, it becomes a fully-fledged institution with its own President in the Lisbon Treaty (Article 15).<sup>1</sup>

Nowadays, the European Council is one of the 7 EU Institutions and defines the general political direction and priorities of the European Union. It is composed by the heads of states or governments of each of one of the 27 member states, the President of the European Council and the President of the European Commission. The President of the European Council chairs its meetings and drives forward its work. He also ensures the external representation of the EU at his level on issues concerning its common foreign and security policy.<sup>2</sup> The High Representative of the Union for Foreign Affairs and Security Policy shall take part in its work.<sup>3</sup> EU leaders meet at least four times a year, these meetings are often referred to as "EU Summits" and are held in Brussels, more usually during two days.<sup>4</sup>

The European Council is not a legislative body; it defines the EU's overall political direction and priorities, traditionally by adopting conclusions. It does not negotiate or adopt EU laws, but these conclusions are used to identify specific issues of concern for the EU and outline particular actions to take or goals to reach. They can also set a deadline for reaching agreement on a particular item or for the presentation of a legislative proposal. In this way, the European Council is able to influence and guide the EU's policy agenda.<sup>5</sup>

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<sup>1</sup> (No date) *History - consilium*. Available at: <https://www.consilium.europa.eu/en/history/?filters=2031>

<sup>2</sup> (No date a) *Charles Michel, president of the European Council - Consilium*. Available at: <https://www.consilium.europa.eu/en/european-council/president/>

<sup>3</sup> (No date a) *European Council conclusions - consilium*. Available at: <https://www.consilium.europa.eu/en/european-council/conclusions/>

<sup>4</sup> (No date a) *How the European Council Works - Consilium*. Available at: <https://www.consilium.europa.eu/en/european-council/how-the-european-council-works/>

<sup>5</sup> (No date a) *European Council conclusions - consilium*. Available at: <https://www.consilium.europa.eu/en/european-council/conclusions/>

### 3. Introduction to the EU Enlargement Policy

The EU integrates new members through the enlargement process once they meet a number of political and economic conditions. The process encourages democratic and economic reforms in countries that want to become EU members and promotes greater stability and prosperity in Europe.<sup>6</sup>

Any European state that respects the E.U. democratic values and is committed to promoting them, may apply for an E.U. membership. In order for the process to go further, the essential conditions all candidate countries must satisfy, are divided in three categories: political criteria (stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities), economic criteria (a functioning market economy and the capacity to cope with competition and market forces), and administrative and institutional capacity to effectively implement the EU acquis (body of common rights) and ability to take on the obligations of EU membership. The Copenhagen Criteria appeared to provide objective benchmarks for new member states and thus provided great incentives for potential candidate states to engage in political, legal and economic reform. At the same time, however, the decision on whether candidate states for membership fulfill the Copenhagen Criteria was a political one, so that the Criteria were far from fully objective in their application.<sup>7</sup>

Accession negotiations with a candidate country are launched after unanimous agreement by all Member States endorsed by the European Council.<sup>8</sup> These negotiations help prepare the candidate for eventual membership and focus on the adoption of the established EU law and implementation of the needed judicial, administrative and economic reforms.

When negotiations on all policy areas are completed, and the EU itself is prepared for enlargement in terms of absorption capacity, then the terms and conditions for accession — including possible safeguard clauses and transitional arrangements — are incorporated into an accession treaty. This treaty needs the European Parliament's consent and the Council's unanimous approval before all EU member states and the

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<sup>6</sup> (No date a) *EU enlargement policy - consilium*. Available at: <https://www.consilium.europa.eu/en/policies/enlargement/>

<sup>7</sup> *Copenhagen criteria* (no date) *Oxford Reference*. Available at: <https://www.oxfordreference.com/display/10.1093/oi/authority.20110803095637775>

<sup>8</sup> *Accession negotiations* (no date) *EUR*. Available at: [https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM%3Aaccession\\_negotiations](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM%3Aaccession_negotiations)

candidate country can sign it. After all the contracting parties have ratified the accession treaty in line with their respective constitutional rules, the candidate becomes an EU member state on the date set out in the accession treaty.<sup>9</sup>

#### 4. Introduction to the Topic

This year's simulation of the European Council, focuses on the integration and the accession process of three countries of the Western Balkans: Albania, Bosnia & Herzegovina and Kosovo. The EU is committed to the European perspective of the Western Balkans in general, has close links with the region's partners and cooperates with them in a number of important areas. The EU also provides substantial assistance and financial support to the region.<sup>10</sup>

An important milestone of the whole process is the EU-Western Balkans Summit held in 2003 in Thessaloniki, where the E.U. reiterated "its unequivocal support to the European perspective of the Western Balkan countries." In the summit's declaration, it is also noted that "The future of the Balkans is within the European Union. [...] Preparation for integration into European structures and ultimate membership into the European Union, through adoption of European standards, is now the big challenge ahead."<sup>11</sup> The summit also strengthened the already since 1999 existing Stabilization and Association Process, via which the Western Balkan countries are involved in a progressive partnership with a view of stabilizing the region and establishing a free-trade area. The SAP sets out common political and economic goals although progress evaluation is based on countries' own merits.<sup>12</sup>

Finally, the declaration makes specific remarks related to issues that cause a grave concern to the E.U., such as UNSC's Resolution regarding the status of Kosovo, organized crime and corruption, the rule of law, economic development and development of civil society, illegal migration, and strengthening administrative capacity in border control and security of documents.

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<sup>9</sup>. (No date a) *EU enlargement policy - consilium*. Available at: <https://www.consilium.europa.eu/en/policies/enlargement/>

<sup>10</sup> (No date a) *EU enlargement policy - consilium*. Available at: <https://www.consilium.europa.eu/en/policies/enlargement/>

<sup>11</sup>. (No date a) *EU-Western Balkans Summit Declaration - Consilium*. Available at: [https://www.consilium.europa.eu/ueDocs/cms\\_Data/docs/pressdata/en/misc/76291.pdf](https://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressdata/en/misc/76291.pdf)

<sup>12</sup> *Stabilisation and association process (no date) European Neighbourhood Policy and Enlargement Negotiations (DG NEAR)*. Available at: [https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/glossary/stabilisation-and-association-process\\_en](https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/glossary/stabilisation-and-association-process_en)

In June 2022, EU leaders expressed their full and unequivocal commitment to the EU membership perspective of the Western Balkans and called for acceleration of the accession process. More specifically, when it comes to Kosovo's status, the European Council "reaffirms the urgency of making tangible progress in resolving outstanding bilateral and regional disputes, particularly the Belgrade-Pristina Dialogue on normalization of relations between Serbia and Kosovo"<sup>13</sup>. Also, as far as Bosnia & Herzegovina is concerned, the European Council highlighted the importance of implementing the commitments set out in the agreement and urgently finalize the constitutional and electoral reform.

## 5. Key terms-Definitions

**Accession criteria:** The accession criteria, or Copenhagen criteria (after the European Council in Copenhagen in 1993 which defined them), are the essential conditions all candidate countries must satisfy to become a member state. These are:

- political criteria: stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities;
- economic criteria: a functioning market economy and the capacity to cope with competition and market forces;
- administrative and institutional capacity to effectively implement the *acquis* and ability to take on the obligations of membership.<sup>14</sup>

**Accession partnership:** Accession partnerships define the framework of the accession process. They set out:

- key priority areas in which candidate countries need to make progress, i.e. priorities identified in the European Commission's opinion on applications for European Union applications;
- pre-accession assistance.

Each candidate country draws up a national programme for the adoption of the *acquis* (NPAA), which sets out a timetable for putting the partnership into Each

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<sup>13</sup> (No date a) *Euco 24 / 22 (or. en ) Brussels , 24 June 2022 European Council*. Available at: <https://data.consilium.europa.eu/doc/document/ST-24-2022-INIT/en/pdf>

<sup>14</sup> *Accession criteria* (no date) *European Neighbourhood Policy and Enlargement Negotiations (DG NEAR)*. Available at: [https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/glossary/accession-criteria\\_en](https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/glossary/accession-criteria_en)

candidate country also draws up an action plan for strengthening its administrative and judicial capacities.<sup>15</sup>

**Application for E.U. membership:** The Treaty on European Union (Article 49) lays down the conditions a candidate country must meet to become a member state: any European state which respects the common values of the Member States and undertake to promote them may apply to become a member of the Union. These values include human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities (Article 2 of the Treaty on European Union).<sup>16</sup>

**Candidate countries:** An applicant country for European Union membership may be granted candidate country status by the European Council on the basis of a recommendation by the European Commission. Candidate country status does not give a right to join the Union automatically. The Commission examines the application in light of the accession criteria (Copenhagen Criteria) and draws up an opinion, while the European Council decides to open accession negotiations with the candidate country.<sup>17</sup>

**Chapters of the acquis/Negotiating chapters:** They correspond to the different areas of the acquis for which reforms are needed in order to meet the accession conditions. The candidate countries are required to adapt their administrative and institutional infrastructures and to bring their national legislation into line with EU legislation in these areas. The different chapters are reviewed during the screening of the acquis and are evaluated regularly up until the time each chapter is closed.<sup>18</sup>

### **35 Chapters of the acquis**

<b>Chapter 1</b>	<b>Free movement of goods</b>
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<sup>15</sup> *Accession partnership* (no date) *European Neighbourhood Policy and Enlargement Negotiations* (DG NEAR). Available at: [https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/glossary/accession-partnership\\_en](https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/glossary/accession-partnership_en)

<sup>16</sup> *Application for EU membership* (no date) *European Neighbourhood Policy and Enlargement Negotiations* (DG NEAR). Available at: [https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/glossary/application-eu-membership\\_en](https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/glossary/application-eu-membership_en)

<sup>17</sup> *Candidate countries* (no date) *European Neighbourhood Policy and Enlargement Negotiations* (DG NEAR). Available at: [https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/glossary/candidate-countries\\_en](https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/glossary/candidate-countries_en)

<sup>18</sup> *Chapters of the acquis / negotiating chapters* (no date) *European Neighbourhood Policy and Enlargement Negotiations* (DG NEAR). Available at: [https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/glossary/chapters-acquis-negotiating-chapters\\_en](https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/glossary/chapters-acquis-negotiating-chapters_en)



<b>Chapter 2</b>	<b>Freedom of movement for workers</b>
<b>Chapter 3</b>	<b>Right of establishment and freedom to provide services</b>
<b>Chapter 4</b>	<b>Free movement of capital</b>
<b>Chapter 5</b>	<b>Public procurement</b>
<b>Chapter 6</b>	<b>Company law</b>
<b>Chapter 7</b>	<b>Intellectual property law</b>
<b>Chapter 8</b>	<b>Competition policy</b>
<b>Chapter 9</b>	<b>Financial services</b>
<b>Chapter 10</b>	<b>Information society and media</b>
<b>Chapter 11</b>	<b>Agriculture and rural development</b>
<b>Chapter 12</b>	<b>Food safety, veterinary and phytosanitary policy</b>
<b>Chapter 13</b>	<b>Fisheries</b>
<b>Chapter 14</b>	<b>Transport policy</b>
<b>Chapter 15</b>	<b>Energy</b>
<b>Chapter 16</b>	<b>Taxation</b>
<b>Chapter 17</b>	<b>Economic and monetary policy</b>
<b>Chapter 18</b>	<b>Statistics</b>
<b>Chapter 19</b>	<b>Social policy and employment</b>
<b>Chapter 20</b>	<b>Enterprise and industrial policy</b>
<b>Chapter 21</b>	<b>Trans-European networks</b>
<b>Chapter 22</b>	<b>Regional policy and coordination of structural instruments</b>
<b>Chapter 23</b>	<b>Judiciary and fundamental rights</b>
<b>Chapter 24</b>	<b>Justice, freedom and security</b>
<b>Chapter 25</b>	<b>Science and research</b>
<b>Chapter 26</b>	<b>Education and culture</b>
<b>Chapter 27</b>	<b>Environment</b>
<b>Chapter 28</b>	<b>Consumer and health protection</b>

<b>Chapter 29</b>	<b>Customs union</b>
<b>Chapter 30</b>	<b>External relations</b>
<b>Chapter 31</b>	<b>Foreign, security and defence policy</b>
<b>Chapter 32</b>	<b>Financial control</b>
<b>Chapter 33</b>	<b>Financial and budgetary provisions</b>
<b>Chapter 34</b>	<b>Institutions</b>
<b>Chapter 35</b>	<b>Other issues</b>

**Potential candidates:** Since June 2000 (European Council of Feira), all EU partners in the Western Balkans involved in the Stabilization and Association process, which are not yet recognised as candidates, are considered potential candidates for EU membership. Currently, Kosovo and Georgia are potential candidates.<sup>19</sup>

**Stabilization and Association Agreement:** The Stabilization and Association Agreement constitutes the framework of relations between the European Union and the Western Balkan countries for implementation of the Stabilization and Association Process\*. The agreements are adapted to the specific situation of each partner country and, while establishing a free trade area between the EU and the country concerned, they also identify common political and economic objectives and encourage regional cooperation. In the context of accession to the European Union, the agreement serves as the basis for implementation of the accession process.<sup>20</sup>

**Stabilization and Association Process:** The Stabilization and Association Process (SAP) is the European Union's policy towards the Western Balkans, established with the aim of eventual EU membership. Western Balkan countries are involved in a progressive partnership with a view of stabilizing the region and establishing a free-trade area. The SAP sets out common political and economic goals although progress evaluation is based on countries' own merits.

The SAP was launched in June 1999 and strengthened at the Thessaloniki Summit in June 2003 taking over elements of the accession process. It rests on:

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<sup>19</sup> *Potential candidates* (no date) *European Neighbourhood Policy and Enlargement Negotiations (DG NEAR)*. Available at: [https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/glossary/potential-candidates\\_en](https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/glossary/potential-candidates_en)

<sup>20</sup> *Stabilisation and association process* (no date) *European Neighbourhood Policy and Enlargement Negotiations (DG NEAR)*. Available at: [https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/glossary/stabilisation-and-association-process\\_en](https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/glossary/stabilisation-and-association-process_en)

- Contractual relationships (bilateral Stabilization and Association agreements);
- Trade relations (autonomous trade measures);
- Financial assistance (the Instrument for Pre-accession Assistance – IPA);
- Regional cooperation and good neighborly relations.<sup>21</sup>

## 6. Historical Background

The process of EU accession stands at the core of relations between the EU and the countries of the Western Balkans. The basis for these relations was, to begin with, established in the Council Conclusions of April 1997.

In 1999, the EU Council commenced the Stabilisation and Association Process (SAP). It was affirmed that the Western Balkan states could qualify for EU membership provided that they fulfilled the criteria presented and outlined at the Copenhagen European Council in June 1993<sup>22</sup>.

The "Copenhagen Criteria" encompass political, economic, and administrative prerequisites, setting clear benchmarks for countries aspiring to join the EU<sup>23</sup>. Since then, the EU has consistently emphasized its commitment to supporting the Western Balkans in their journey towards European integration. Regular EU-Western Balkans Summits, held since 2018, have seen EU leaders reiterating the Union's resolve to enhance its engagement with the region and appreciating the Western Balkan partners' commitment to implementing necessary reforms.

In February 2020, the European Commission introduced proposals to enhance the EU accession process. The Council approved this new methodology, aiming to instill greater credibility, predictability, and stronger political oversight into the accession process.

Membership talks have commenced for Montenegro and Serbia. In March 2020, the European Council agreed to initiate accession negotiations with Albania and North Macedonia. Bosnia and Herzegovina, along with Kosovo, are potential candidates for EU membership.

The European Union (EU) stands as the primary trade partner for the Western Balkans, accounting for nearly 70% of the region's total trade. Over the decade from 2011 to 2021,

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<sup>21</sup> *Stabilisation and association process* (no date) *European Neighbourhood Policy and Enlargement Negotiations (DG NEAR)*. Available at: [https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/glossary/stabilisation-and-association-process\\_en](https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/glossary/stabilisation-and-association-process_en)

<sup>22</sup> *Stabilisation and association process* (no date) *European Neighbourhood Policy and Enlargement Negotiations (DG NEAR)*. Available at: [https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/glossary/stabilisation-and-association-process\\_en](https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/glossary/stabilisation-and-association-process_en)

<sup>23</sup> *Copenhagen criteria* (no date) *Oxford Reference*. Available at: <https://www.oxfordreference.com/display/10.1093/oi/authority.20110803095637775>

EU-Western Balkans trade has seen a remarkable growth of almost 130%. In the same timeframe, exports from the Western Balkans to the EU surged by 207%. EU businesses have played a pivotal role in investment, contributing to over 65% of foreign direct investment in the region in 2018.

Apart from economic ties, the EU extends political, financial, and technical support to assist Western Balkans partners in implementing crucial reforms and aligning with EU standards. Citizens and businesses from the region actively participate in EU programs such as Erasmus+ for student exchanges and Creative Europe for collaborative cultural projects.

The EU and the Western Balkans collaboratively address security challenges, ranging from combatting organized crime to addressing hybrid and cyber threats. Cooperation in the realm of Common Foreign and Security Policy (CFSP) and Common Security and Defence Policy (CSDP) is a key priority, as outlined in the Western Balkans Strategy of 2018. This strategy aims to deepen dialogues and enhance the region's contributions to EU missions and operations.

In times of crisis, the EU has demonstrated solidarity with the Western Balkans, providing assistance during the COVID-19 pandemic and delivering vaccines. The Union Civil Protection Mechanism has facilitated support from EU Member States in combating issues such as wildfires.

Through the Economic and Investment Plan, the EU has allocated substantial resources to promote connected, green, and people-focused growth, benefiting both the Western Balkans and Europe at large. Additionally, the region is supported by three EU Special Representatives (EUSR) in Bosnia and Herzegovina, Kosovo, and for the Belgrade-Pristina Dialogue, addressing broader regional issues in the Western Balkans<sup>24</sup>.

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<sup>24</sup> *Enhanced EU engagement with the western balkans* (no date) *European Neighbourhood Policy and Enlargement Negotiations (DG NEAR)*. Available at: [https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/enhanced-eu-engagement-western-balkans\\_en](https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/enhanced-eu-engagement-western-balkans_en)

## 7. Timeline

### 7.1 Albania<sup>25</sup>

**September 2023:** First explanatory screening meeting on Cluster 6 – “External Relations”

**September 2023:** Final bilateral screening meeting on cluster 4 – “Green agenda, sustainable connectivity”

**July 2023:** First explanatory screening meeting on Cluster 5 – Resources, agriculture, cohesion

**July 2023:** Submission of the screening report on Cluster 1 – “Fundamentals” to the Council

**June 2023:** Final bilateral screening meeting on cluster 3 – “Competitiveness, inclusive growth”

**March 2023:** First explanatory screening meeting on Cluster 4 - “Green agenda, sustainable connectivity”

**March 2023:** Final bilateral screening meeting on cluster 2 “Internal market”

**January 2023:** Final bilateral screening meeting on cluster 1 “fundamentals”

**October 2022:** First explanatory screening meeting on Cluster 3 – Competitiveness and inclusive growth

**October 2022:** First explanatory screening meeting on Cluster 2 – Internal market

**September 2022:** First explanatory screening meeting on Cluster 1 – Fundamentals

**July 2022:** Inaugural meeting of the screening process

**July 2022:** Intergovernmental Conference on accession negotiations with Albania.

**May 2021:** Commission informs Council that Albania has met the remaining condition to be fulfilled prior to the holding of the first Inter-Governmental Conference

**October 2020:** Commission adopts an Economic & Investment Plan to support and bring the Western Balkans closer to the EU.

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<sup>25</sup> Albania (no date) *European Neighbourhood Policy and Enlargement Negotiations (DG NEAR)*. Available at: [https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/albania\\_en](https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/albania_en)

**July 2020:** Presentation of the draft negotiating framework to the Member States.

**25-03-2020:** The Council decides to open accession negotiations.

**February 2020:** Revised methodology, presented by the Commission, to drive forward the enlargement process with a stronger political steer and in a more credible, predictable, dynamic way.

**May 2019:** The European Commission recommends opening accession negotiations.

**01-06-2018:** The Council sets out the path towards opening accession negotiations.

**01-04-2018:** The Commission repeats its unconditional recommendation to open accession negotiations.

**27-06-2014:** The Council granted the candidate status to Albania in June 2014.

**12-11-2013:** The EU and Albania hold the first meeting of the High Level Dialogue on Key Priorities.

**10-10-2012:** European Commission recommends that Albania be granted EU candidate status, subject to completion of key measures in certain areas.

**01-02-2011:** An action plan addressing the 12 key priorities identified in the European Commission opinion is adopted by Albania.

**15-12-2010:** Visa free regime for Schengen area introduced for all Albanian citizens having a biometric passport.

**09-11-2010:** European Commission delivers opinion on Albania's EU membership application.

**24-04-2009:** Albania submits its application for EU membership.

**01-04-2009:** Stabilisation and association agreement enters into force.

**01-01-2008:** EU-Albania visa facilitation agreement enters into force.

**01-01-2007:** IPA funds available to help Albania prepare for membership.

**01-12-2006:** Interim agreement enters into force.

**12-06-2006:** Stabilisation and Association Agreement and Interim Agreement is signed.

**01-05-2006:** EU-Albania Readmission Agreement enters into force.

**01-06-2004:** Council adopts European partnership with Albania.

## 7.2 Bosnia and Herzegovina<sup>26</sup>

**December 2023:** The European Council decides it will open accession negotiations with Bosnia and Herzegovina, once the necessary degree of compliance with the membership criteria is achieved, and invites the Commission to report to the Council on progress at the latest in March 2024, with a view to making a decision.

**November 2023:** The Commission recommends opening accession negotiations with Bosnia and Herzegovina, once the necessary degree of compliance with the membership criteria is achieved.

**December 2022:** The European Council grants candidate status to Bosnia and Herzegovina.

**October 2022:** The Commission recommends to grant Bosnia and Herzegovina candidate status, on the understanding that a number of steps are taken.

**October 2020:** The Commission adopts an Economic & Investment Plan to support and bring the Western Balkans closer to the EU.

**December 2019:** The EU Council endorses Commission's Opinion in its conclusions, on the EU membership application of Bosnia and Herzegovina.

**29-05-2019:** The Commission adopts its Opinion (Avis) on the EU membership application of Bosnia and Herzegovina, identifying 14 key priorities.

**20-09-2016:** EU Council invites the Commission to present an Opinion on BiH application.

**15-02-2016:** Bosnia and Herzegovina submits its application for EU membership.

**01-06-2015:** The SAA with Bosnia and Herzegovina enters into force.

**01-09-2011:** Delegation of the European Union and Office of the EU Special Representative become one reinforced EU presence.

**15-12-2010:** Visa free regime for Schengen area introduced for all BiH citizens having a biometric passport.

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<sup>26</sup> *Bosnia and Herzegovina* (no date) *European Neighbourhood Policy and Enlargement Negotiations (DG NEAR)*. Available at: [https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/bosnia-and-herzegovina\\_en](https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/bosnia-and-herzegovina_en)

**27-05-2010:** Commission adopts proposal allowing citizens of Albania & Bosnia and Herzegovina to travel to Schengen countries without a short-term visa.

**16-06-2008:** Stabilization and Association Agreement and Interim Agreement on trade and trade-related issues signed.

**01-07-2008:** Interim Agreement on trade and trade-related issues enters into force.

**18-02-2008:** Council adopts new European partnership.

**01-01-2008:** Visa facilitation and readmission agreements enter into force.

**04-12-2007:** EU initials Stabilization and Association Agreement.

**18-09-2007:** Visa facilitation and readmission agreements signed.

**25-11-2005:** Stabilization and Association Agreement (SAA) negotiations opened.

### **7.3 Kosovo<sup>27</sup>**

**October 2020:** The Commission adopts an Economic & Investment Plan to support and bring the Western Balkans closer to the EU.

**February 2020:** Revised methodology, presented by the Commission, to drive forward the enlargement process with a stronger political steer and in a more credible way.

**01-07-2018:** The Commission confirms that Kosovo has fulfilled all outstanding visa liberalization benchmarks. Decision on Commission's proposal is pending in the EP.

**01-04-2016:** The Stabilization and Association Agreement between the EU and Kosovo enters into force.

**25-07-2014:** The EU and Kosovo chief negotiators initiated the Stabilization and Association Agreement between the EU and Kosovo in Brussels.

**19-10-2012:** High-level dialogue between Kosovo and Serbia as facilitated by HRVP Ashton begins.

**10-10-2012:** The Commission issues its feasibility study for a Stabilization and Association Agreement between the EU and Kosovo.

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<sup>27</sup> Kosovo (no date) *European Neighbourhood Policy and Enlargement Negotiations (DG NEAR)*. Available at: [https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/kosovo\\_en](https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/kosovo_en)



**10-09-2012:** Kosovo declares the end of supervised independence.

**14-06-2012:** The Commission issues Kosovo's visa liberalization roadmap.

**30-05-2012:** Commission launches the Structured Dialogue on the Rule of Law.

**19-01-2012:** The Commission launches the visa liberalization dialogue with Kosovo.

**08-03-2011:** Following a UN General Assembly Resolution the Kosovo-Serbia technical dialogue begins.

**22-07-2010:** The International Court of Justice issues an advisory opinion on Kosovo's declaration of independence.

**14-10-2009:** Commission issues communication 'Kosovo-Fulfilling its European Perspective'.

**09-12-2008:** EULEX becomes operational.

**15-06-2008:** Kosovo adopts its Constitution.

**18-02-2008:** Council acknowledges Kosovo's declaration of independence, underlines EU conviction that Kosovo is a sui generis case.

**04-02-2008:** Council adopts Joint Action establishing EU Rule of Law mission in Kosovo EULEX.

**01-02-2006:** UN Special Envoy launches status negotiations.

**01-04-2005:** The Commission adopts a communication on "A European Future for Kosovo".

**01-11-2000:** Zagreb Summit launches Stabilization and Association Process (SAP) for 5 countries of south-eastern Europe.

## **8. Legal Framework**

### **Treaty on European Union<sup>28</sup>**

The Treaty on European Union (2007) is one of the primary Treaties of the European Union, alongside the Treaty on the Functioning of the European Union (TFEU). The TEU

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<sup>28</sup> (No date a) *Consolidated version of the Treaty on European Union - EUR-Lex*. Available at: [https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC\\_1&format=PDF](https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC_1&format=PDF)

forms the basis of EU law, by setting out general principles of the EU's purpose, the governance of its central institutions (such as the Commission, Parliament, and Council), as well as the rules on external, foreign and security policy.

## **Article 2**

The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail.

## **Article 15**

1. The European Council shall provide the Union with the necessary impetus for its development and shall define the general political directions and priorities thereof. It shall not exercise legislative functions.

2. The European Council shall consist of the Heads of State or Government of the Member States, together with its President and the President of the Commission. The High Representative of the Union for Foreign Affairs and Security Policy shall take part in its work.

3. The European Council shall meet twice every six months, convened by its President. When the agenda so requires, the members of the European Council may decide each to be assisted by a minister and, in the case of the President of the Commission, by a member of the Commission. When the situation so requires, the President shall convene a special meeting of the European Council.

4. Except where the Treaties provide otherwise, decisions of the European Council shall be taken by consensus.

5. The European Council shall elect its President, by a qualified majority, for a term of two and a half years, renewable once. In the event of an impediment or serious misconduct, the European Council can end the President's term of office in accordance with the same procedure.

6. The President of the European Council:

(a) shall chair it and drive forward its work;

(b) shall ensure the preparation and continuity of the work of the European Council in cooperation with the President of the Commission, and on the basis of the work of the General Affairs Council;

(c) shall endeavour to facilitate cohesion and consensus within the European Council;

(d) shall present a report to the European Parliament after each of the meetings of the European Council.

The President of the European Council shall, at his level and in that capacity, ensure the external representation of the Union on issues concerning its common foreign and security policy, without prejudice to the powers of the High Representative of the Union for Foreign Affairs and Security Policy. The President of the European Council shall not hold a national office.

## **Article 49**

Any European State which respects the values referred to in Article 2 and is committed to promoting them may apply to become a member of the Union. The European Parliament and national Parliaments shall be notified of this application. The applicant State shall address its application to the Council, which shall act unanimously after consulting the Commission and after receiving the consent of the European Parliament, which shall act by a majority of its component members. The conditions of eligibility agreed upon by the European Council shall be taken into account. The conditions of admission and the adjustments to the Treaties on which the Union is founded, which such admission entails, shall be the subject of an agreement between the Member States and the applicant State. This agreement shall be submitted for ratification by all the contracting States in accordance with their respective constitutional requirements.

## **9. Discussion**

### **9.1. EU and the Western Balkans: Towards a Common Future**

#### 9.1.1. Importance

The Western Balkans have historically been presenting great crises and threats to the rest of Europe, especially after the end of the Cold War and the collapse of Communist regimes. Having experienced the most difficult economic and political changes, the Balkan countries remained entrenched in a series of ethnic conflicts, succession wars and endemic circles of instability. The Western Balkans of the last 25 years had former Yugoslavia as a central issue, which was actually a matter that led the E.U. itself to engage in the region through leading a series of peace-keeping missions and paying the “lion’s share” of assistance.<sup>29</sup> Nevertheless, despite its much contested and strained history, the Balkans have remained of particular importance both to the EU as a whole, and to some member states who actively promote the Balkans’ European integration. Especially the closer E.U. - Balkan cooperation has been promoted as a way to face the aforementioned

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<sup>29</sup> (No date) *Challenges of Western Balkan countries on their road to EU ... - revistia*. Available at: [https://revistia.com/files/articles/ejser\\_v3\\_i4\\_16/Mirvan.pdf](https://revistia.com/files/articles/ejser_v3_i4_16/Mirvan.pdf)

long lasting conflicts in the region. Its geographical proximity, historical and cultural similarities, and common borders have created the grounds for developing relations between the E.U. and the region's countries.<sup>30</sup>

All Western Balkans partners have Stabilization and Association Agreements with the EU, opening up trade and aligning the region with EU standards. The Stabilization and Association Agreements provide the overall framework for the relations of the EU with the Western Balkans. The EU also provides political, technical and financial support for the countries of the region to foster good neighborly relations, build shared prosperity through regional integration and help them implement necessary reforms and align with EU rules and regulations. In addition to its strong political support for the Western Balkans and the Berlin Process, the EU supports regional cooperation organizations, to boost economic development, improve connectivity, and enhance security and many other benefits across the region.<sup>31</sup>

The Western Balkans have important untapped economic potential and significant scope for increased intra-regional economic cooperation and trade. With a population of nearly 18 million people, the region is an important market for EU goods. Before the COVID-19 pandemic, average growth rates in the region were above the EU average, but still not sufficient to support real convergence with EU income levels. The COVID-19 pandemic has led to major demand and supply shocks with falling output and rising unemployment. The duration and severity of the recession will differ across the countries, depending on economic structures and the importance of global supply chains, tourism, and remittances or, in some cases, commodity exports. Partners in the region have taken immediate and subsequent fiscal measures to mitigate crises impact, which inevitably led to higher public debt and deficit levels. A key challenge will be to ensure a targeted, effective and transparent crisis response while safeguarding fiscal sustainability over the medium term.

### 9.1.2 Challenges

Despite the long history of EU-Western Balkans cooperation pursuing the latter's integration into the Union, there are some key forces that jeopardize this effort. More

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<sup>30</sup> Perspectives, I. and (2020) *The balance of power in the Balkans*, *Harvard International Review*. Available at: <https://hir.harvard.edu/balkans-balance-of-power/>

<sup>31</sup> *The EU and the Western Balkans: Towards a common future* (no date) *EEAS*. Available at: [https://www.eeas.europa.eu/eeas/eu-and-western-balkans-towards-common-future\\_en](https://www.eeas.europa.eu/eeas/eu-and-western-balkans-towards-common-future_en)

specifically, it is vital to examine external and internal factors as well as the nature and the role of the national actors and political leadership in this process of transformation, especially when it comes to the political aspect of the Copenhagen Criteria.

First and foremost, the dissolution of Yugoslavia generated conflicts and disputes between the newly formed independent countries that greatly influenced their internal affairs: weak state structures and institutions, ethnic wars, intrusive and heavy-handed external interference and lack of capacity and experience of the new independent states combine the political landscape of the region. State weakness has become the main challenge of the region and refers firstly to the lack of the rule of law: it seems unable to constrain political power, guarantee fairness in political competition and respect for human rights, while judiciary systems are also largely viewed as being subjected to considerable political influence, and thus their independent function is questionable<sup>32</sup>.

Free and fair elections held according to the European and international standards form a main pillar that also defines the improvement of the democracy in the countries. During the recent years, the elections held in the different countries of the region are generally carried out in accordance with the international principles as on the one hand there has been substantial improvement in the presence of various communities to vote, but on the other hand, there are still registered cases of using excessive violence and pressure on citizens during election time, which does not respond to the criteria for democracy.

Freedom of media and speech is quite questionable and an area that needs to be addressed actively by the E.U. initiatives as well. According to global indexes, the level of media freedom in the region is one of the lowest in Europe: the considerable media pluralism does not necessarily translate into pluralism of narratives under the circumstances of media ownership, political influence over the media and disinformation efforts by foreign authoritarian actors.

Flourishing organized crime and corruption (in 2019, large-scale public protests over corruption issues took place in all the Western Balkan states) along with state capture, are three more factors that challenge the development of the region. In general, the countries in the region seem to have stagnated in their measures to counter corruption, which is neither improving nor deteriorating, and that has led the citizens to believe that corruption is not possible to be reduced substantially and lose their trust towards public institutions. As far as state capture is concerned, it forms an important mode of political mobilization in the Western Balkans, and these clientelist networks are the source of power for political elites whose power becomes dependent on using state resources to

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<sup>32</sup> *Publication: Analysis: '8 challenges for democracy in the Western Balkans'* (no date) Friedrich Naumann Foundation. Available at: <https://www.freiheit.org/western-balkans/analysis-8-challenges-democracy-western-balkans>

benefit their supporters.<sup>33</sup> This systemic abuse of state resources is totally incompatible with the E.U. membership and a notable obstacle for the enlargement policy.

Even if we take into account all the giant leaps that the Western Balkan countries have taken throughout the post-Communist era via introducing wide-ranging reforms, the new democratic leaders in the new states have demonstrated authoritarian practices as far as the decision making process is concerned and have delayed significantly the democratization in each one of the states. As a consequence, fundamental values of other European states such as democracy, the rule of law, political dialogue and human rights are still being established in these countries. It is important at this point to note that these are all criteria posed by the European Union for countries seeking to become members, while at the same time are the goal of all Western Balkans countries. Discrimination against ethnic minorities presents a burning issue, particularly taking into consideration the fragile relationship between ethnic groups affected by past wars. Inadequate states' response is also omnipresent in preventing the violence against women while hostility against the LGBTQ community is resulting in cases of hate motivated crimes that remain unprosecuted.

The political challenge of the disagreements between the political parties of the region on pivotal matters for the integration process, and the unresolved political issues have been proved to be important obstacles for the region's integration as well. On the one hand, the political leaders seem reluctant to set aside the political parties' own interests when there are serious matters and reforms needed for the purpose of integration. On the other hand, speaking of unresolved political issues, the promotion of the political dialogue between countries such as Kosovo and Serbia that have been facing difficulties in their neighborly relations has been and still remains a top priority for the Union itself, and a serious question in every dialogue of the European leaders.

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<sup>33</sup> (No date a) *The destructive effects of state capture in the western balkans*. Available at: [https://www.clingendael.org/sites/default/files/2020-10/Policy\\_Brief\\_Undermining\\_EU\\_enlargement\\_2020.pdf](https://www.clingendael.org/sites/default/files/2020-10/Policy_Brief_Undermining_EU_enlargement_2020.pdf)

## **9.2. The Question of the Western Balkans: Relations, Accession and Chapters**

### **9.2.1 Albania**

#### 9.2.1.1 Relations Between the EU and Albania

Albania, as a candidate country since 2014, has close relations with the E.U. in numerous levels: political, financial, traveling, security and foreign policy, internal reforms, energy, social affairs and cross-border cooperation.

The Stabilization and Association Agreement that came into force in 2009, has been a vital part of the Stabilization and Association Process that was launched for Albania in 1999. According to the latest evaluations, Albania is fully implementing its obligations under the SAA that along with its Interim Agreement (2006) have allowed progressive trade liberalization and mutual duty-free access for most goods. As a result, via this enhanced economic relation between the parties, the E.U. has been established as the main trading partner of Albania.

An important milestone for the relations between the two parties has been also the visa liberalization for the citizens of Albania possessing a biometric passport when traveling to and throughout the Schengen Area since 2010.

The country is also fully aligned with the E.U. 's common foreign and security policy as far as its declarations and positions are concerned, and is actively involved in strengthening all Western Balkans partners' resilience in combating hybrid threats. Albania is the only country of the region of Balkans that has signed cooperation agreements with all justice and home affairs agencies of the E.U. including five cross-border cooperation programmes and transnational programmes.

The recently established Instrument for Pre-accession Assistance (IPA III, 2021-2027) includes a multidimensional support provided by the Union aiming to the reinforcement of the judicial and law system (the on-going programmes of IPA II are already contributing to reforms in these and other social and economic fields), democracy, european integration, water quality and youth. In the context of handling the impact of the Russian war of aggression against Ukraine, the Energy Support Package was put forward for the needs of the broader region of the Western Balkans, and an 80 million budget support programme was directed to Albania for this purpose.

### 9.2.1.2 Accession Negotiations

Out of the 35 Chapters of the acquis, Albania has opened 28 so far: of the Cluster 2 regarding the internal market the chapters 1, 2, 3, 4, 6, 7, 8, 9, 28, of the Cluster 3 regarding the competitiveness and inclusive growth the chapters 10, 16, 17, 19, 20, 25, 26, 29, of the Cluster 4 regarding the green agenda and sustainable growth the chapters 14, 15, 21, 27, of the Cluster 5 regarding the resources, agriculture and cohesion 11, 12, 13, 22, 33, of the Cluster 6 regarding the external relations the chapters 30, 31.

The inaugural Inter-Governmental Conference on the accession negotiations with Albania unfolded on July 19, 2022. Commencing the accession negotiations process, the analytical scrutiny of the EU acquis, commonly known as 'screening,' commenced concurrently and has progressed seamlessly. Albania's commitment to implementing the Stabilization and Association Agreement has persisted, with joint bodies convening at regular intervals.

Aligned with the revised enlargement methodology and the Negotiating Framework, the EU accession negotiations with Albania emphasize fundamental aspects. The Albanian authorities express unwavering political dedication to EU integration, even amid the challenges posed by the 2019 earthquake, the COVID-19 pandemic, and Russia's war of aggression against Ukraine. The imperative now lies in translating the ongoing accession negotiations into an acceleration of EU-related reforms.

Maintaining a consistent record of alignment with the EU's common foreign and security policy, Albania, as a non-permanent UN Security Council member since January 2022, actively supports resolutions condemning Russia's actions. While local elections in May 2023 were generally well-administered, concerns exist regarding the misuse of state resources, allegations of pressure, and low voter turnout. Political polarization persists, and parliamentary oversight remains limited.

In an effort coordinated by the chief negotiator and revamped EU negotiation structures, Albanian institutions have dedicated substantial resources to the screening process. Emphasizing EU-related reforms in legislative and policy planning, the government must align measures with EU standards and enhance public communication on the accession process. The role of civil society, though generally free, necessitates strengthening for effective contributions to policy processes.

In public administration, Albania demonstrates a moderate level of preparedness, with ongoing reforms in roles and responsibilities within the Prime Minister's Office. Efforts on digitization are notable, but equitable access to services requires attention. Judicial reform progress is commendable, with appointments to the Constitutional Court completed. However, challenges like lengthy legal proceedings and judicial vacancies persist.



The fight against corruption and organized crime in Albania, while showing some progress, demands increased efforts, especially in achieving final convictions. Collaboration in countering cybercrime, money laundering, and trafficking requires additional results. Efforts on fundamental rights implementation, freedom of expression, and gender-responsive measures continue, but challenges persist in media independence and personal data protection.

Economically, Albania displays moderate to good preparation, with a resilient economy and strong GDP growth. Noteworthy progress in areas such as energy, digitalization, and education coexists with gaps compared to regional and European standards. The nation is moderately prepared in public procurement, statistics, and financial control. Internal market aspects, including free movement and company law, exhibit varying levels of preparation, with notable progress in some areas.

In the green agenda and sustainable connectivity, Albania demonstrates some level of preparation, emphasizing renewable energy, energy efficiency, and environmental protection. Further efforts are needed in water and waste management. Agriculture and regional policy exhibit a good level of preparation, with additional focus required on administrative coordination.

Externally, Albania has a good level of preparation in foreign relations, foreign security, and defense. Full alignment with EU decisions characterizes the country's common foreign and security policy. The accession negotiations screening process, initiated following the Inter-Governmental Conference, progresses smoothly across various clusters. Sessions on fundamentals, internal market, competitiveness, inclusive growth, green agenda, and sustainable connectivity have transpired, with ongoing bilateral sessions.

The remaining screening meetings are scheduled until November 2023, signaling Albania's continued journey towards EU accession, marked by strategic engagement, ongoing reforms, and collaborative endeavors<sup>34</sup>.

## 9.2.2 Bosnia & Herzegovina

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<sup>34</sup> *Albania report 2023 (2023) European Neighbourhood Policy and Enlargement Negotiations (DG NEAR)*. Available at: [https://neighbourhood-enlargement.ec.europa.eu/albania-report-2023\\_en](https://neighbourhood-enlargement.ec.europa.eu/albania-report-2023_en)

### 9.2.2.1 Relations Between the EU and Bosnia and Herzegovina

Bosnia and Herzegovina, was officially granted the candidate status to join the E.U. in 2022, after the Commission's opinion setting out 14 key priorities that needed to be fulfilled in order for the accession negotiations to open. Although the country has been a candidate for only one year and a half, it has been developing close relations with the Union since the early 2000's.

Between Bosnia and Herzegovina and the E.U., there has been the Stabilization and Association Agreement and its Interim Agreement since 2008. The agreement has led the Union to be the country's main trading partner via the trade liberalization and the mutual duty-free access for most goods.

Visa liberalization has also been a decisive step towards the establishment of solid cooperation with the E.U. In 2010, the citizens of Bosnia and Herzegovina were granted the right to travel freely, only with their passports, in the Schengen Area. The country is also participating in numerous cross-border and transnational cooperation programmes, as well as other Union programmes.

The common security and foreign policy has been a thorn in the country's relations with the E.U. The latter, using considerable resources, along with the United Nations have been actively involved in creating a safe and stable environment in the country via the military operation EUFOR Althea after the period of instability that Bosnia and Herzegovina has experienced. In general, the country with its declarations, its positions and its implication in the Union's missions and operations has improved its alignment with the E.U. 's common foreign and security policy, while the country's Armed Forces have been benefited by the 20 million assistance from the European Peace Facility.

The Instrument for Pre-accession Assistance has been the main tool that the Union has been using in order to fund the country's development, strengthen the combat against hybrid threats and help in dealing with the energy crisis of the region due to the recent incidents in Ukraine. The Western Balkans Investment Framework has been providing since 2009 valuable resources too, especially investment and technical assistance.

### 9.2.2.2 Accession Negotiations

Out of the 35 Chapters of the acquis, Bosnia and Herzegovina has opened 28 so far: of the Cluster 2 regarding the internal market the chapters 1, 2, 3, 4, 6, 7, 8, 9, 28, of the Cluster 3 regarding the competitiveness and inclusive growth the chapters 10, 16, 17, 19, 20, 25, 26, 29, of the Cluster 4 regarding the green agenda and sustainable growth the chapters 14, 15, 21, 27, of the Cluster 5 regarding the resources, agriculture and cohesion, the

chapters 11, 12, 13, 22, 33, of the Cluster 6 regarding the external relations the chapters, 30, 31.

After submitting its application for EU membership in February 2016, Bosnia and Herzegovina encountered the obligation to address 14 critical priorities outlined in the May 2019 Commission's Opinion. These priorities encompassed democracy/functionality, the rule of law, fundamental rights, and public administration reform. The European Commission, following the Council of the European Union's December 2019 conclusions, annually assessed Bosnia and Herzegovina's progress in implementing these priorities.

Based on the Commission's recommendation, the European Council granted Bosnia and Herzegovina the status of a candidate country in December 2022. However, the positive momentum ensuing this designation resulted in limited progress on the key priorities specified in the Commission's Opinion. Positive developments at the state level were counteracted by negative occurrences within the Republika Srpska entity, thereby impacting the nation holistically.

Following the October 2022 elections, legislative and executive bodies at both state and entity levels were established by May 2023. A noteworthy event was the High-Level Political Forum in Sarajevo on May 17, co-chaired by the Commissioner and the Chairwoman of the Council of Ministers, which monitored the recommended steps' implementation, reported on further progress, and deliberated on reform efforts along the EU path. During this forum, authorities reiterated their commitment to the strategic goal of EU accession.

The public commitment of political parties to European integration yielded positive results post-candidate status. Despite adverse legislative developments at the entity level, the swift formation of a state-level coalition government showcased a newfound political dynamism and determination.

To address the Commission's recommendation for candidate status, Bosnia and Herzegovina took various actions during the reporting period. Strategies to counter organized crime, an updated risk assessment, and action plans on anti-money laundering and terrorism were adopted. Additionally, significant legislative milestones were achieved, such as laws on integrity in the judiciary, torture prevention, foreigners, and freedom of access to information.

Recent developments, particularly in the Republika Srpska entity, have disrupted the positive momentum. Constitutional judges were called to resign, and a law was enacted decreeing non-implementation of Constitutional Court decisions, challenging the court's authority and integrity. Reintroduction of criminal penalties for defamation and a draft

law targeting civil society groups as 'foreign agents' further raised concerns about democracy and fundamental rights.

Bosnia and Herzegovina continues to implement the Stabilisation and Association Agreement (SAA), facilitating trade liberalization with the EU. However, persistent protectionist measures have raised concerns about the SAA's effective implementation. Policy dialogue under the SAA, disrupted in 2021-2022, was restored, and a Stabilisation and Association Council convened in July 2023.

Economic support packages and energy assistance have been received, but urgent actions are needed, such as the appointment of a National IPA Coordinator, to ensure efficient utilization of funds. The challenges posed by developments in the Republika Srpska entity, especially in the judiciary and fundamental rights, remain critical aspects requiring immediate attention to ensure Bosnia and Herzegovina's effective progress toward EU accession<sup>35</sup>.

## 9.2.3 Kosovo

### 9.2.3.1 Relations Between the EU and Kosovo

Kosovo, given its special place in the international system (facing recognition issues, with 117 states worldwide and 22 member states in the E.U. having recognised its independence), is currently a potential candidate country for the E.U. Its government submitted its application for the membership in 2022, therefore the country has already been involved in many actions and agreements that the Union has been deploying in the region.

In the case of Kosovo, the Stabilization and Association Agreement entered into force in 2016, although it has been currently (and temporarily) put on hold due to crises that have arisen in the region (there is tension in north Kosovo in regards to its relations with Serbia). Apart from this agreement, that forms the beginning point for each and every country that wishes to become an E.U. member and in order to facilitate its implementation, the Commission adopted in cooperation with Kosovo the European Reform Agenda which consists of two phases. It contains priority actions in many fields that are considered to be crucial for the country's development and alignment with the E.U. 's standards.

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<sup>35</sup> *Bosnia and Herzegovina report 2023 (2023) European Neighbourhood Policy and Enlargement Negotiations (DG NEAR)*. Available at: [https://neighbourhood-enlargement.ec.europa.eu/bosnia-and-herzegovina-report-2023\\_en](https://neighbourhood-enlargement.ec.europa.eu/bosnia-and-herzegovina-report-2023_en)

Visa liberalization was approved by the Union's institutions recently, starting in January 2024. Recently Kosovo started participating in the Union's programmes and has already been involved in numerous cross-border cooperation programmes. Especially with Europol, the country has proceeded into agreements and has already its first liaison officer in Hague, while Frontex is also actively involved in the country's borders management.

E.U. funds have been and continue being granted to Kosovo via the Instrument of Pre-accession Assistance II and III, financing the Economic Investment Plan for the Western Balkans, while a special COVID assistance and the Energy Support Package in order to tackle the energy crisis generated by the war in Ukraine were provided as well (in its relations with Russia, Kosovo has been adopting measures against the country, replicating E.U.'s and U.S practice).

#### 9.2.3.2 Accession Negotiations

Out of the 35 Chapters of the acquis, Kosovo has opened 26 so far: of the Cluster 2 regarding the internal market the chapters 1, 2, 3, 4, 6, 7, 8, 9, 28, of the Cluster 3 regarding the competitiveness and inclusive growth the chapters 10, 16, 17, 19, 20, 25, 26, 29, of the Cluster 4 regarding the green agenda and sustainable growth the chapters 14, 15, 21, 27, of the Cluster 5 regarding the resources, agriculture and cohesion 11, 12, 13, 22, of the Cluster 6 regarding the external relations the chapters 30.

Kosovo continues active participation in the EU-facilitated Dialogue for normalizing relations with Serbia. However, a more robust and dedicated commitment is imperative, necessitating increased efforts and compromises to propel the normalization process forward. Upholding Dialogue commitments and ensuring the full implementation of past agreements are paramount, with Kosovo and Serbia urged to engage constructively for negotiations on a comprehensive, legally binding normalization agreement. The absence of progress poses risks to both parties in terms of missed opportunities on their European paths.

The administration led by Vetëvendosje maintains a strong majority in the Assembly and remains committed to advancing its comprehensive European Union (EU) reform agenda. Nonetheless, persistent challenges arise from the lack of collaboration across party lines and internal discord within the majority, presenting obstacles to reform initiatives. Notably, members of the Srpska Lista party boycotted Assembly proceedings, impeding legislative progress, despite significant achievements in electoral reform during the reporting period.

The northern region of Kosovo experiences crises, with a notable escalation marked by a violent attack against Kosovo Police. Discoveries of substantial quantities of small arms and light weapons during this incident heighten security concerns. Expectations are set

for the apprehension of perpetrators, with Serbia's cooperation emphasized. Tensions stemming from issues related to freedom of movement, particularly license plates, further compound challenges. Efforts to restore active participation of Kosovo Serbs in local governance, policing, and the judiciary are imperative, necessitating early, inclusive local elections in the affected municipalities.

In response to the lack of decisive de-escalation measures, the EU implements temporary and reversible measures affecting financial support to Kosovo. While some positive steps have been taken, further actions are deemed necessary to fully address the situation. Public administration reform remains a priority, with recent legislative approvals, though concerns arise regarding potential gaps in administrative capacities.

Judicial system development is still at an early stage, requiring strengthened tools to ensure integrity, accountability, independence, and efficiency. Commitment statements and action plans have been initiated, necessitating swift follow-up for tangible outcomes. The fight against corruption and organized crime reveals limited progress, urging proactive investigations and the full utilization of legal tools.

Efforts to protect human rights and improve gender equality persist, yet challenges remain, demanding increased resources for effective enforcement. Non-majority community rights protection is outlined in a well-established legal framework, but issues such as unequal access to education and employment persist. Freedom of expression, while making some progress, faces concerns related to attacks, threats, smear campaigns, and hate speech, especially in the northern region.

Migration management progress is noted, aligning with the EU Action Plan. Economic criteria progress is moderate, with challenges such as an informal economy, corruption, and weak rule of law hindering the private sector. Capacities to cope with competitive pressures in the EU and align with market forces require further attention, particularly in education and energy supply.

Kosovo's regional cooperation maintains positive relations with neighboring countries but faces challenges in formal recognition. Progress in alignment with European standards is reported in specific areas, with notable achievements in the internal market. Nevertheless, efforts are required in competitiveness, inclusive growth, the Green Agenda, and external relations to effectively implement the EU acquis. Administrative capacity improvement across sectors is identified as a crucial necessity for Kosovo's overall integration into EU norms and standards.<sup>36</sup>

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<sup>36</sup> *Kosovo report 2023 (2023) European Neighbourhood Policy and Enlargement Negotiations (DG NEAR)*. Available at: [https://neighbourhood-enlargement.ec.europa.eu/kosovo-report-2023\\_en](https://neighbourhood-enlargement.ec.europa.eu/kosovo-report-2023_en)

## 10. Conclusion

In conclusion, the accession of the Western Balkans is of paramount importance for both the European Union (EU) and the region itself. The historical context of the Western Balkans, marked by ethnic conflicts and instability, underscores the significance of EU engagement in fostering peace, stability, and economic development. The Stabilization and Association Agreements, along with the Instrument for Pre-accession Assistance, exemplify the EU's commitment to promoting good governance, regional integration, and adherence to European standards.

However, numerous challenges persist, hindering the smooth progression of the accession process. The region grapples with issues such as weak state structures, ethnic tensions, political polarization, and a lack of effective rule of law. The erosion of democratic principles, media freedom concerns, and corruption further complicate the path to integration. Addressing these challenges is crucial for sustainable and successful accession.

Examining individual cases, Albania has made notable progress, opening 28 out of 35 accession negotiation chapters. The country's commitment to reforms is evident, although challenges remain in areas such as political polarization, judicial reform, and the fight against corruption. Bosnia and Herzegovina, recently granted candidate status, faces critical issues in implementing key priorities outlined by the EU. Persistent protectionist measures, challenges in public administration, and political discord within entities pose obstacles to progress.

Kosovo, despite facing unique recognition issues, actively participates in the EU-facilitated Dialogue with Serbia. The recent opening of 26 accession chapters demonstrates a commitment to alignment with European standards. However, challenges related to normalization efforts, security concerns in the northern region, and the need for economic reforms underscore the complexity of the accession process.

In conclusion, the EU's engagement with the Western Balkans is a multifaceted endeavor that demands sustained efforts from both sides. Overcoming internal challenges, promoting democratic values, and ensuring regional stability are essential for the successful accession of Albania, Bosnia and Herzegovina, and Kosovo. The ongoing dialogue, scrutiny, and commitment from all stakeholders will shape the future of these countries' integration into the European Union, contributing to a more stable and prosperous region.

## **11. Questions Raised**

1. How can the EU further help the facilitation of the accession process of the region?
2. To what extent can EU intervene in the Chapter that concerns the rule of law?
3. How can the EU play a more active role as an independent actor to resolve regional conflicts in the Western Balkans?
4. How can EU prevent further obstacles from being created in the accession process of the Western Balkans?
5. How can the accession process of the Western Balkans keep its momentum, without being sidelined by other EU agenda issues?
6. What will be the aftermath of the EU accession of the Western Balkans and how can any disruptions to the current EU status quo be prevented?
7. How can EU member states resolve security concerns arising from the prospect of accessing unstable states like Bosnia and Herzegovina and Kosovo?

## **12. Further Reading**

- 1.[https://neighbourhood-enlargement.ec.europa.eu/system/files/2023-11/SWD\\_2023\\_690%20Albania%20report.pdf](https://neighbourhood-enlargement.ec.europa.eu/system/files/2023-11/SWD_2023_690%20Albania%20report.pdf)
- 2.[https://neighbourhood-enlargement.ec.europa.eu/system/files/2023-11/SWD\\_2023\\_691%20Bosnia%20and%20Herzegovina%20report.pdf](https://neighbourhood-enlargement.ec.europa.eu/system/files/2023-11/SWD_2023_691%20Bosnia%20and%20Herzegovina%20report.pdf)
- 3.[https://neighbourhood-enlargement.ec.europa.eu/system/files/2023-11/SWD\\_2023\\_692%20Kosovo%20report\\_0.pdf](https://neighbourhood-enlargement.ec.europa.eu/system/files/2023-11/SWD_2023_692%20Kosovo%20report_0.pdf)



### 13. Useful Links

1. [https://commission.europa.eu/index\\_en](https://commission.europa.eu/index_en)
2. <https://www.consilium.europa.eu/en/european-council/>
3. <https://eur-lex.europa.eu/homepage.html>
4. <https://www.europarl.europa.eu/portal/en>

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