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# Western Balkan 6 Strategy Group

for an effective EU-enlargement policy

Strategy paper

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<b>The</b>	<b>EU Presidencies of Croatia and Germany 2020:</b>	
	Some important “Do’s” and “Don’ts” regarding the Western Balkan . . . . .	2
<b>1.</b>	<b>After the October decision on North Macedonia and Albania:</b>	
	How to keep momentum? . . . . .	3
	Recommendations for North Macedonia, Albania and WB region . . . . .	4
<b>2.</b>	<b>Serbia and Kosovo:</b>	
	Realistic steps towards normalisation instead of quick fixes . . . . .	6
	Recommendations for Serbia and Kosovo . . . . .	7
<b>3.</b>	<b>Croatia’s EU presidency:</b>	
	A particular challenge and responsibility . . . . .	8
	Recommendations . . . . .	9



The recent failure of the EU Council to agree on the opening of membership negotiations with North Macedonia and Albania seriously damaged the EU’s credibility as an advocate for reform and transition. It was a strategic mistake affecting the EU’s international role and interests as well as the potentially transformative effect that candidate status can have on a country. The EU’s enlargement policy has been its most important foreign policy instrument for stabilization and modernization of its Eastern and South Eastern neighbourhood. Its further dismantling risks contributing to an increasingly unstable situation in the EU’s immediate neighbourhood at a time when external powers such as Russia, China, Turkey and the Gulf states with illiberal agendas are working intensively to increase their influence on the politics and societies of the region.

Rather than discussing alternative frameworks, the enlargement policy is in need of new impetus to strengthen its effectiveness and credibility.

To keep momentum in the region, a goal stated in the renewed EU strategy for the Western Balkans of February 2018, it is urgent to establish a task force for democratic reforms in the Western Balkans 6 region. A group of willing countries in favour of EU integration should agree further steps to reinforce democratic reforms. The concept of a “two-speed Europe” could be utilized in this context in order to take immediate action, particularly given that France’s veto of further enlargement was perceived by the majority of EU member states as highly counter-productive. If the EU loses influence in the region, then the long-term cost will be much higher than that of integration.

Croatia and Germany are both perceived as strong advocates for a proactive EU engagement towards the WB6. Both EU presidencies in 2020 therefore bear a particular responsibility to meet these expectations by placing the Western Balkan on top of the agenda of the EU Council. They need to find ways to revert the current backlash through sharpening the existing EU instruments to foster reforms and stand up against the resurgence of nationalist rhetoric and policies throughout the region.

This paper brings into focus three separate, but interrelated issues that will be decisive for the success of Croatia and Germany’s subsequent EU presidencies in the WB countries:

- a) The way the EU manages to keep positive reform momentum after the negative decision on North Macedonia and Albania of October 2019;
- b) The way the EU handles its facilitation role in the Serbia-Kosovo “normalization process”;
- c) The way Croatia behaves towards its immediate neighbour Bosnia-Herzegovina;



## 1. After the October decision on North Macedonia and Albania: How to keep momentum?

*by Petar Todorov*

### Current situation in North Macedonia:

After the postponing of membership negotiations by the EU Council in October 2019, the Macedonian Prime Minister Zoran Zaev called for new elections in the spring of 2020. The EU's rejection of further enlargement resulted in an immediate political crisis; Prime Minister Zaev is under considerable pressure from the nationalistic opposition in the run up to the election, as European integration has been Prime Minister Zaev's key political programme, including efforts to ease tensions with Bulgaria and Greece regarding North Macedonia's prolonged naming dispute with Greece.

The demands of North Macedonian citizens who protested in 2015 and 2016 for the establishment of the rule of law and sanctions for corruption remain unfulfilled. Trials have resumed but disappointment among citizens continue to be fuelled by corruption scandals involving the special prosecutor and others.

The politicisation of the past and disputes about Macedonian identity persist. While relations with Greece improved after the Prespa Agreement, the Bulgarian government continues to officially deny the existence of the Macedonian ethnic identity and language. Similarly, the dominant historical narratives in North Macedonia are the result of the abuses of former politicians, particularly the VM-RO-DPMNE-led government.

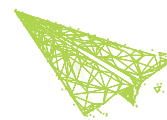
A more positive example of cross-border cooperation is the "Joint Commission on Historical and Educational Matters" between Bulgaria and North Macedonia and the "Joint Interdisciplinary Committee of Experts on Historical, Archaeological and Educational Issues" between Greece and North Macedonia; however, progress in both cases has been slow. Bulgaria and Greece continue to use their positions as members of EU and NATO to put pressure on North Macedonia in order to gain concessions.

### Current situation in Albania:

Prime Minister Edi Rama claims to be committed to the goal of EU membership and will continue with judicial and electoral reforms, refusing any government responsibility for the negative outcome of the EU Council decision to postpone further enlargement. The opposition Democratic Party of Albania (PD) continues to demand Prime Minister Rama's resignation and early elections, encouraged by North Macedonia's Prime Minister Zaev's reaction. The PD Party has prolonged a blockade of the Albanian parliament, and in doing so deepened the domestic political crisis.

Only one of nine judges survived the vetting process of the Constitutional Court; one new member was appointed to the court by President Meta. Only two of 19 judges remain in position in the High Court following vetting. The Constitutional crisis is on-going.

Concerning the role of President Meta in local elections, the Venice Commission has stated that regular elections should take place and that an impeachment process is unreasonable. Any steps toward impeachment would deepen the political and institutional crisis.



#### For North Macedonia

- focus efforts on strengthening the Office of the Prosecutor in the fields of high corruption, abuse of public office and money laundering.
- call on EU member state Hungary to extradite former Prime Minister Gruevski and supervise due process in regard to his prosecution in North Macedonia.
- demand responsible neighbourly policies from EU members Greece and Bulgaria.
- focus EU funds on improving the education system and equipping schools.

#### For Albania:

- insist on the urgent preliminary appointment of new Constitutional Court members in order to ensure that the Court can begin working as soon as possible.
- closely monitor the appointment process of Constitutional Court members and of other institutions (particularly High Court).
- begin immediate mediation between the ruling PS Party and opposition DP Party to bring the destructive domestic political conflict to an end.
- set up an expert pool of judges and prosecutors, with the aim to react to the lack of diligent judicial representatives.

#### For the WB region:

- **Uphold the prospect of EU integration** and emphasise the advantages of enlargement both for candidate countries and Member States by: pursuing the motion of the European parliament of October 24. 2019, adopted by a large majority, to find a compromise to enable the opening of EU accession negotiations with North Macedonia and Albania by December 2019. In particular Germany should take a leading role in assessing the feasibility of an enlargement package for Western Balkans, coordinate closely with France and Poland and ensure that the EU has a minimum consensus that is based on a realistic conditionality package for the Western Balkans' integration into the EU. Kosovo's place in that package should also be guaranteed and visa liberalisation for Kosovo citizens should be adopted on 01.01.2020. The Berlin Process should be renewed for a further five years, hosted by countries of the Western Balkans region and focusing on concrete progress toward resolving the everyday-life problems of citizens, such as the reduction of air pollution, building transport infrastructure and EU data-roaming.
- **Enhance the rule of law as the main guiding principle** of EU driven reforms by boosting the basic principles of "a union of freedom, security and justice" – through taking concrete steps in advancing a European asylum and migration system.



It is also important enhance tools for leveraging political pressure on corrupt and criminal elites, including tracking financial transactions and the imposition of sanctions such as freezing accounts and travel bans. This should be organized in close cooperation with the US, such as in case of the joint initiative in Albania to boost far reaching judicial reforms and the fight against corruption.

- In view of ongoing boycotts of parliaments and possibly elections, **strengthen the role of parliaments** in the Western Balkans region by stepping-up democracy support activities (such as Jean Monnet Dialogues and capacity building) in the region in order to ensure that parliaments play their full role as engines for democratic reform and delivering on the European aspirations of the citizens of the region; and focus on electoral reform to secure free and fair elections and equal access to the media for all competing political actors. In particular, the EU Parliament should convene a regional parliamentary dialogue with the leadership of the parliaments of the Western Balkans, in order to develop a strategy on the role of parliaments in driving forward the EU reform agenda.

It is important to rethink the EU's approach of relying on governing politicians through European party families such as the EPP. Instead, also EU oriented opposition parties and civil society/democratic civil (protest) movements should be systematically included and strengthened as political factors.

- **Focus on “facing the past”** as an imperative for normalisation, particularly by addressing the issue of missing persons and supporting history-commissions such as RECOM towards effective reconciliation processes including EU member states of the region. The EU should strongly support dialogue about responsibility for the wars of the 1990s with a focus on Serbia as the driving force and Croatia's involvement in the war in Bosnia and Herzegovina in order to address root causes of the conflict and the need to uphold current borders in the Balkans as recognised by the EU. It is of crucial importance to officially condemn any attempt to glorify war crimes and war criminals or to deny historical facts, such as genocide at Srebrenica and the Herceg-Bosna “criminal enterprise”. All countries of the region should be encouraged to fully respect and implement the European Cultural Convention of the Council of Europe, which includes history education.

To monitor progress, representatives of civil society from the Western Balkans in dealing with these issues and international organisations like the Council of Europe, UNESCO or research institutes should be involved.

## 2. Serbia and Kosovo: Realistic steps towards normalisation instead of quick fixes



*by Izabela Kisić and Dr. Fisnik Korenica*

### **Current situation:**

The electoral defeat of the “war coalition” dominated by former KLA leaders and victory of the Vetëvendosje and LDK parties in recent parliamentary elections in Kosovo present an opportunity to inject new impetus into the normalisation process.

Even if a land swap scenario has been ruled out by the winners of the Kosovar elections, the appointment of Richard Grenell as President Trump’s special envoy for dialogue can be read as a sign that the US still follows an agenda for a quick foreign policy win prior to next year’s presidential elections. Serbia on the other hand, continues to pursue ethnic-territorial interests in both Kosovo and Bosnia and Herzegovina.

The Serbian Government has been running a strong campaign against Albin Kurti, leader of Vetëvendosje, since the announcement of the election outcome in Kosovo, motivated by Kurti’s consistent stance against Kosovo’s partition and his clean track record on corruption. The Serbian community in Kosovo is under strong pressure and intimidation from Belgrade, with the main channel of influence being through the Serbian List political party. Members of other Serbian political parties, such as Sloboda were not afforded fair and equal election campaign conditions.



## For Serbia and Kosovo

- support Prime Minister-elect Albin Kurti in an internal reconciliation dialogue with Kosovo Serbs, providing concrete security guarantees and opportunities for socio-economic integration and working towards **an Association of Serb municipalities** consistent with the Constitution of Kosovo.
- support political pluralism among Kosovo Serbs and reduce Belgrade's influence by reinforcing KFOR security and community outreach in Serb municipalities and engaging with Serbian political representatives in Kosovo independent of the Serbian Government.
- appoint, as soon as possible, a dynamic and credible EU special representative for the Western Balkans and normalisation process, ideally with a proven track-record in the Western Balkans region and possessing the respect of all sides, to resume the EU-led dialogue.
- link the resumption of dialogue with a clear and results-oriented promise on an enlargement package for Kosovo and Serbia.
- work towards immediate cancellation of Kosovar customs levies on Serbian and Bosnian products and endorse efforts by the Serbian and Kosovar chambers of commerce for a new trade deal for the region enabling the free movement of people, capital, goods and services.
- denounce Serbia's foreign policy campaign encouraging counties to un-recognize Kosovo.
- constrain the role of President Thaci in the Kosovo-Serbia dialogue to that prescribed by Kosovo's Constitutional Court and channel dialogue through Prime Minister Kurti.
- rethink the involvement of Albania's Prime Minister Rama in the dialogue, as his personal involvement has significantly weakened Kosovo's position and misrepresented the essence of reconciliation between Kosovo and Serbia.



### 3. Croatia's EU presidency: A particular challenge and responsibility



by Lejla Gačanica

#### Current situation:

Croatia takes over the presidency of the European Union in the first half of 2020. As the presiding country Croatia will assume a leading role in all of the configurations of the EU Council for six months, determining the agenda and work programme of the Council during that period, and will have the opportunity to shape priorities within the EU. In doing so, Croatia is duty-bound to be neutral and impartial. In anticipation of taking over the presidency of the EU, Croatia has announced it will host an EU-Western Balkans summit in May 2020.

Croatia, the most recent state to join the EU, is often perceived as a natural ally of its Western Balkan neighbours in their efforts to join the EU and should lead by example. However, rather than fostering good neighbourly relations and stability in the Western Balkan region, Croatia's track record in recent years points in the opposite direction:

Croatian politicians continue to support and promote separatism in Bosnia and Herzegovina by proclaiming 'Croatian territories' and issues in BiH and using slogans such as "Croatia from Vis (a Croatian island in the Adriatic Sea) to Kupres (in BiH)". Representatives of the governing HDZ party have joined with their Bosnian party colleagues in an attempt to publicly rehabilitate the para-state of "Herceg-Bosna", which existed between of 1992-1996 and has been classified as a "criminal enterprise" by the International Criminal Tribunal of the former-Yugoslavia. Constant interference in domestic Bosnian politics not only undermines the state sovereignty of Bosnia and Herzegovina but poses a serious threat to reconciliation in the region as a whole. Numerous influential Croatian politicians -including President Kolinda Grabar-Kitarović- aggressively perpetuate a negative image of neighbouring Bosnia-Herzegovina as a "failing state" and "hub for terrorists", among other derogatory statements.

The Holocaust Revisionist Report, a study examining how individual EU states deal with the legacy of WWII crimes, highlights historical revisionism in Croatia to be among the most concerning in Europe. Revisionism is visibly promoted both in Croatia and in neighbouring Bosnia-Herzegovina from street names and use of Herceg-Bosna flags to school books and public statements that deny the criminal character of the Independent State of Croatia during WWII. Historical revisionism of the WWII period goes hand in hand with a distorted narrative of the 1990's and the glorification of convicted war criminals from that period.

Croatia's current policies in the fields of civil liberties and fundamental rights constitute a serious challenge to the basic values of the EU. The brutal "push-backs" of asylum seekers to Bosnia-Herzegovina by Croatian police are a flagrant violation of EU asylum laws, but nonetheless find tacit support among other EU member states. Attacks on independent media and public campaigns against the rights of sexual and ethnic minorities place Croatia in the same dock as other EU states that promote "illiberal democracy".



- express their full and unconditional support for the state sovereignty of Bosnia-Herzegovina. The EU should publicly denounce any Croatian attempt to deepen ethno-nationalism (“3rd entity”) and ethnic-based political divisions that prevent BiH from achieving much needed progress.
- officially address historical revisionism by supporting efforts to face the past in Croatia, such as focusing on “Greater Croatia”-aggression in the 1990s and resist any attempt to rehabilitate the para-state of Herzeg-Bosna of 1992-96.
- respect international and European law regarding asylum seekers and offer unrestricted access to the asylum registration process.

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The “Strategy Group for a political, societal and economic European integration of the Western Balkans Six” is a group of legal, historical and political researchers from all WB6 countries organized by Heinrich Böll Stiftung’s Belgrade, Sarajevo and Berlin offices.

Its aim is to credibly advocate for a more effective European integration of the Balkans in European as well as Balkan capitals.

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