



THE WESTERN BALKANS

The EU has developed a policy to support the gradual integration of the Western Balkan countries with the Union. On 1 July 2013, Croatia became the first of the seven countries to join, and Montenegro, Serbia, the Republic of North Macedonia and Albania are official candidates. Accession negotiations and chapters have been opened with Montenegro and Serbia, and Bosnia and Herzegovina and Kosovo are potential candidate countries.

LEGAL BASIS

- Title V of the Treaty on European Union (TEU): EU external action;
- Article 207 of the Treaty on the Functioning of the European Union (TFEU): international trade agreements;
- Article 49 TEU: criteria for application and membership.

OBJECTIVES

The EU aims to promote peace, stability and economic development in the Western Balkans and open up the prospect of EU integration.

BACKGROUND

In 1999, the EU launched the Stabilisation and Association Process (SAP), a framework for relations between the EU and countries in the region, and the Stability Pact, a broader initiative involving all key international players. The Stability Pact was replaced by the Regional Cooperation Council in 2008. The 2003 European Council in Thessaloniki reaffirmed that all SAP countries were potential candidates for EU membership. This 'European perspective' was reaffirmed in the Commission's February 2018 Western Balkans Strategy and in the Sofia Declaration following the EU-Western Balkans Summit of 17 May 2018 in the Bulgarian capital.

INSTRUMENTS

A. The Stabilisation and Association Process (SAP)

Launched in 1999, the SAP is the strategic framework supporting the gradual rapprochement of the Western Balkan countries with the EU. It is based on bilateral contractual relations, financial assistance, political dialogue, trade relations and regional cooperation.



Contractual relations take the form of stabilisation and association agreements (SAAs). These provide for political and economic cooperation and for the establishment of free trade areas with the countries concerned. Based on common democratic principles, human rights and the rule of law, each SAA establishes permanent cooperation structures. The Stabilisation and Association Council, which meets annually at ministerial level, oversees the application and implementation of the agreement concerned. It is assisted by the Stabilisation and Association Committee. Finally, a Stabilisation and Association Parliamentary Committee (SAPC) ensures cooperation between the Western Balkan countries' parliaments and the European Parliament.

Since the entry into force of the SAA with Kosovo in April 2016, SAAs are now in force with all Western Balkan candidate and potential candidate countries. In the case of Kosovo, the SAA is an EU-only agreement, which Member States do not need to ratify (five Member States do not recognise Kosovo as an independent state). Trade and trade-related aspects of SAAs are included in interim agreements. They generally enter into force swiftly after they have been signed, as trade is an exclusive EU competence.

B. The accession process

Applicants for EU membership must fulfil the Copenhagen political criteria (see fact sheet on 'Enlargement of the Union'). Once a country has been recognised as a candidate, it moves through the various stages of the process at a rate largely dependent on its own merits and progress.

A candidate country must adopt and implement all EU legislation (the *acquis communautaire*). The Commission reports on progress in its annual country reports. Every important decision is taken by the Council, acting by unanimity, from the opening of negotiations to their closure. The accession treaty has to be endorsed by Parliament and the Council before being ratified by all contracting states.

Candidate and potential candidate countries receive financial assistance to carry out the necessary reforms. Since 2007, EU pre-accession assistance has been channelled through a single, unified instrument: the Instrument for Pre-accession Assistance (IPA).

Most candidate and potential candidate countries may also participate in EU programmes.

C. Regional cooperation

European integration and regional cooperation are closely intertwined. One of the key aims of the SAP is to encourage countries of the region to cooperate among themselves across a wide range of areas, including the prosecution of war crimes, border issues, refugees and the fight against organised crime. A specific component of the IPA is dedicated to regional cooperation and cross-border programmes.

The Sarajevo-based Regional Cooperation Council (RCC) operates under the guidance of the South-East European Cooperation Process (SEECP). The RCC aims to support the European and Euro-Atlantic aspirations of its non-EU members, and to develop cooperation in such fields as economic and social development, energy and infrastructure, justice and home affairs, security cooperation, building human capital,



and parliamentary relations. The EU and many individual Member States support and participate in the RCC.

Another important regional initiative is the Central European Free Trade Agreement (CEFTA). In addition, countries of the Western Balkans participate in a number of regional frameworks.

D. Visa-free travel

Visa-free travel to the Schengen area was granted to citizens of the former Yugoslav Republic of Macedonia (now the Republic of North Macedonia), Montenegro and Serbia as of December 2009, and to citizens of Albania and Bosnia and Herzegovina as of November 2010. In January 2012, a visa liberalisation dialogue was launched with Kosovo. In July 2018, the Commission confirmed that Kosovo had fulfilled the last criterion. In September 2018, Parliament followed suit and decided to enter into interinstitutional negotiations, which are ongoing.

CURRENT STATUS

A. Albania

Albania applied for EU membership on 28 April 2009. In 2012, the Commission noted good progress and recommended that the country be granted candidate status, subject to the adoption of pending reforms. This condition had largely been met prior to the country's June 2013 parliamentary elections. In October 2013, the Commission unequivocally recommended granting Albania the status of candidate for EU membership, which it obtained in June 2014. In light of the country's progress, the Commission recommended opening accession negotiations with Albania in its 2016 and 2018 reports. In June 2018, the Council agreed to the possible opening of accession negotiations with Albania in June 2019, assuming the necessary conditions are fulfilled.

B. Bosnia and Herzegovina

Bosnia and Herzegovina (BiH) is a potential candidate country. An SAA was negotiated and signed in June 2008 but its entry into force had been frozen, mainly owing to the country's failure to implement a key ruling of the European Court of Human Rights. The EU's 'renewed approach' to the country, which puts more focus on economic governance, allowed the long overdue entry into force of the SAA on 1 June 2015. The country submitted its membership application on 15 February 2016. The Commission is now drafting its opinion on the basis of BiH's replies to a comprehensive questionnaire. Meanwhile, the inability of the BiH Parliament to agree on the rules of procedure governing its meetings with the European Parliament (twice a year) means that no such meetings have taken place since November 2015. This constitutes a breach of the SAA by BiH.

C. The Republic of North Macedonia

The former Yugoslav Republic of Macedonia (now the Republic of North Macedonia) applied for EU membership in March 2004 and was granted EU candidate status in December 2005. However, the country has been unable to open accession negotiations, mainly owing to the dispute with Greece over the country's use of



the name 'Macedonia'. This dispute was successfully resolved through the 'Prespa Agreement' on the country's new name — North Macedonia — which entered into force in February 2019. Since 2009, the Commission has consistently recommended that accession negotiations be opened, a recommendation that has always been supported by Parliament. In June 2018, the Council agreed to the possible opening of accession negotiations with North Macedonia in June 2019, assuming the necessary conditions are fulfilled.

D. Kosovo

Like Bosnia and Herzegovina, Kosovo is a potential candidate for EU accession. It unilaterally declared its independence in February 2008. All but five Member States (Cyprus, Greece, Romania, Slovakia and Spain) have recognised Kosovo's independence. In the region, Serbia and Bosnia and Herzegovina have not recognised Kosovo. A Visa Liberalisation Roadmap was issued in June 2012. In July 2018, the Commission confirmed that Kosovo had fulfilled the last criterion. In September 2018, the European Parliament followed suit and decided to enter into interinstitutional negotiations, which are ongoing. After a landmark agreement on normalising relations (the 'Brussels Agreement') was reached in April 2013 by Belgrade and Pristina, the European Council decided to open negotiations on an SAA with Kosovo in June 2013. The SAA entered into force on 1 April 2016. Kosovo's future EU integration — like Serbia's — remains closely linked to the EU-facilitated high-level dialogue between Kosovo and Serbia, which should lead to a legally binding comprehensive agreement on the normalisation of their relations.

E. Montenegro

Montenegro, which gained independence in 2006, applied for EU membership in December 2008. It was granted candidate status in December 2010 and accession negotiations were opened in June 2012. In line with the EU's 'new approach' to the accession process, the crucial rule of law chapters — Chapter 23 on judicial reform and fundamental rights and Chapter 24 on freedom, security and justice — were opened at an early stage in the negotiations, in December 2013. Out of a total of 35 negotiating chapters, 32 had been opened by the end of 2018. In February 2018, the Commission published a new Western Balkans Strategy, which states that Montenegro (and Serbia) could join the EU by 2025, albeit acknowledging that this perspective is 'extremely ambitious'.

F. Serbia

Serbia submitted its application for EU membership in December 2009 and was granted candidate status in March 2012 after Belgrade and Pristina reached an agreement on Kosovo's regional representation. Accession negotiations were formally opened on 21 January 2014. The first two chapters, including the one on normalisation of relations with Kosovo, were opened in December 2015. The key rule of law Chapters 23 and 24 were opened on 18 July 2016. A total of 16 chapters had been opened by the end of 2018. In February 2018, the Commission published a new Western Balkans Strategy which states that Serbia (and Montenegro) could join the EU by 2025, albeit acknowledging that this perspective is 'extremely ambitious'. Serbia's future EU integration — like Kosovo's — remains closely linked to the EU-facilitated high-



level dialogue between Serbia and Kosovo, which should lead to a legally binding comprehensive agreement on the normalisation of their relations.

ROLE OF THE EUROPEAN PARLIAMENT

Parliament is fully involved in the Stabilisation and Association Process and its consent has been required for the conclusion of all SAAs (Article 218(6) TFEU). Parliament must also consent to any new accession to the EU (Article 49 TEU). In addition, through its budgetary powers, it has direct influence over the amounts allocated to the Instrument for Pre-accession Assistance. Parliament's Committee on Foreign Affairs appoints standing rapporteurs for all candidate and potential candidate countries. Parliament expresses its positions on enlargement in the form of annual resolutions responding to the Commission's latest annual country reports. Last but not least, it maintains regular bilateral relations with the parliaments of the Western Balkan countries through its delegations, which discuss with their counterparts issues relevant to the SAP and the EU accession process on average twice a year.

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