

IN-DEPTH ANALYSIS

AFET committee



EU sanctions against Russia: alignment of the EU enlargement countries



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PE 639.327 – July 2022

EN

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VERSION

English-language manuscript completed in July 2022.

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Parliament's positions

- In its [resolution of 1 March 2022](#) on the Russian aggression against Ukraine, Parliament:
 - 'notes with grave concern the persistent efforts by the Russian Federation to destabilise the Western Balkan countries';
 - 'denounces those who expressed support to the Russian Federation following its aggression against Ukraine';
 - 'commends the support shown by those Western Balkan countries that are Euro-Atlantic allies'.

Specifically, Parliament:

- 'strongly regrets Serbia's non-alignment with EU sanctions against Russia, expecting all EU accession candidates to align with the EU's common foreign and security policy'.
- In its [resolution of 7 April 2022](#) on the conclusions of the European Council meeting of 24-25 March 2022, including the latest developments of the war against Ukraine and the EU sanctions against Russia and their implementation, Parliament:
 - 'calls on all partners, in particular EU candidate countries and potential candidate countries, to align with the sanctions packages'
 - 'deplores the non-alignment of certain EU candidate countries with the EU's sanctions; calls for the establishment of a clear plan of action vis-à-vis non-EU countries that are facilitating the evasion of sanctions by the Russian Federation'.

Parliament also invited

- 'the EEAS and the Commission to intensify their outreach to countries that have not yet joined the EU in introducing sanctions against the Russian Federation, using the EU's leverage and the full range of their available tools to that end, and providing assistance if necessary'.
- In its [recommendation of 8 June 2022](#) on the Russian war of aggression against Ukraine, Parliament:
 - 'recommends that the Council and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy [...] reach out to non-EU countries and especially EU candidate countries and encourage more alignment with the EU's restrictive measures'.

Executive summary

The EU strives to be not only an economic actor but also a geopolitical one, so its common foreign and security policy (CFSP) is becoming progressively more important in the enlargement process of Western Balkan countries and Türkiye¹. Candidate countries and potential candidates are expected to fully align with the EU *acquis* prior to accession. Countries applying for EU membership are required to align with the CFSP either by the terms in their Stabilisation and Association Agreements (SAAs) or in the negotiating framework, if one has been adopted. Countries already negotiating EU accession (Montenegro, Serbia and Türkiye²) are formally required to progressively align with the CFSP.

Importantly, the EU CFSP toolbox includes various sanctions also known as restrictive measures³. Albania, Montenegro and North Macedonia have a record of full alignment with the CFSP, which is a significant indicator of their commitment to EU integration and of a shared geopolitical vision. However, Russia's revisionist agenda and unprovoked war in Ukraine pose a strategic challenge for the EU and its partners in Southeast Europe. Some countries – in particular, Serbia and Türkiye – appear reluctant to align with and implement restrictive measures.

The fact that some Western Balkan countries have not aligned with the EU's sanctions against Russia is part of the larger problem of Russia's growing prominence in the region – particularly in Serbia and in Bosnia and Herzegovina – and its efforts to influence political sentiment and balance in the region. The worrying growth in anti-EU sentiment in Serbia coupled with the country's continued rejection of sanctions against Russia pose a significant challenge to the EU's continued cooperation with Serbia on foreign policy matters. While the integration of the Western Balkans into the EU is a stated aim of EU foreign policy, the accession of Türkiye and its alignment with the CFSP seems to be frozen. Türkiye's increasingly unilateral foreign policy, together with its geopolitical ambitions, mean the country is acting more like one of the EU's key partners than a closely aligned candidate for EU membership⁴. Yet the EU's relationship with Türkiye also provides possibilities, as Türkiye has built good relations with both Russia and Ukraine. If successful, Türkiye's role as a mediator – and significant arms exporter to Ukraine – could potentially give a new impetus to relations between the EU and Türkiye. Even if the EU did not encourage Türkiye to pick sides in the war and impose sanctions, the EU could assert its position by closely monitoring any potential circumvention of EU sanctions and addressing the issue with Ankara. Different policy options for the EU are explored in Chapter 3.

1 Introduction: EU sanctions against Russia over Ukraine

1.1 EU sanctions 2014-2021

Russia's growing authoritarianism and hostile foreign policy have been a strategic challenge for the European Union for quite some time. Since 2014, following the illegal annexation of Crimea and Sevastopol, the EU has consistently applied economic and trade sanctions as well as targeted restrictive measures against Russian and former Ukrainian officials.

On 17 March 2014, the Council of the EU adopted the first package of sanctions against Russia over its violation of the territorial integrity and sovereignty of Ukraine, which have since regularly been extended on a six-monthly basis. These restrictive measures targeted 192 individuals and 51 entities who contributed to the destabilisation and annexation of the Crimean peninsula as well as to the establishment of the so-

¹ The scope of this in-depth analysis is limited to the EU Enlargement policy in the Western Balkans countries (Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia, Serbia) and Türkiye, prior to decisions taken by the European Council of 23-24 June 2022 on the candidate status of Ukraine, Moldova and the European perspective of Georgia.

² The Republic of Turkey changed its official name in English on 26 May 2022 to the 'Republic of Türkiye' (short form 'Türkiye'), as communicated to the UN Secretary-General. See: <https://www.un.org/en/about-us/member-states/turkiye>
A communication to the same effect was addressed to the European Parliament on 8 June 2022.

³ <https://www.consilium.europa.eu/en/policies/sanctions/>

⁴ [https://www.europarl.europa.eu/RegData/etudes/IDAN/2022/653662/EXPO_IDA\(2022\)653662_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/IDAN/2022/653662/EXPO_IDA(2022)653662_EN.pdf)

called People's Republics of Donetsk and Luhansk. The list was gradually expanded and included Russian and Ukrainian politicians and officials publicly supporting violations of Ukrainian sovereignty; military leaders, such as former Black Sea Fleet Commander, Aleksandr Vitko; organisers of the illegitimate independence referendums in the occupied parts of Donetsk and Luhansk regions; oligarchs, such as Putin confidant Arkady Rotenberg, whose company was awarded a contract to build a bridge connecting Crimea to Russia; political parties participating in illegal local elections in Donbas; militias backed by Russia fighting in the region; formerly Ukrainian-owned companies, such as the Crimea-based Sevastopol Commercial Seaport company illegally transferred to Russian ownership.

As the Russian occupation continued, the EU went further and adopted economic sanctions. The move was largely influenced by the shooting down of the Malaysian Boeing 777-200ER by a Russian *Buk* surface-to-air missile over the occupied territory of the Donetsk region. On 31 July 2014, the Council of the EU adopted economic sanctions and in 2018 the Council decision was amended to expand the scope of the restrictive measures⁵. This package targeted the economic, energy, defence and financial sectors of the Russian economy:

- EU nationals and companies were prohibited from lending money for a period exceeding 30 days to five major Russian banks (Sberbank, VTB Bank, Gazprombank, Vnesheconbank, Rosselchozbank);
- the same prohibition was applied to three oil companies (Rosneft, Transneft, Gazprom Neft) and three arms manufacturers (OPK Oboronprom, United Aircraft Corporation, Uralvagonzavod);
- an arms embargo was adopted as well as a ban on exporting dual-use items to military clients;
- cooperation with the Russian energy sector was restricted as the Council banned exports of innovative extractive technology and services used by Russian companies to develop deep-water, Arctic and shale oil reserves.

The measures adopted did not apply to contracts concluded between EU nationals and companies with the abovementioned Russian entities before 1 August 2014 nor to ancillary contracts necessary to fulfil these contracts.

Annexed Crimea was also subject to EU sanctions as the import to the Union of any goods originating from Crimea and Sevastopol has been barred since June 2014⁶. Coupled with the growing militarisation of the peninsula, this quickly had a massive negative impact on the previously flourishing tourism sector. Living standards in Crimea plummeted and Russians' euphoria following the annexation was replaced with discontent and fatigue, partially undermining the justification for an aggressive foreign policy promoted for domestic consumption.

Although subject to economic sanctions imposed by one of its biggest trade partners, Russia still adapted to them to a certain extent and managed to avoid any major economic fallout⁷.

1.2 EU sanctions adopted in 2022

In response to Russia's full-scale invasion of Ukraine in February 2022, the EU together with other international partners adopted significantly more comprehensive economic, trade, media, diplomatic and targeted individual restrictive measures that affect the Russian elites and the country's possibilities for financing the war⁸.

The EU adopted new sanctions after Russia made the decision to recognise the two so-called People's Republics of Donetsk and Luhansk as independent states. Subsequently, the EU adopted additional

⁵ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02014D0512-20210714&from=EN>

⁶ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014D0386&from=EN>

⁷ [https://www.europarl.europa.eu/RegData/etudes/IDAN/2022/698930/EPRS_IDA\(2022\)698930_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/IDAN/2022/698930/EPRS_IDA(2022)698930_EN.pdf), p. 16

⁸ [https://www.europarl.europa.eu/RegData/etudes/IDAN/2022/699526/IPOL_IDA\(2022\)699526_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/IDAN/2022/699526/IPOL_IDA(2022)699526_EN.pdf)

sanctions packages following the full-scale invasion of Ukraine in five consecutive waves between February and April⁹. The restrictive measures include:

- targeted sanctions against the Russian president, the Defence and Foreign Affairs Ministers, members of the National Security Council, state-controlled propagandist media such as Russia Today, as well as 351 members of the State Duma who voted for the recognition of the 'People's Republics';
- a ban on the export of services and technologies used by Russian oil refineries, as well as on coal imports from Russia;
- an export ban on quantum computers, advanced semiconductors, sensitive machinery and transportation equipment;
- a ban on Russian vessels and Russian operated vessels entering EU ports with an exception for vessels transporting agricultural and food products, humanitarian aid and energy;
- an import ban aimed at closing trading loopholes for goods from Russia and Belarus such as wood, cement, seafood, liquor, etc.;
- a general EU ban on the participation of Russian companies in public procurement in Member States;
- financial sanctions such as cutting seven Russian banks off from the SWIFT system (the move did not apply to Russia's biggest bank, Sberbank, which deals with energy-related financial transactions);
- aviation: a prohibition on the sale of all aeroplanes, spare parts and gear to Russian carriers. Russian planes, including private jets, are banned from EU airspace and EU air terminals;
- sanctions on the media, such as a ban on broadcasts by Russia Today and Sputnik, including their local European branches;
- individual sanctions against regime-affiliated oligarchs and elites influential in key sectors of the Russian economy.

On 4 May 2022, Commission President Ursula von der Leyen presented the sixth EU package of restrictive measures against Russia¹⁰. The package proposes banning the import of Russian oil, both crude and refined, transported by sea or pipeline; prohibition on the the export of consulting, brokerage, financing and technical assistance services from the EU to Russia; applying personal sanctions to individuals who have committed war crimes in Ukraine; excluding three major Russian banks, including Sberbank, from the SWIFT system, as well as the Belarusian Bank for Development and Reconstruction; banning three Russian stated-owned broadcasters from European airwaves. As the sixth package of restrictive measures was only adopted by the EU Council as recently as 3 June, the reaction of the Western Balkans and Türkiye is not covered in this briefing.

The EU's determination in condemning and punishing Russia's decision to start an unprovoked war against Ukraine has led to reactions all over the world. Thus, the EU's coordination on sanctions with other international partners such as the UK, the US and Canada has caused a reputational spillover as more than 400 companies have pulled out of Russia, either voluntarily or under considerable pressure from civil society all over the world. While the consistency and duration of the boycott by international businesses are yet to be put to the test, this secondary effect of the sanctions has a symbolic value and demonstrates both the economic and normative weight of the Union.

⁹ [https://www.europarl.europa.eu/RegData/etudes/ATAG/2022/729287/EPRS_ATA\(2022\)729287_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/ATAG/2022/729287/EPRS_ATA(2022)729287_EN.pdf)

¹⁰ <https://agenceurope.eu/en/bulletin/article/12945/1>

2 Restrictive measures as a CFSP tool in EU enlargement policy

The EU's CFSP is gaining more importance in the international arena as the Union takes steps toward becoming a more prominent geopolitical player. Thus the alignment of EU candidate countries with the CFSP indicates the extent to which the future enlarged Union will be capable of acting as a united and effective international actor.

Some countries of the Western Balkans and Türkiye have applied for EU membership and begun the pre-accession process, so in order to advance on their path towards full membership they are required to align their foreign policies the CFSP and other policies.

2.1 Legal basis for alignment with the CFSP

2.1.1 Copenhagen criteria

Every country wishing to become a Member State of the European Union must conform to the conditions and principles laid down in the Treaty on European Union (Articles 49 and 6(1)). The accession criteria were further developed at the European Council meeting held in Copenhagen in 1993 and subsequently reinforced by the 1995 European Council meeting in Madrid. These criteria, known as the Copenhagen criteria, include the stability of the candidate country's institutions guaranteeing democracy, human rights, the rule of law and respect for and protection of minorities; a functioning market economy that is able to compete within the EU; the ability to take on the obligations of membership including adherence to the aims of political, economic and monetary union^{11 12}.

2.1.2 Bilateral documents: Association Agreements and Stabilisation and Association Agreements

An important document for Western Balkans countries in the Stabilisation and Association Process with the EU¹³ is the Stabilisation and Association Agreement (SAA), which creates a legal basis for their alignment with the CFSP and is signed bilaterally by each country with the EU. Each SAA includes a provision on aligning with the CFSP. For example, Article 2(b) of Title II of the SAA with Serbia, which entered into force in 2013, stipulates that the political dialogue between the Union and Serbia is intended to promote, among other things, 'an increasing convergence of positions of the parties on CFSP issues'¹⁴. The SAA with Kosovo, which is more recent as it entered into force in 2016, is even more explicit and refers to the 'increasing convergence with certain Common Foreign and Security Policy measures, in particular restrictive measures taken by the EU against third countries, natural or legal persons or non-State entities'¹⁵. And while SAAs are less tailored to each country's specificities than their accession negotiating framework, they are nevertheless legal documents that stipulate the need for countries to align with the CFSP.

The Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) Josep Borrell travelled to North Macedonia, Albania and Bosnia and Herzegovina on 13-16 March 2022, during which all three countries condemned Russia's aggression against Ukraine¹⁶. In addition, the EU convened a high-level CFSP dialogue with countries of the Western Balkans on 4 and 5 April 2022 to discuss their alignment with CFSP and, specifically, restrictive measures adopted by the Union in light of the war. The EU-Western Balkans informal dialogue on CFSP remains a working platform for discussing and harmonising the foreign policy positions of Western Balkans countries.

¹¹ https://ec.europa.eu/commission/presscorner/detail/en/DOC_93_3

¹² <https://eur-lex.europa.eu/EN/legal-content/glossary/accession-criteria-copenhagen-criteria.html>

¹³ https://ec.europa.eu/neighbourhood-enlargement/enlargement-policy/glossary/stabilisation-and-association-process_en

¹⁴ [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:22013A1018\(01\)&from=EN](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:22013A1018(01)&from=EN)

¹⁵ [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:22016A0316\(01\)&from=EN](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:22016A0316(01)&from=EN)

¹⁶ https://www.eeas.europa.eu/eeas/hrvp-josep-borrell-western-balkans-your-future-our-future_en

The 1963 EU-Türkiye Association Agreement and the Additional Protocol of 1970 aimed to promote trade and economic relations and to progressively establish a customs union, but do not however address the convergence of the parties' foreign policies¹⁷.

2.1.3 Negotiating framework

The Western Balkans and Türkiye are at different stages in their EU accession process. While Montenegro, Serbia and Türkiye have opened accession negotiations, Albania and North Macedonia are candidate countries. Bosnia and Herzegovina and Kosovo are potential candidates, but the latter has not yet applied for EU membership.

Accession negotiations can start when a candidate country has met the conditions for their formal opening and the negotiating framework has been adopted by all EU Member States unanimously¹⁸.

The negotiating framework is tailored to each candidate country and covers the Copenhagen criteria, which include the candidate's alignment with the CFSP.

The negotiations take the format of an intergovernmental conference and consist of 35 chapters¹⁹ of the future accession treaty. Two chapters are dedicated to external relations (Chapter 30) and foreign policy (Chapter 31), and are negotiated as one cluster under the revised methodology. Specifically, Chapter 31 covers the CFSP, defence cooperation and the internationally binding agreements concluded by the EU, as well as mixed agreements, restrictive measures adopted by the Union and statements and political declarations on international politics. Candidate countries are required to progressively align with EU statements and to apply sanctions and restrictive measures when and where required.

2.1.4 Financial support instruments

In preparation for accession, the EU provides financial support under the Instrument for Pre-Accession Assistance (IPA), which has a budgetary allocation of EUR 14.162 billion for 2021-2027²⁰. This includes support for areas relevant to the topic of this briefing, such as the rule of law, green energy and transport, administrative capacities, approximations of laws and strategic communication. Interestingly, recital 8 of the IPA III Regulation states that 'embracing and committing to core European values is a choice, and is essential for all partners aspiring to Union membership' and that 'this includes progressive alignment with the Union's common foreign and security policy, in particular on issues where major common interests are at stake, such as restrictive measures²¹'.

In February this year, the Commission launched a related investment package to promote sustainable connectivity under the 2020 Economic and Investment Plan for the Western Balkans²².

2.1.5 Assessment of accession status by the Commission

Apart from the legal requirement of each applicant country to align with the CFSP that arises from the opening of negotiations, including of Chapter 31²³, the aspirant country's alignment with the CFSP is also thoroughly assessed in the yearly Commission's reports (the enlargement package)²⁴. Based on the Commission's reports and the candidate's progress on the rule of law (and for Serbia also dialogue with Kosovo), the EU may decide to speed up or, on the contrary, slow down or even halt the negotiations,

¹⁷ <https://www.europarl.europa.eu/delegations/en/d-tr/documents/eu-texts>

¹⁸ https://ec.europa.eu/neighbourhood-enlargement/enlargement-policy/glossary/negotiating-framework_en

¹⁹ https://ec.europa.eu/neighbourhood-enlargement/enlargement-policy/conditions-membership/chapters-acquis_en

²⁰ https://ec.europa.eu/neighbourhood-enlargement/enlargement-policy/overview-instrument-pre-accession-assistance_en

²¹ <https://eur-lex.europa.eu/eli/reg/2021/1529>

²² https://ec.europa.eu/commission/presscorner/detail/en/IP_22_1362

²³ Chapter 31 has only been opened in negotiations with Montenegro.

²⁴ https://ec.europa.eu/neighbourhood-enlargement/news/2021-enlargement-package-european-commission-assesses-and-sets-out-reform-priorities-western-balkans-2021-10-19_en

increase or decrease financial assistance etc.. This gives the EU leverage to influence the candidate country and ensure that the candidate is implementing the *acquis* as much as possible.

In February 2020, the Commission presented a revised methodology to drive forward the enlargement process in a more politically relevant, credible, predictable and dynamic manner²⁵. Moreover, the EU's 2018 Western Balkans Strategy aims to intensify CFSP and Common Security and Defence Policy (CSDP) dialogues with the region²⁶.

The countries of the Western Balkans and Türkiye have pledged to move toward EU membership, and this entails their progressive convergence with the Union. As is to be expected, their alignment with the EU's sanctions against Russia is yet another test of their readiness to fulfil the Copenhagen criteria.

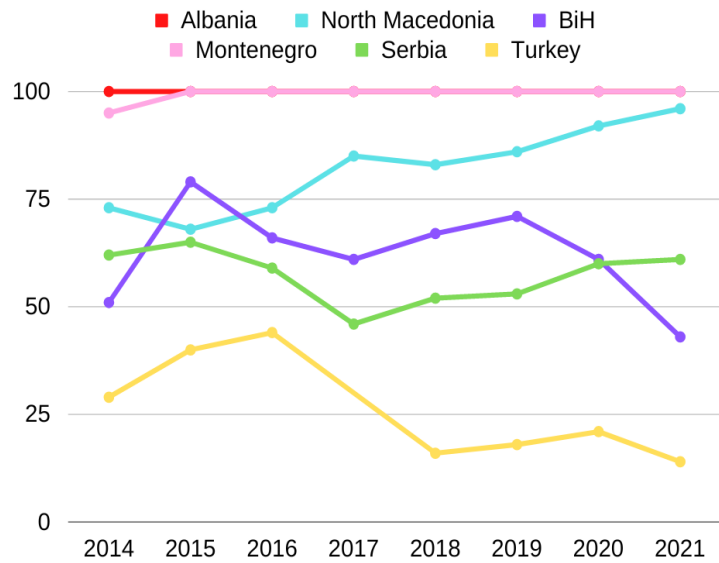


Figure 1 CFSP alignment of EU enlargement countries. Kosovo is not included as the assessment of its alignment was not conducted. Source: reports by the Commission and analysis of the ISAC Fund.

2.2 Enlargement countries' stance on EU sanctions against Russia

2.2.1 Albania

Albania became a candidate country in 2014. The Council decision of March 2020 to open negotiations was followed by the Commission's draft negotiating framework on 1 July 2020. However, this has not yet been adopted by the Council^{27 28}, which is required before the first intergovernmental conference can be scheduled²⁹. Tirana has maintained full alignment with the CFSP since 2012. The 2021 Commission report on Albania shows that the country has continued to fully align with all EU declarations and statements as well as sanctions regimes, including sanctions against Russia³⁰.

Following Russia's full-scale invasion of Ukraine in 2022, the Foreign Minister of Albania Olta Xhaçka made a statement condemning the war and announced that Albania will be adopting the EU sanctions against Russia³¹. More specifically, Albania froze all assets of over 650 listed individuals, including Russian President Vladimir Putin, Foreign Minister Sergey Lavrov and members of Russia's National Security Council. It also closed its airspace to all aircraft registered in Russia, excluding flights for emergency, humanitarian or medical purposes; imposed a travel ban on people on the EU list, banning them from entering Albanian territory, and offered military and medical help to Ukraine. On 7 March, the Parliament of Albania adopted a resolution condemning the invasion of Ukraine.

²⁵ https://ec.europa.eu/commission/presscorner/detail/en/IP_20_181

²⁶ https://www.eeas.europa.eu/eeas/common-foreign-and-security-policy-cfsp-common-security-and-defence-policy-csdp-western_en

²⁷ <https://balkaninsight.com/2021/12/15/bulgaria-again-blocks-north-macedonia-albania-eu-accession-talks/>

²⁸ <https://www.consilium.europa.eu/en/meetings/european-council/2022/06/23-24/>

²⁹ https://ec.europa.eu/neighbourhood-enlargement/enlargement-policy/negotiations-status/albania_en

³⁰ <https://ec.europa.eu/neighbourhood-enlargement/system/files/2021-10/Albania-Report-2021.pdf>; see p. 127.

³¹ <http://www.ambasadat.gov.al/republic-of-north-macedonia/en/fm-olta-xha%C3%A7ka-statement-albania%E2%80%99s-sanctions-against-russia>

Albania's full alignment with the CFSP was highlighted by VP/HR Borrell during his visit to the country in March this year³². The EU's restrictive measures against Russia have been implemented by Albania since 2014, even though the first intergovernmental conference on accession negotiations has yet to be convened by the Council. Albania is a member of the UN Security Council for 2022-23, and plays an important role there. Together with the United States, it submitted the draft UN Security Council resolution condemning the Russian aggression against Ukraine and its tabling in the UN General Assembly³³. Russia put Albania on its list of 'unfriendly countries' in early March 2022³⁴.

2.2.2 Bosnia and Herzegovina

As it is still only a potential candidate for the EU membership³⁵, Bosnia and Herzegovina (BiH) is not required to align with the CFSP. Furthermore, the country's alignment with the EU's restrictive measures significantly declined in 2021³⁶. The SAA that entered into force in 2015 mentions the need for a progressive harmonisation of Sarajevo's foreign policy positions with the EU's, but the current cooperation framework does not provide for strict monitoring of the alignment. The country has not aligned with the EU sanctions against Russia since 2014. However, it has officially changed its position since the beginning of the full-scale invasion of Ukraine in 2022. BiH's Foreign Ministry has aligned with all EU positions, including at the UN and other international organisations, and has vocally supported EU measures in retaliation against Moscow, thus also improving its overall alignment with the EU's CFSP in 2022.

However the country still lacks a systematic approach to the implementation of sanctions. The complex governance system in BiH established after the hard-won peace as well as political disputes among the representatives of different ethnic groups have led the country to a stalemate. The Bosniak and Croat members of the BiH Presidency – Šefik Džaferović and Željko Komšić – have pushed for the adoption and implementation of EU sanctions against Russia, as aligning with the bloc on foreign policy matters brings the country closer to its Western allies and EU membership. However, Milorad Dodik, the Serb member of the Presidency and the political leader of the Serb-majority *Republika Srpska* entity, publicly supported the territorial integrity of Ukraine, but failed to condemn the Russian aggression. He also rejected any prospects of sanctioning Russia and called for BiH to remain neutral. This division among Presidency members has made BiH unable to formulate a coherent foreign policy position on Russia's aggression.

On June 12, the members of the BiH Presidency, the leaders of political parties from the Parliamentary Assembly, the President of the European Council Charles Michel and the VP/HR Josep Borrell met in Brussels where the political party leaders and the members of the Presidency committed to pursuing 'Bosnia and Herzegovina's alignment with the EU CFSP including implementation and cooperation in the areas covered by the Common Foreign and Security Policy of the EU, in accordance with Article 10 of the Stabilisation and Association Agreement³⁷'.

Dodik has strong ties with Russia and neighbouring Serbia. His recent attempt to strip the BiH state authorities of competences on the judiciary, taxation and security is seen as a blatant violation of the Dayton Peace Agreement. The destabilisation of BiH and the Western Balkans is perceived as being in the interests of Russia, since an additional conflict in Europe would disperse the EU's attention and efforts. Four days after the invasion of Ukraine, Dodik held a phone call with the Minister of Foreign Affairs of Russia, Sergey Lavrov, at the time when the EU was passing the first round of sanctions against Russia. Lavrov and

³² https://www.eeas.europa.eu/eeas/hrvp-josep-borrell-western-balkans-your-future-our-future_en

³³ https://www.eeas.europa.eu/eeas/hrvp-josep-borrell-western-balkans-your-future-our-future_en

³⁴ <https://www.euractiv.com/section/global-europe/news/russia-adopts-list-of-enemy-countries-to-which-it-will-pay-its-debts-in-rubles/>

³⁵ https://ec.europa.eu/neighbourhood-enlargement/enlargement-policy/negotiations-status/bosnia-and-herzegovina_en

³⁶ <https://ec.europa.eu/neighbourhood-enlargement/system/files/2021-10/Bosnia%20and%20Herzegovina%202021%20report.PDF>; p. 6.

³⁷ <https://www.consilium.europa.eu/en/press/press-releases/2022/06/12/political-agreement-on-principles-for-ensuring-a-functional-bosnia-and-herzegovina-that-advances-on-the-european-path/>

Dodik discussed further strengthening economic cooperation³⁸. In terms of trade, Russia is not even among BiH's top 10 main economic partners³⁹. The EU, on the other hand, remains BiH's main trade partner as 75 % of its total exports go to the bloc⁴⁰. Thus Dodik's pro-Russian sympathies are not based on practical concerns, but instead on so-called Slavic unity, the perception of Russia as the international guarantor of the RS's position and dependence on Russian gas. Moreover, BiH receives substantial sums of EU aid: in 2021, the EU provided EUR 125 million as facilitated loan to support post-pandemic socioeconomic recovery⁴¹. Although BiH is a net electricity exporter (producing it from coal and oil), it relies on gas to provide district heating in Sarajevo and other cities⁴², which it imports exclusively from Russia at a reduced price through the TurkStream pipeline⁴³. RS seems to be increasingly gravitating towards the authoritarian Russian regime, and this coupled with internal disputes over competences is not only paralysing the decision-making process in BiH but also raises security concerns in the Western Balkans.

2.2.3 Kosovo⁴⁴

Kosovo is a potential candidate for EU membership and its progressive engagement with the EU plays a crucial role in the stabilisation and democratisation of the Western Balkans⁴⁵. The 2016 EU-Kosovo SAA emphasises increasing convergence on CFSP measures, including sanctions⁴⁶. However, since Kosovo is not a candidate yet, its alignment with the CFSP, and specifically with EU sanctions against Russia, is neither monitored nor assessed by the Commission⁴⁷.

Ukraine has not recognised Kosovo as an independent state, yet Kosovo has nevertheless consistently committed to implementing sanctions against Russia since 2014 and later against Belarus. Since the beginning of Russia's full-scale invasion of Ukraine, Kosovo has adopted all the sanctions packages⁴⁸ implemented by the EU and condemned Moscow's destabilising approach in neighbouring countries as well as in the Western Balkans. However, at the beginning of June, implementation of some parts of the fourth and fifth packages was still pending⁴⁹. Kosovo's Parliament adopted a resolution on 3 March, condemning Russia's invasion of Ukraine⁵⁰. After meeting the President of Kosovo, Vjosa Osmani-Sadriu, in Pristina on 15 June, the President of the European Council Charles Michel thanked the authorities of Kosovo 'for [their] clear position against the Kremlin's war, and for [their] support in implementing EU sanctions⁵¹'.

³⁸ <https://www.euronews.com/2022/03/18/why-is-bosnia-not-joining-rest-of-europe-in-sanctions-against-russia>

³⁹ https://www.komorabih.ba/vanjskotrgovinska-spoljnotrgovinska-razmjena/?drzava=Bosna+i+Hercegovina&godina1=2022&po_drzavi=SHOW

⁴⁰ <https://www.klix.ba/biznis/privreda/eu-je-i-dalje-najznacajnije-trziste-za-robu-iz-bih-razmjena-premasila-10-milijardi-km/220215072>

⁴¹ https://ec.europa.eu/neighbourhood-enlargement/system/files/2022-04/factograph_bosnia_and_herzegovina.pdf; https://ec.europa.eu/commission/presscorner/detail/en/IP_21_5104

⁴² <https://sarajevotimes.com/bih-has-no-alternative-if-russia-suspends-gas-supplies/>

⁴³ <https://www.statista.com/chart/26768/dependence-on-russian-gas-by-european-country/>

⁴⁴ This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

⁴⁵ https://ec.europa.eu/neighbourhood-enlargement/enlargement-policy/negotiations-status/kosovo_en

⁴⁶ https://ec.europa.eu/commission/presscorner/detail/en/IP_16_1184

⁴⁷ <https://ec.europa.eu/neighbourhood-enlargement/system/files/2021-10/Kosovo%202021%20report.PDF>

⁴⁸ It should be noted that Kosovo does not fully control its airspace, even if a flight ban is in place.

See: <https://balkaninsight.com/2019/02/02/hungary-control-over-kosovo-s-airspace-extended-01-29-2019/>; and <https://caa.rks-gov.net/en/atmans/airspace/>

⁴⁹ <https://europeanwesternbalkans.com/2022/06/04/what-is-the-state-of-the-implementation-of-the-sanctions-on-russia-in-the-western-balkans/>

⁵⁰ https://www.euractiv.com/section/politics/short_news/kosovo-parliament-passes-resolution-on-ukraine-will-accept-5000-refugees/

⁵¹ <https://www.consilium.europa.eu/en/press/press-releases/2022/06/15/remarks-by-president-charles-michel-after-his-meeting-in-pristina-with-president-vjosa-osmani-sadriu/>

Kosovo's Prime Minister Albin Kurti described Serbian president Aleksandar Vučić as a 'Kremlin puppet who imitates Russia'⁵². Since Serbia's stance towards Kosovo presents the biggest challenge to Kosovo's independence, the country's position of siding with Ukraine and adopting sanctions against Serbia's political ally seems to be driven not only by its overall European aspirations but also by perceptions in Pristina that it is a strategic necessity.

2.2.4 Montenegro

After starting accession negotiations in June 2012, Montenegro's commitment to CFSP alignment has been exemplary. According to the 2021 Commission report, the country's alignment rate is 100 %, and includes consistent implementation of the restrictive measures against Russia since 2014⁵³. The 2012 negotiating framework and the 2010 EU-Montenegro SAA⁵⁴ respectively underline progressive alignment and increasing convergence on CFSP matters. Montenegro is the only negotiating country that has opened Chapter 31 for negotiation and did so in June 2014⁵⁵.

Practical implementation of the restrictive measures against Russia started with the closure of the country's airspace to Russian companies in March⁵⁶. On 21 April, the Council of the Agency for Electronic Media (AEM) unanimously adopted a decision immediately prohibiting broadcasters from airing Russia Today and Sputnik programmes and content⁵⁷. Montenegro also supported the UN Resolution to suspend Russia from the UN Human Rights Council.

However, moving beyond the measures and conforming to the entirety of the EU sanctions packages against Russia has been quite challenging for Montenegro. The previous government led by Prime Minister Zdravko Krivokapić, which was toppled in a no-confidence motion on 4 February this year, hesitantly aligned with the new EU sanctions packages. However, their implementation was delayed, despite the fact that the Montenegrin Commission for the Political System, Interior and Foreign Policy adopted sanctions against Russia on 2 March. The caretaker government delayed the decision on their implementation five times because the allegedly pro-Serbian and pro-Russian Prime Minister Zdravko Krivokapić tried to pass on the responsibility for the decision to the Ministry of Foreign Affairs, thus creating an intragovernmental conundrum. The Ministry of Foreign Affairs rejected this as it goes against Montenegrin law⁵⁸, which stipulates that decisions on restrictive measures must be agreed by a simple majority of the government. The then Deputy Prime Minister Dritan Abazović confirmed on 8 April that Montenegro would adopt sanctions against Russia⁵⁹. At the end of April Montenegro's parliament voted in a new minority government, whose declared main objective is progress toward EU integration⁶⁰. At the beginning of June, the implementation of the fourth and fifth EU sanctions packages by Montenegro was still pending. However, there seem to be no intragovernmental disagreements on this issue, so these decisions are expected soon⁶¹. On 14 June, the President of the European Council Charles Michel met the President of Montenegro Milo Đukanović in Podgorica and thanked him for Montenegro's 'full alignment with EU sanctions on Russia'⁶².

⁵² https://www.repubblica.it/esteri/2022/03/20/news/il_primo_ministro_del_kosovo_putin_vuole_una_seconda_yalta_i_balcani_an_cora_in_pericolo-342177747/

⁵³ <https://ec.europa.eu/neighbourhood-enlargement/system/files/2021-10/Montenegro%202021%20report.PDF>

⁵⁴ [https://eur-lex.europa.eu/legal-](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv%3AOJ.L.L.2010.108.01.0001.01.ENG&toc=OJ%3AL%3A2010%3A108%3ATOC#L_2010108EN.01000301)

content/EN/TXT/?uri=uriserv%3AOJ.L.L.2010.108.01.0001.01.ENG&toc=OJ%3AL%3A2010%3A108%3ATOC#L_2010108EN.01000301

⁵⁵ https://ec.europa.eu/neighbourhood-enlargement/enlargement-policy/negotiations-status/montenegro_en

⁵⁶ <https://balkaninsight.com/2022/03/07/montenegro-putting-restrictions-on-russia-on-hold-activists-claim/>

⁵⁷ <https://www.reuters.com/world/europe/montenegro-joins-eu-banning-russian-media-outlets-rt-sputnik-2022-04-20/>

⁵⁸ <https://www.cdm.me/english/will-outgoing-pm-krivokapic-refuse-again-to-impose-sanctions-on-russia-today/>

⁵⁹ <https://diplomacyireland.eu/dritan-abazovic-wins-decisive-vote-on-russian-sanctions-montenegro-saved-from-backsliding/>

⁶⁰ <https://www.rferl.org/a/montenegro-government-abazovic-serbia/31825954.html>

⁶¹ <https://europeanwesternbalkans.com/2022/06/04/what-is-the-state-of-the-implementation-of-the-sanctions-on-russia-in-the-western-balkans/>

⁶² <https://www.consilium.europa.eu/en/press/press-releases/2022/06/14/remarks-by-president-charles-michel-after-his-meeting-in-podgorica-with-president-of-montenegro-milo-jukanovic/>

Russia is alleged to have been behind a failed coup d'état in Montenegro in 2016, which purportedly aimed to stop Montenegro from joining NATO, which it nevertheless did in 2017. This has further exacerbated the complicated relations between the countries. Russian and related Serbian interests in the country still exercise considerable political and economic influence in the country⁶³. It is worth noting, however, that Montenegro expelled at least five Russian diplomats accused of either violating diplomatic norms or undermining national security⁶⁴.

2.2.5 North Macedonia

North Macedonia has been a candidate country since 2005, and the Commission has made successive recommendations to open negotiations with it since 2009. A decision by the Council of March 2020 to open negotiations was followed by the Commission's draft negotiating framework on 1 July 2020. However this is still blocked in the Council as all Member States have to agree⁶⁵ ⁶⁶. Unanimity is required for the scheduling of a first intergovernmental conference with the country⁶⁷. Furthermore, the official launch of accession negotiations has been delayed due to pending bilateral issues with Bulgaria. As mentioned in the 2021 enlargement package, this is having a negative impact on the EU's credibility.

Nevertheless, North Macedonia has gradually been stepping up its alignment with the CFSP in the past few years, reaching 96 % according to the Commission 2021 report on North Macedonia⁶⁸. However Skopje only aligned with the EU's 2014 package of sanctions against Russia in 2022(see below). Russian political influence in North Macedonia is limited: Russia ranks 20th on the list of North Macedonia's trading partners in terms of volume of trade in goods⁶⁹. Moreover, Skopje has remained steadfast in its EU membership aspirations, and is the most recent NATO member, having acceded in 2020⁷⁰. Nevertheless, the Levica party represents existing pro-Russian and anti-western sentiments in the Assembly of North Macedonia , which are grounded in ideas of Slav and Orthodox unity, which are being fuelled by Russian disinformation⁷¹.

North Macedonia's lack of alignment with the EU sanctions against Russia has changed in 2022 as on the 24 February the Minister for Foreign Affairs of North Macedonia Bujar Osmani announced that the Government of North Macedonia had adopted the EU sanctions against Russia⁷². Sanctions on Russia include closing the country's airspace to Russian air carriers, as well as fighting disinformation by banning Russia Today and other media outlets from the North Macedonian media space.

North Macedonia has voted in favour of the UN Security Council and the UN General Assembly resolutions against the Russian aggression in Ukraine. The Assembly of North Macedonia also adopted a parliamentary declaration condemning the invasion on 3 March 2022⁷³. In retaliation, Russia also put North Macedonia on its list of 'unfriendly countries' in early March. Furthermore, North Macedonia has offered military and humanitarian assistance to Ukraine. Osmani also underlined that following the move, his country's alignment with the CFSP has reached 100 %⁷⁴, as confirmed during a recent visit by VP/HR Borrell⁷⁵. By doing so, North Macedonia has shown its clear geostrategic orientation and determination to advance on its EU path. The official start of accession negotiations as soon as possible was also supported by the French Presidency of the EU Council. As the EU's credibility is at stake, the EU is encouraging both Bulgaria and North Macedonia to find a mutually acceptable solution to their bilateral disputes as a matter of priority .

⁶³ <https://foreignpolicy.com/2020/09/17/montenegro-latest-domino-fall-russia-pro-west-europe-nato/>

⁶⁴ <https://www.reuters.com/world/montenegro-expels-four-russian-diplomats-report-2022-04-07/>

⁶⁵ <https://balkaninsight.com/2021/12/15/bulgaria-again-blocks-north-macedonia-albania-eu-accession-talks/>

⁶⁶ <https://www.consilium.europa.eu/en/meetings/european-council/2022/06/23-24/>

⁶⁷ https://ec.europa.eu/neighbourhood-enlargement/enlargement-policy/negotiations-status/north-macedonia_en

⁶⁸ <https://ec.europa.eu/neighbourhood-enlargement/system/files/2021-10/North-Macedonia-Report-2021.pdf>

⁶⁹ <https://truthmeter.mk/ukraine-urges-north-macedonia-to-join-eus-economic-sanctions-for-russia/>

⁷⁰ <https://www.nato.int/nato-welcome/index.html>

⁷¹ <https://truthmeter.mk/the-manner-of-creating-fascination-with-russias-power-in-the-media-and-on-social-networks/>

⁷² https://twitter.com/Bujar_O/status/1496812239139000325?s=19

⁷³ <https://www.sobranie.mk/ns-newsarticle-obrakane-na-pretседatlot-daferi-vo-kiev-ukraina.nspx>

⁷⁴ <https://mfa.gov.mk/en/page/8/post/2862/press-release>

⁷⁵ https://www.eeas.europa.eu/eeas/hrvp-josep-borrell-western-balkans-your-future-our-future_en

2.2.6 Serbia

As an EU candidate country, Serbia formally began accession negotiations in January 2014 and has repeatedly stated its intention to pursue the path toward EU membership.

The 2013 EU-Serbia SAA⁷⁶ underlines convergence on CFSP matters, and the 2013 negotiating framework⁷⁷ sets progressive CFSP alignment as a requirement for EU accession. However, progress in the accession negotiations has been relatively slow⁷⁸. Negotiations Chapter 31 on foreign policy have not yet been opened in 2022⁷⁹ ⁸⁰.

Serbia has not aligned with the EU's restrictive measures against Russia since 2014 and its record on alignment with the CFSP is mixed and inconsistent⁸¹. The SAA Council meeting of January 2022 issued a joint statement acknowledging that Serbia's alignment rate with relevant VP/HR statements on behalf of the EU and Council decisions had increased in 2021. However, SAA Council also agreed that Serbia needed to further step up its efforts in progressively aligning with the CFSP and improve its current record in a sustainable and tangible way⁸².

However, following the Russian aggression in 2022, Serbian President Aleksandar Vučić and the government led by his Serbian Progressive Party (SNS) refused to implement EU sanctions⁸³. Parliament expressed strong regret over Serbia's non-alignment with EU sanctions in its resolution of 1 March⁸⁴. In reaction to Serbia's unwillingness to align with the EU, a group of MEPs called on the Commission to freeze accession talks and related EU funding unless the country changes its stance⁸⁵.

The general elections held on 3 April were won by Vučić and his party, and the country still refuses to condemn Russia's aggression, so the EU⁸⁶ and individual Member States (e.g. Germany⁸⁷) have asked Belgrade to choose Brussels over Moscow. This has raised the expectation that Serbia will progressively align with EU positions, including its declarations and restrictive measures. Under pressure to align with the new restrictive measures against Russia following its full-scale invasion of Ukraine, Serbia has retroactively adopted the EU sanctions against certain Ukrainian nationals in effect since 2014⁸⁸, including former Ukrainian president Viktor Yanukovich. However, this move is rather symbolic, even if politically significant, given the delay and current developments⁸⁹. Serbia also voted in favour of the UN General Assembly resolution of 2 March 2022 deploring Russian aggression against Ukraine⁹⁰ as well as the resolution of 24 March 2022, calling for civilians to be protected and humanitarian access to Ukraine⁹¹. On May 11, it also aligned for the first time with any EU sanctions related to Russia since 2014, namely with the EU declaration on Russian cyber operations against Ukraine. In early April, Serbia voted in favour of

⁷⁶ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A22013A1018%2801%29>

⁷⁷ <https://data.consilium.europa.eu/doc/document/AD%201%202014%20INIT/EN/pdf>

⁷⁸ [https://www.europarl.europa.eu/thinktank/en/document/EPRS_ATA\(2021\)690658](https://www.europarl.europa.eu/thinktank/en/document/EPRS_ATA(2021)690658)

⁷⁹ <https://ec.europa.eu/neighbourhood-enlargement/system/files/2021-10/Serbia-Report-2021.pdf>; p. 122.

⁸⁰ https://ec.europa.eu/neighbourhood-enlargement/enlargement-policy/negotiations-status/serbia_en

⁸¹ <https://ec.europa.eu/neighbourhood-enlargement/system/files/2021-10/Serbia-Report-2021.pdf>, see p. 124.

⁸² <https://www.consilium.europa.eu/en/press/press-releases/2022/01/25/joint-press-statement-following-the-meeting-of-the-eu-serbia-stabilisation-and-association-council-25-january-2022/>

⁸³ <https://www.politico.eu/article/serbias-aleksandar-vucic-cruises-to-re-election/>

⁸⁴ https://www.europarl.europa.eu/doceo/document/TA-9-2022-0052_EN.html; paragraph 38.

⁸⁵ https://www.euractiv.com/section/politics/short_news/serbian-president-says-its-easy-for-eu-to-take-anger-out-on-serbia/

⁸⁶ https://www.eeas.europa.eu/eeas/serbia-joint-statement-high-representative-josep-borrell-and-commissioner-neighbourhood-and_en

⁸⁷ <https://www.reuters.com/article/eu-serbia-germany-idUKL5N2WA2OV>

⁸⁸ <https://www.consilium.europa.eu/en/policies/sanctions/restrictive-measures-against-russia-over-ukraine/history-restrictive-measures-against-russia-over-ukraine/>

⁸⁹ <https://www.euractiv.com/section/enlargement/news/serbias-eu-ambition-the-best-guarded-secret-during-the-election-campaign/>

⁹⁰ <https://www.un.org/press/en/2022/ga12407.doc.htm>

⁹¹ <https://news.un.org/en/story/2022/03/1114632>

expelling Russia from the UN Human Rights Council – a move that elicited a negative reaction from Serbian conservative parties⁹².

Serbia has developed close economic ties with the Union as 65 % of its exports go to the EU, while 64 % of imported goods and services come from the bloc⁹³. Serbia receives substantial EU economic and political support to promote its democratic development and stability, and post-COVID recovery. The EU is also supporting Serbia in diversifying its energy supplies, for instance by investing in the Serbia-Bulgaria gas interconnector⁹⁴. Once operational, it will enable Serbia to export natural gas from different suppliers. However, it does not prevent Belgrade from having close political and military ties with the Russian Federation, in addition to China⁹⁵. Russian companies Gazprom have majority ownership of key Serbian gas and oil company NIS. Gazprom Neft also supplies energy resources to Serbia at a preferential price under a new three-year contract signed at the end of May 2022^{96 97}.

In return for a strong grip over Serbia's energy market, Russia is providing diplomatic support to Belgrade in the UN by blocking any decisions that would acknowledge Kosovo as an international actor. 22 EU Member States have recognised the independence of Kosovo and the EU is trying to reconcile opposing views on this, but some Serbian officials view these moves as hostile and compromising Serbian territorial integrity. Thus, Russia's support for Serbia on Kosovo makes Serbian authorities and society more inclined to rely on the Kremlin. The latter is using this to foment anti-EU and anti-western sentiments in the country.

However, after Putin made statements comparing the right to sovereignty of the 'Donetsk and Luhansk People's Republics' to Kosovo's at the end of April this year, Serbia's government-controlled media have been scathing in their criticism of Russia⁹⁸. Any long-term consequences of these tensions on potential Serbian alignment with EU sanctions by Serbia has yet to be evaluated. In this context, it is interesting to note that Serbia's neighbours forced the cancellation of a visit by Foreign Minister Lavrov to Belgrade, scheduled for early June, by enforcing a travel ban⁹⁹.

Serbia's position is further complicated by its interpretation of the 1999 NATO bombing of Yugoslavia. As a result, general perceptions about the EU in Serbia have been gradually deteriorating. According to recent research conducted by Ipsos, 44 % of Serbians are against EU membership compared to 35 % in favour¹⁰⁰. The EU's calls for Serbia to prove its European credentials and align with the restrictive sanctions against Russia were not only frowned upon in Serbia, but met with rejection by some. 'They measure our love for Europe with hatred for Russia. If you love Europe, you must hate Russia', said Serbian Minister for Internal Affairs Aleksandar Vulin, known for his outspoken manner, when referring to Parliament's draft resolution on Ukraine¹⁰¹. He also stated that the country should reconsider its proclaimed goal of joining the EU because of alleged Western pressure to align with the international sanctions¹⁰².

Despite growing anti-EU sentiment and the inflammatory rhetoric of some high-level Serbian officials, joining the Union remains a strategic priority for Belgrade since it would significantly improve its economic position as well as its leverage in European politics. However, Serbia's pace on its path to EU membership depends solely on its commitment. Belgrade is meandering between the EU and Russia and trying to follow two strategically incompatible policy lines, including by attempts at reviving its leadership of the Non-

⁹² <https://rs.n1info.com/english/news/conservative-parties-criticize-serbias-vote-in-un/>

⁹³ <https://oec.world/en/profile/country/srb>

⁹⁴ <https://www.wbif.eu/news-details/start-works-eu-supported-serbia-bulgaria-gas-interconnector>

⁹⁵ <https://thediomat.com/2022/04/china-says-regular-military-supplies-delivered-to-serbia/>

⁹⁶ <https://www.forbes.com/sites/lidiakurasinska/2022/03/22/while-the-world-boycotts-russia-serbia-moves-to-clinch-a-new-gas-deal-with-gazprom/?sh=7e828ab314a8>

⁹⁷ <https://www.rferl.org/a/serbia-vucic-gas-deal-russia/31873908.html>

⁹⁸ <https://europeanwesternbalkans.com/2022/04/28/putin-stabbed-a-knife-into-serbias-back-tabloids-turn-against-russian-president-for-the-first-time/>

⁹⁹ <https://balkaninsight.com/2022/06/06/russia-voices-fury-about-cancelling-of-lavrov-visit-to-serbia/>

¹⁰⁰ <https://www.euronews.com/2022/04/22/for-first-time-a-majority-of-serbs-are-against-joining-the-eu-poll>

¹⁰¹ <https://www.rts.rs/page/stories/sr/story/9/politika/4787296/vulin-sami-biramo-prijateljje-rusofobija-zavrsi-srbofobija.html>

¹⁰² <https://www.euronews.com/2022/04/22/for-first-time-a-majority-of-serbs-are-against-joining-the-eu-poll>

Aligned Movement¹⁰³. Thus its potential accession to the EU might further complicate EU policy-making, which could thus affect the EU's effectiveness as an international actor¹⁰⁴.

2.2.7 Türkiye

Türkiye is a key EU partner on issues such as migration, security, counter-terrorism and economic issues. Türkiye's EU accession talks opened in 2005¹⁰⁵, but in response to backsliding on democracy, rule of law and fundamental rights, the Council decided in June 2018 that accession negotiations with Türkiye are effectively frozen¹⁰⁶. Chapter 31 has never been opened for negotiation. The 2005 negotiating framework specifies the usual requirement to progressively align with CFSP ahead of accession. The 1963 Association Agreement (AA)¹⁰⁷ and its Additional Protocol¹⁰⁸ include no such requirements, as they were signed a long time before the CFSP came into being. The related customs union¹⁰⁹, based on EU's trade policy, does not provide a legal basis for alignment either, as explained by the Commission¹¹⁰.

Türkiye has been a candidate for EU membership for the longest but has the lowest level of alignment with the CFSP – 14 % in 2021¹¹¹. The communication from the Commission and the VP/HR of March 2021¹¹², subsequently welcomed by the European Council¹¹³, also emphasises the need for Türkiye to align its foreign policy with the CFSP, noting that 'Türkiye's increasingly assertive foreign policy collided with EU priorities under the Common Foreign and Security Policy (CFSP)'.

Türkiye has pursued an autonomous foreign policy on both Russia and Ukraine, and has neither aligned with EU restrictive measures against Russia since 2014 nor with any of the EU sanctions adopted in 2022. Türkiye's relations with the EU have been further complicated by its unauthorised drilling activities in the Eastern Mediterranean, resulting in the adoption of a framework for targeted measures in November 2019. These were followed by the imposition of sanctions on Turkish entities since February 2020¹¹⁴. In September 2020, the EU also included a Turkish company on the list of persons and entities subject to restrictive measures because of its violations of the UN weapons embargo on Libya¹¹⁵. In March 2021, the European Council welcomed the de-escalation in the Eastern Mediterranean and expressed the EU's readiness to engage with Türkiye in a phased, proportionate and reversible manner to enhance cooperation in a number of areas of common interest¹¹⁶. The European Council has been following the matter and in June 2021 it also reiterated the EU and Türkiye's shared interest in regional peace and stability, and the expectation that Türkiye should contribute positively to the resolution of regional crises¹¹⁷.

Turkish and Russian interests are diametrically opposed on issues such as the Nagorno-Karabakh conflict or the war in Syria. However the personal rapport between Erdoğan and Putin has facilitated close

¹⁰³ <https://www.euronews.com/my-europe/2021/10/15/belgrade-just-hosted-the-biggest-gathering-of-world-leaders-you-ve-never-heard-of>

¹⁰⁴ <https://ecfr.eu/article/bound-to-russia-serbias-disruptive-neutrality/>

¹⁰⁵ https://ec.europa.eu/neighbourhood-enlargement/enlargement-policy/negotiations-status/Türkiye_en

¹⁰⁶ [https://www.europarl.europa.eu/thinktank/en/document/EXPO_IDA\(2022\)653662](https://www.europarl.europa.eu/thinktank/en/document/EXPO_IDA(2022)653662)

¹⁰⁷ http://eur-lex.europa.eu/resource.html?uri=cellar:f8e2f9f4-75c8-4f62-ae3f-b86ca5842eee.0008.02/DOC_2&format=PDF

¹⁰⁸ [http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:21970A1123\(01\)&from=EN](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:21970A1123(01)&from=EN)

¹⁰⁹ https://ec.europa.eu/taxation_customs/Türkiye-customs-unions-and-preferential-arrangements_en

¹¹⁰ https://ec.europa.eu/info/sites/default/files/business_economy_euro/banking_and_finance/documents/220316-faqs-export-related-restrictions-russia_en.pdf, see Q 44: Is Turkey (Türkiye) obliged to implement equivalent controls and/or anti-circumvention measures due to its Customs Union with the EU?

¹¹¹ <https://ec.europa.eu/neighbourhood-enlargement/system/files/2021-10/Türkiye%202021%20report.PDF>

¹¹² <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52021JC0008&from=EN>

¹¹³ <https://www.consilium.europa.eu/media/48976/250321-utc-euco-statement-en.pdf>

¹¹⁴ <https://www.consilium.europa.eu/en/press/press-releases/2021/11/11/unauthorised-drilling-activities-in-the-eastern-mediterranean-council-prolongs-the-sanctions-regime-by-one-year/>. The framework is renewed on an annual basis, currently until November 2022.

¹¹⁵ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32020R1309&rid=1>

¹¹⁶ <https://www.consilium.europa.eu/media/48976/250321-utc-euco-statement-en.pdf>

¹¹⁷ <https://www.consilium.europa.eu/en/press/press-releases/2021/06/25/european-council-conclusions-on-external-relations-24-june-2021/>

diplomatic contacts between the two countries, numerous high-level visits and private discussions of pressing international problems. Although the Türkiye-Russia relationship can be complex¹¹⁸, it has a solid economic foundation as the two countries have close ties on energy cooperation, trade and tourism:

- The TurkStream pipeline¹¹⁹ that started delivering gas from Russia to Türkiye in 2020 made Türkiye an important gas hub for the EU. As the pipeline has a second line solely for Turkish energy demands, Ankara also has enough gas to store and re-sell to third parties. Thus the project is a win-win for both countries: for Russia, it is a way of downplaying Ukraine's role as a hub for gas transit, and for Türkiye it is an opportunity to consolidate its strategic position in the region while benefiting from the re-export of gas.
- Another strategic project involving both countries is the construction of the Akkuyu Nuclear Power Plant, which is expected to meet approximately 10 % of Türkiye's electricity needs once completed¹²⁰. Russia's nuclear energy corporation Rosatom is the main contractor, owner and operator of the plant, and halting the project due to the imposition of sanctions against Russia would be a great loss for Türkiye.
- Türkiye's flourishing tourism sector was hoping for a post-COVID rebound in 2022, so the Western sanctions against Russia have posed a substantial threat to the influx of Russian tourists who are the biggest contributors to the Turkish hospitality industry (more than 4.6 million Russian tourists visited Türkiye in 2021)¹²¹.

Just as Türkiye is being opportunistic in its relations with Russia, its ties with Ukraine seem to follow a similar dynamic.

- Türkiye does not recognise the annexation of Crimea and is committed to respecting the territorial integrity of Ukraine. Compliance with international law is an important part of Türkiye's image as it strives to be a strong regional and global player. It also sends out the signal that any secession movements by Turkish Kurds would be unacceptable.
- Since Crimea is home to the Crimean Tatars – an indigenous people of Turkic ethnicity – Ankara positions itself not only as their cultural and historical ally but also as an advocate for their rights, as the Russian annexation of Crimea has meant that they are subjected to detentions, unjustified imprisonment, kidnappings and political assassinations. This creates yet another fruitful area for cooperation between Türkiye and Ukraine, and is an additional dimension to ending the occupation of the peninsula.
- Turkish military cooperation with Ukraine has had a positive impact on Ukraine's performance in the Russian war, as Ukraine started purchasing the Turkish Bayraktar TB2 unmanned combat aerial vehicle in 2018. Moreover, a couple of weeks before the start of the full-scale Russian invasion, Ukraine and Türkiye agreed on expanding the production of drones in Ukraine. So far Bayraktars have proved to be highly effective and successful in combat, reconnaissance flights and distraction manoeuvres, so the Russian authorities have expressed their discontent at Turkish exports of drones to Ukraine. Ankara denies any official links to these exports as the sales are made by a private Turkish company. It is worth noting that the creator of Bayraktar TB2 and the Chief Technical Officer of the company selling drones is Selçuk Bayraktar – Erdoğan's son-in-law¹²².

Türkiye prefers not to take sides, especially not in a war, so in the case of the Russian war against Ukraine it decided to uphold international law by applying Article 19 of the Montreux Convention to block any warships of the belligerent countries from passing through the Turkish Straits.

¹¹⁸ <https://carnegiemoscow.org/commentary/81330>

¹¹⁹ <https://turkstream.info/project/>

¹²⁰ <https://www.world-nuclear-news.org/Articles/Major-components-in-place-at-Akkuyu-1>

¹²¹ <https://www.ktb.gov.tr/EN-249299/yearly-bulletins.html>

¹²² <https://nordicmonitor.com/2022/03/drone-manufacturer-ukraine/>

Similarly, Türkiye states that not imposing sanctions against Russia is the only sound position because Ankara has volunteered to act as mediator in the war¹²³, even if this decision is most likely economically motivated. When responding to the EU's calls to align with CFSP and show commitment to its European aspirations, Türkiye also conveniently uses its role as a mediator to justify its non-alignment.

Therefore it seems that long-term foreign policy divergences will probably persist in many areas, including on sanctions against Russia¹²⁴.

3 Policy options for the EU

The EU cannot oblige candidates and potential candidates to align with the CFSP. Progressive harmonisation with the Union is the responsibility of applicant countries and in their interest. Moreover, if a candidate country implements foreign policy that runs counter to the EU's, the EU cannot apply economic conditionality, since financial instruments (such as the IPA) are conditional on fundamental values – democracy, human rights and rule of law – and are not directly linked to a country's foreign policy positions. This holds true even if alignment with the CFSP, including sanctions, is mentioned in the IPA Regulation as essential for future membership. Nevertheless, the ability and willingness of a candidate country to converge with the EU on foreign policy is an indicator of the country's readiness to contribute to the unity of the EU on foreign policy. CFSP alignment, though not a legal obligation before accession, is therefore expected in the political commitments made by candidates.

The Russian war in Ukraine has shaken up the security landscape in Europe, which means the policy options available to the EU to engage with the Western Balkans and Türkiye include:

1. Increased engagement with the Western Balkans as a whole

The European integration of the Western Balkans could be considered as a package, where no country should be left behind. This approach could be a response to the region's history of war and the ongoing ethnic tensions between and within these countries. This approach would mean special focus on countries such as Serbia or Bosnia and Herzegovina, which would be encouraged to make progress on their democratisation and development. This could be accomplished in a variety of ways:

- Complementing the current Economic and Investment Plan for Western Balkans with **additional support** to mitigate economic shocks created by the war or the implementation of sanctions. This additional support could promote energy independence from Russia, the green transition and food security through either IPA III or the Global Challenges programme of the Neighbourhood, Development and International Cooperation Instrument (NDICI-Global Europe), or provide a rapid response in support of the EU's foreign policy needs and priorities.
- **Political dialogue could also be intensified** to give non-cooperative governments a platform to voice their views on their countries' path toward the EU and find ways to address differences. This can be done either via the platforms established by the SAAs chaired by the VP/HR or negotiations held in the format of an intergovernmental conference, giving Member States a more prominent forum to express their positions on foreign policy alignment (including Chapter 31, when opened). In addition, the EU-Western Balkans informal CFSP dialogues, such as the one held on 4-5 April this year, are a good opportunity to discuss the issue of alignment with partner countries¹²⁵. However, the case of Serbia shows that when the EU has adopted a slightly more insistent approach^{126 127} on Serbia's non-alignment with the CFSP, this only

¹²³ <https://www.rferl.org/a/erdogan-russian-invasion-unacceptable-ukraine/31728802.html>

¹²⁴ <https://www.swp-berlin.org/en/publication/perceptions-in-turkey-about-the-war-in-ukraine>

¹²⁵ The manuscript was finalised prior to the EU-Western Balkans leaders' meeting of 23 June 2022, see here: <https://www.consilium.europa.eu/en/meetings/international-summit/2022/06/23/>

¹²⁶ https://www.euractiv.com/section/politics/short_news/serbian-president-says-its-easy-for-eu-to-take-anger-out-on-serbia/

¹²⁷ <https://www.euronews.com/2022/04/22/for-first-time-a-majority-of-serbs-are-against-joining-the-eu-poll>

contributed to the growing anti-EU sentiments in the country. Highlighting the continuation of dialogue could calm the rhetoric and create a more constructive foundation for substantive talks on further steps in accession negotiations.

- A more **strategic and proactive communication policy** in these countries could be implemented to highlight the EU's overall support for the region and the reasons for EU sanctions against Russia. In parallel, the EU should counter the disinformation campaigns about the EU that have carried out in the Western Balkans.

2. **Adopting a differentiated approach to the Western Balkans through negative conditionality**

This approach would take into account the reasons underlying the anti-EU rhetoric used by Serbian and Bosnian officials, which is often a way of appealing to a conservative section of the electorate while still benefiting from the status and economic advantages of a country's candidate or potential candidate status. Since alignment with the CFSP is not mandatory at the early stage of accession negotiations, some Western Balkans countries may pursue different foreign policy lines than the EU for as long as the accession process allows. The countries reason that for security and political reasons the Union needs their accession as much as their country does.

To increase foreign policy convergence with the EU's objectives, the Union **might make certain financial instruments conditional** and emphasise that the IPA Regulation provides a legal basis for progressive alignment with the CFSP, and that this alignment is part and parcel of candidates' overall commitment to European core values and hence essential to accession. This has been done recently: the Commission postponed the signature of two agreements on infrastructure investment in Republika Srpska until the full functioning of state institutions has been restored. Similar pressure could be applied to Bosnia and Herzegovina to encourage its alignment with the EU, including on CFSP and sanctions against Russia, since a pro-Russian member of the country's presidency is preventing the country from taking decisions.

Since the enlargement methodology is based on a **merit-based approach**, the EU could take a firmer line in allocating financial support to candidates and potential candidates, thereby encouraging better performance on their part.

3. **A specific approach for Türkiye: expanding dialogue and preventing evasive measures**

This approach would acknowledge that Türkiye's accession process is frozen and propose **forums for discussion** that might prove more effective than the membership negotiations framework.

The framework with Türkiye does not have much bearing on the country's convergence with the EU, as talks remain frozen and Chapter 31 remains unopened. However, Ankara continues to be a key partner for the EU on questions such as migration, regional security and relations with Russia. Partnership requires a certain level of equality between the parties, which is not the case in the formal framework of enlargement relations: the EU is the norm-giver and Türkiye the norm-taker. Given the particularities of Turkish foreign policy, this imbalance does not satisfy Türkiye's ambitions for regional leadership and global prominence. While Türkiye repeatedly states that it is committed to EU membership in the future, it is not actively taking any practical steps toward membership. At the same time, maintaining the status of 'negotiating country' gives Türkiye better standing in its relations with the EU than if it were just a neighbour. Thus, it would be less damaging for bilateral relations if the EU does not publicly blame Türkiye for bringing the accession negotiations to a standstill, while keeping in mind that they are frozen. Instead the focus could be on more productive areas of cooperation.

In July 2019, the Council suspended certain high-level dialogues with Türkiye, including the High-Level Political Dialogue, where foreign policy issues are discussed. Two years later, in June 2021, the European Council took note of preparatory work on **high-level dialogue with Türkiye on issues of**

mutual interest. As negotiations on Chapter 31 have not been opened, EU-Türkiye high-level dialogue could be potentially reconsidered and focus on foreign affairs and global and regional security, thus providing further opportunity to discuss Turkish convergence with EU sanctions against Russia. Even if the AA and the Customs Union do not provide an explicit legal basis for a dialogue on foreign and security policy issues, the Association Council may still discuss any topic of common interest.

However, Türkiye is pursuing a highly autonomous foreign policy, so the EU is unlikely to succeed in encouraging the country to impose restrictive measures against Russia. Instead, the EU could consider **designing a system that would prevent, control and, if necessary, penalise any third party that assist the Russian and Belarusian regimes in circumventing sanctions** adopted by the EU. Closing loopholes in sanctions regimes that are already in place could not only increase their effectiveness, but also give the EU certain leverage over third countries that help Russia circumvent sanctions. This would have an impact on Türkiye, which some fear could become a haven for Russian interests. Russian oligarchs are allegedly moving some of their capital to different countries, including Türkiye, by creating dummy corporations¹²⁸. Russia is also considering selling energy resources and continuing trade with 'friendly countries' – Türkiye and China – in gold or currencies other than dollars and euros¹²⁹. If Türkiye accepts Russia's proposal, the move would be considered an evasive measure by the EU. The EU's regime of identifying and preventing sanctions avoidance should continue to be based on international cooperation with like-minded partners such as those in the G7.

4 Parliamentary dimension

Lastly, Parliament could continue and deepen current parliamentary cooperation with these countries and use its legislative, budgetary and scrutiny powers to address sanctions and foreign policy alignment by:

- Mentioning them in annual Parliament resolutions on enlargement countries;
- Inviting representatives of the enlargement countries and Ukraine to Parliament committee meetings to discuss these matters;
- Holding exchanges of views with the Commissioner for Enlargement and the VP/HR in public or non-public formats (e.g. High-level dialogues on IPA and NDICI-Global Europe, or briefings on Foreign Affairs Council meetings);
- Addressing these matters in the annual budgetary procedure, in particular in the Committee on Foreign Affairs, in the context of the budgetary allocations for IPA and NDICI-Global Europe;
- Raising them at future meetings of the President of Parliament with Speakers of parliaments of the Western Balkans¹³⁰;
- Raising them at interparliamentary meetings and other parliamentary diplomacy forums (e.g. the recent EU-Türkiye Joint Parliamentary Committee held on 18-19 March 2022¹³¹);
- Addressing them in public statements and press releases by relevant parliamentary bodies and office holders;
- Capacity building and mediation activities, including further Jean Monnet Dialogues¹³².

¹²⁸ <https://www.washingtonpost.com/world/2022/04/01/Türkiye-aue-dubai-russian-oligarchs-safe-haven/>

¹²⁹ <https://www.interfax.ru/business/831115>

¹³⁰ <https://www.europarl.europa.eu/news/en/press-room/20200124IPR71018/summit-with-western-balkans-speakers-on-tuesday>

¹³¹ https://www.europarl.europa.eu/meetdocs/2014_2019/plmrep/DELEGATIONS/D-TR/DV/2022/03-17/Draftagenda79thJPCBrussels17-18March2022-rev1603EN.pdf

¹³² <https://www.europarl.europa.eu/globaldemocracysupport/en/home/home>

Annex: Relevant Parliament positions and procedures

- European Parliament resolution of 1 March 2022 on the Russian aggression against Ukraine:
https://www.europarl.europa.eu/doceo/document/TA-9-2022-0052_EN.html
- European Parliament resolution of 7 April 2022 on the conclusions of the European Council meeting of 24-25 March 2022, including the latest developments of the war against Ukraine and the EU sanctions against Russia and their implementation:
https://www.europarl.europa.eu/doceo/document/TA-9-2022-0121_EN.html
- European Parliament recommendation of 8 June 2022 to the Council and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy on the EU's Foreign, Security and Defence Policy after the Russian war of aggression against Ukraine:
https://www.europarl.europa.eu/doceo/document/TA-9-2022-0235_EN.pdf

Procedural files on:

- Report on the 2021 Commission Report on Albania:
[https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2021/2244\(INI\)&l=en](https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2021/2244(INI)&l=en)
- Report on the 2021 Commission Report on Bosnia and Herzegovina:
[https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2021/2245\(INI\)&l=en](https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2021/2245(INI)&l=en)
- Report on the 2021 Commission Report on Kosovo:
[https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2021/2246\(INI\)&l=en](https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2021/2246(INI)&l=en)
- Report on the 2021 Commission Report on Montenegro:
[https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2021/2247\(INI\)&l=en](https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2021/2247(INI)&l=en)
- Report on the 2021 Commission Report on North Macedonia:
[https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2021/2248\(INI\)&l=en](https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2021/2248(INI)&l=en)
- Report on the 2021 Commission Report on Serbia:
[https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2021/2249\(INI\)&l=en](https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2021/2249(INI)&l=en)
- Report on the 2021 Commission Report on Türkiye:
[https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2021/2250\(INI\)&l=en](https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2021/2250(INI)&l=en)

PE 639.327

Print ISBN 978-92-846-9675-8 | doi: 10.2861/068080 | QA-09-22-328-EN-C

PDF ISBN 978-92-846-9674-1 | doi: 10.2861/81042 | QA-09-22-328-EN-N