

Problems of European integration in region

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Abstract:

Western Balkan's European integration represents a main national priority. As such, it requires that relations with the European Union be raised at the level of partnership. The foreign policy toward the relationship with the EU and the Member States will aim at ensuring the necessary political and economic support that accelerates the transformation reforms and brings us even closer to the Community's standards. The partnership with the EU and the Member States will be further improved also due to the boost in our programming and implementing capacities. The Governments of these countries estimates that the interests of the compatriots living in the neighbouring countries are not different from the European interests of our citizens. On this basis, they shall encourage any initiatives in the countries where they live that regard the integrating processes as inseparable from the need of strengthening democratic standards and institutions according to the Euro-Atlantic model. They assess that the national interests of Western Balkan anywhere they live, jointly with their legitimate representatives, converge in the acceleration of standard reforms of development and European integration.

Keywords: Recommendation, Initiatives, Political Criteria, Economic Criteria, Regional Approach, Framework.

I. Introduction

The EU's policy towards the western Balkans is based on the concrete prospect of EU membership for all the countries in this region. This was set out in the Thessaloniki Council of June 2003 and reaffirmed by the Council on 8 December 2008 and on 7/8 December 2009. This prospect has given strong encouragement to major reforms in these countries, thereby reinforcing peace and stability in the region. To date, Serbia, the former Republic of Macedonia and Montenegro have become candidate countries. While Croatia is EU member state from 1.07.2013,. The other four countries of the western Balkans, Albania, Bosnia and Herzegovina, Kosovo, are potential candidate countries. Albania has already submitted her requests (three times rejected) for EU membership. All three of these countries will be able to become candidate countries once they have met the necessary requirements. As part of the international presence in the Western Balkans, the EU adopted sanctions, brokered political agreements, launched its first police and military missions and directed economic, legal and administrative reforms to eradicate the root causes of instability¹. Yet, despite the comprehensive nature of the EU's involvement, its strategies have been marked by confusion, its actions by concurrent or competing mandates of other international organisations².

¹ Kathuria,S. (2008). Western Balkan Integration and the EU: An Agenda for Trade and Growth, pg. 345. Máire Braniff - 2011Integrating the Balkans: Conflict Resolution and the Impact of EU, pg. 56. Blockmans, S. (2007). Tough love: the European Union's relations with the western Balkans, pg. 67. European Bank for Reconstruction and Development, European Union, OECD - 2012SME Policy Index: Western Balkans and Turkey 2012 Progress, pg. 259

² Blockmans, S. (2007). Tough love: the European Union's relations with the western Balkans,pg.34

II. INSTRUMENTS

1.1. The stabilisation and association process (SAP)

The SAP established a strategic framework for relations between the western Balkan countries and the EU consisting of a new contractual relationship (stabilisation and association agreement, SAA) and an assistance programme (CARDS from 2000 until 2006, IPA-Instrument for Pre- Accession Assistance as of 2007). The SAP creates strong links between each country and the EU as well as encouraging regional cooperation among the countries themselves. The SAA are legally binding international agreements, which require the European Parliament's (EP) consent. Among the various elements they demand respect for democratic principles, human rights and the rule of law. Furthermore, they also foresee the establishment of a free trade area with the EU. With the exception of Kosovo, all western Balkan countries have already signed SAAs with the EU. Since 2007, EU pre-accession funding for the western Balkans, as well as other candidate countries, is channelled through a single, unified instrument (the Instrument for Pre-accession Assistance — IPA). It replaced the previous CARDS programme. The total pre- accession funding for the current financial framework (2007–13) is EUR 11.5 billion. Among the main objectives of IPA assistance are support for institution building and the rule of law, human rights, including the fundamental freedoms, minority rights, gender equality and non- discrimination, as well as administrative and economic reforms, reconciliation and regional cooperation. It is worth noting that assistance for civil society development and dialogue in the western Balkans is also one of the key objectives.

1.2 . Enhancing regional cooperation through the Regional Cooperation Council and the Central European Free Trade Agreement

The transition from the stability pact to a regionally owned cooperation framework was completed in February 2008. The new framework operates under the political guidance of the South-East European Cooperation Process (SEECP) and includes the newly established Regional Cooperation Council (RCC), with its seat in Sarajevo. The RCC provides impetus to regional activities and donor coordination in south-east Europe. Another important initiative is the Central European Free Trade Agreement (CEFTA), which was initially concluded to foster trade liberalisation between central and eastern European countries. Following the accession of these countries to the EU, CEFTA currently comprises the western Balkan countries and Moldova. It covers a wide range of trade-related cooperation, which comprises not only the reduction of tariff barriers, including trade in services, but also government procurement, state aid and intellectual property rights. It should be noted that in addition to these two regional organisations there are a number of further regional initiatives such as the Energy Community, Adriatic–Ionian Initiative, etc.

1.3. Encouraging citizens' contacts through visa-free travel and cross-border cooperation

Promoting contacts between citizens of the western Balkans and the EU has been considered as one of the key measures in order to promote EU values and rules. Furthermore, closer contacts among the people of the western Balkan countries contribute to reconciliation after the war. Therefore, the Commission launched a visa dialogue and roadmaps (containing concrete sets of reforms) in order to allow each country to address the EU's requirements. As a result, citizens from the former Yugoslav Republic of Macedonia, Montenegro, Serbia,

Albania were allowed to travel visa-free to the 'Schengen' countries as of December 2009. The visa regime for the citizens of Albania and Bosnia and Herzegovina was lifted in November 2010. It is now important also Fact Sheets on the European Union – 2013 to include the citizens of Kosovo in this regime. In 2010, Kosovo made significant progress to start this process by adopting legislation on readmission and devising an action plan on reintegration of returnees. Although the General Affairs Council of 14 December welcomed these achievements and reaffirmed that Kosovo would also benefit from the perspective of eventual visa liberalisation once all conditions are met, there has been no further progress since then. Candidate and potential candidate countries have also been entitled to participate in EU programmes on the basis of framework agreements. Participation in these programmes is an excellent opportunity to facilitate cooperation and encourage further people-to-people contacts.

1.4. CURRENT STATUS

Over recent years, the western Balkan countries have made significant progress—though in an uneven way—towards EU integration³. However, the economic crisis in the countries and the increasingly polarised political climate in some of them have significantly slowed down the implementation of the reform agenda. In parallel, support of citizens for EU integration has dropped in most of the western Balkan countries. This may also be a result of the fact that the EU integration process has not been as rapid as hoped for by both politicians and citizens of the western Balkans. Croatia has reached the final stage of the accession negotiations but needs to make an extra effort in order to meet the benchmarks as regards fundamental rights and judiciary. The former Yugoslav Republic of Macedonia (FYROM) has yet to open accession negotiations, which continues to depend on the resolution of the name dispute with Greece. While Montenegro was granted candidate status in December 2010 and Serbia moved one step closer to achieving candidate status after the Council requested that the Commission prepare its opinion on the country's membership application, the other countries have suffered from a deteriorating internal political climate. In this situation, the EU needs to demonstrate more clearly the advantages and benefits of the EU integration process for the citizens and the political elite of these countries⁴.

III. Relations with the individual countries of the region

1. Albania

Albania has remained a potential candidate country after the Commission, in its opinion of 9 November 2010 (also 2011, 2012), did not propose to grant it candidate status⁵. The Commission stated that accession negotiations should only be opened with Albania once the country has achieved the necessary degree of compliance with the membership criteria. In this regard, the country needs to meet a number of key priorities including a proper functioning parliament, amendments to the elections legislation, appointment of an

³ Braniff, M. (2011). Integrating the Balkans: Conflict Resolution and the Impact of EU, pg. 65.

⁴ Guisan, C. (2012). A Political Theory of Identity in European Integration: Memory and Policies, pg. 90. Hayden, R. (2012). From Yugoslavia to the *Western Balkans*: Studies of a *European* Disunion 1991-2011, pg. 340.

⁵ Catherine Chan-Halbrecht, Jean Fantle-Lepczyk - 2013 Agricultural Markets in a Transitioning Economy: An Albanian Case, pg. 13.

ombudsman (which was done in 2012), proper conduct of elections in line with European and international standards and further judicial reform. The main problem is the lack of a constructive dialogue between political parties in order to enable the political system to function effectively and in a transparent manner. The parliamentary boycott of the opposition party after the June 2009 elections highlighted the fact of a weak political dialogue in the country. This year Albanian state has made all the efforts to have on 23.06.2013 the best elections that the state has ever made.

2. Bosnia and Herzegovina (BiH)

Bosnia and Herzegovina is a potential candidate country. On 16 June 2008, the EU and BiH signed the SAA. Therefore, the Council, on 21 March 2011, agreed to reinforce its presence in the country in order to increase its efficiency and to revive the reform process.

3. Croatia

Croatia has been an EU candidate country since June 2004 and began accession negotiations in October 2005. Currently are provisionally closed. On 2 March 2011, the Commission assessed the progress made so far in meeting the benchmarks to provisionally close Chapter 23. 'Fundamental rights and judiciary' and concluded that further substantive efforts are still needed. It is expected that Croatia concluded the negotiations in the course of 2011. She will be a member of EU on 1.07.2013.

4. Former Yugoslav Republic of Macedonia (FYROM)

FYROM applied for membership of the EU in March 2004 and was granted the status of an EU candidate country at the European Council meeting in December 2005. However, slow or uneven progress towards meeting the political criteria, in particular as regards the rule of law, along with the unresolved name dispute with Greece, have had the consequence that the EU accession negotiations have not yet been opened. FYROM made substantial progress between 2007 and 2009. Consequently, the Commission recommended the opening of EU accession negotiations with FYROM in its 'Enlargement strategy' of October 2009 and reaffirmed this recommendation in October 2010. However, the unresolved name dispute with Greece has prevented the opening of the negotiations so far.

5. Kosovo

After Kosovo's unilateral declaration of independence in February 2008, the EU reiterated that Kosovo has a clear European perspective in line with the European perspective of the western Balkans region. All but five member states (Cyprus, Greece, Romania, Slovakia, Spain) haven't recognized Kosovo's independence. Since the country's independence the EU has contributed to Kosovo's stability through the (i) EU Special representative in Kosovo, (ii) EULEX rule of law mission in Kosovo, (iii) Commission Liaison Office⁶. In December 2010, the Council concluded that Kosovo would benefit from the visa-free regime once all relevant

⁶ Bajraktari, H. (2010). *Kosovo Challenge of Integration in the European Union*, pg. 89. Laci, E. (2012). *Kosovo After Independence: Prospects for the Integration Into the EU*, pg. 67. Thompson, W. C (2012). *Nordic, Central and Southeastern Europe 2012* - Page 482 Mabry, T. McGarry, J. Moore, M. (2013). *Divided Nations and European Integration*, pg.180.

conditions are met. Acknowledging Kosovo progress, the EP has urged the Council to start the visa liberalization process with the country.

6. Montenegro

Montenegro was granted the status of an EU candidate country at the Council meeting on 17 December 2010. However, the Council did not set a date for accession negotiations but only the prospect to open them once it has achieved the necessary degree of compliance with the membership criteria and has met in particular the key priorities set out in the Commission's opinion on the country. Among the eight key priorities to be met are the need to amend the electoral law and measures to improve the fight against corruption and organised crime. The Commission will assess the country's compliance with these key priorities in the next Commission progress report, whose release is foreseen for 12 October 2011. It is worth noting that the EU–Montenegro relations started in June 2006, when the EU established relations with Montenegro as a sovereign state and all EU Member States recognised its independence. The SAA was signed in October 2007 and entered into force in May 2010 after its ratification by the parties.

7. Serbia

Serbia is a potential EU candidate country for EU integration. It submitted Serbia's EU membership application on 22 December 2009 after the Council had agreed to unblock the EU's interim trade agreement with the country. In October 2010, the Council requested that the Commission prepare an opinion on Serbia's membership application. Serbia delivered the responses to the Commission's questionnaire in January 2011. The Commission's opinion is expected on 12 October 2011 with the next enlargement package. It should be noted that the EP and the Council stressed the need for full ICTY cooperation before Serbia can take the next EU integration step. The EP resolution pointed out that only the apprehension and extradition of the two remaining war fugitives could be deemed the most convincing evidence of full cooperation. On 14 June 2010, the Council decided to unblock the SAA ratification. Member States had ratified it by March 2011. The negotiations for an SAA agreement between the EU and Serbia had initially been launched in October 2005. However, its ratification had been blocked until June 2010 because of Serbia's insufficient track record of cooperation with the ICTY. Following the ICTY prosecutor Brammertz's positive report to the UN Security Council in December 2009 and June 2010, the Council first unblocked the interim agreement and subsequently the ratification process of the SAA.

IV. ROLE OF THE EUROPEAN PARLIAMENT

The EP had initially set up a delegation for south-east Europe, responsible for all the countries of the western Balkans and regularly sending parliamentary observers when elections took place in the region. With the entry into force of the SAA with FYROM and Croatia, joint parliamentary committees between the EP and the partner country parliaments were set up in early 2005 as institutions under the agreement. Since the EP elections in 2009, the new EP delegation for relations with Bosnia and Herzegovina, Serbia, Montenegro and Kosovo has been the forum for interparliamentary dialogue and contacts with these countries. After the SAA entered into force with Albania and Montenegro, the dialogue has been upgraded to a Stabilisation and Association Parliamentary Committee (SAPC) with two yearly meetings. Interparliamentary meetings, which are open to the public, have allowed a frank and open debate on key issues. They have focused on the importance of raising the

standards of democracy and human rights and improving measures needed to fight crime and corruption. Overall, the EP has often highlighted the need for respect for democracy, the rule of law and the rights of minorities in the region. It has also insisted on full and effective cooperation of the countries concerned with the International Criminal Tribunal for the Former Yugoslavia, on regional cooperation as well as the effective implementation of a policy in favour of the return of refugees and the fight against organized crime and corruption. At the same time, the EP has been a promoter of visa liberalisation for all countries in the region provided that they meet all the necessary requirements

Conclusions

The Commission's aim is to restructure the Western Balkans in line with neoliberalism to prepare the region for the "preincorporation stage." The Commission's major initiatives show that this neoliberal restructuring need not end in full membership but remains an open-ended process. Two components of the Commission's formula, neoliberal economy and democracy, have not fed one another; rather, the opposite has occurred. Local crises have exacerbated and been exacerbated by the Commission's strategy, whereby existing social forces and structures have been dismantled, leading to the reproduction of authoritarianism. Despite the continuously shifting hegemonic discourses of ethno-political groups, their ultimate objective is integration with the EU. However, cycles of crises in the region have, in neo-Gramscian terms, undermined the formation of a historic bloc, and thus the EU's hegemonic project is rather daunting.

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