

# Advancing European Integration in Central and Eastern Europe: A Comprehensive Examination of Reconciliation and Collaborative Progress in the Western Balkans

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## Abstract

This article examines the European Union's integration efforts in the Western Balkans within the broader context of Central and Eastern Europe, focusing on the challenges and strategies post-Yugoslavia. It outlines the EU's application of "conditionality" in guiding candidate countries towards democratic governance and market-oriented economies, emphasizing the Copenhagen Criteria for accession. The text explores the unique challenges faced by the Western Balkans, including historical conflicts and political turbulence, and discusses the EU's Stabilization and Association Process (SAP) as a mechanism for facilitating integration. Additionally, it highlights the importance of legal reforms, cooperation with the International Criminal Tribunal for the former Yugoslavia (ICTY), and the advancement of ethnic harmony and minority rights as prerequisites for EU membership. The article concludes with an assessment of regional cooperation and the progress towards reconciliation, underscoring the EU's role in promoting stability and development in the region.

**Keywords:** Western Balkans, European Integration, Post-Yugoslavia Period, Central and Eastern Europe

## 1. Introduction

The dissolution of the Socialist Federal Republic of Yugoslavia marked a pivotal moment for the nations of the Western Balkans, ushering in an era of transformation and a quest for European integration. This article explores the European Union's strategic engagement with the Western Balkans, focusing on the implementation of conditionality as a cornerstone of EU policy towards aspiring member states and third countries. Since the 1980s, the European Community, and later the European Union, has incorporated conditional measures into its governance and external relations, a practice that gained significant momentum in the early 1990s amidst the political and social upheavals in Central and Eastern Europe. These nations, driven by the desire to "return to Europe," faced the challenge of aligning with the European Community's political and economic conditions designed to guide them towards democratic governance and market economies.

The Copenhagen Summit in 1993 and the subsequent Madrid Conference in 1995 established the Copenhagen Criteria and introduced the necessity for candidate countries to adopt and implement the EU's *acquis communautaire*. These frameworks set the stage for a series of EU enlargements that tightly intertwined the democratic and market reforms of Central and Eastern European countries with the European integration process through the mechanism of conditionality. This strategic approach provided a clear roadmap for transformation and integration, establishing fundamental benchmarks for development.

However, the accession journey for the Western Balkans has been markedly more complex and protracted, marred by the legacies of conflict and political instability. Despite these challenges, the EU has steadfastly applied the principle of conditionality, adapting its criteria to address the unique historical contexts and domestic

scenarios of each Western Balkan state. This tailored application of conditionality underscores the EU's commitment to fostering stability, democratic governance, and economic development in the region, reflecting the intricate dynamics that characterize the EU's enlargement policy towards the Western Balkans.

## **2. Strategic Frameworks and Conditionalities: Navigating the EU's Policy towards Western Balkan Integration**

### *2.1 EU Enlargement Policy and Conditionality: Strategic Integration of the Western Balkans*

The concept of “conditionality” has been a cornerstone of European Community (EC)/European Union (EU) policy towards its member states, candidate countries, and third nations since the 1980s (Schimmelfennig & Sedelmeier, 2004). The EC, and later the EU, has progressively incorporated conditional restrictions into both its internal governance and external relations frameworks. This trend was particularly notable in the early 1990s when nations in Central and Eastern Europe, amidst significant political and social upheavals, championed the objective of “returning to Europe.” In response, the European Community articulated a set of “political conditions” and “economic conditions” within its integration strategy, aiming to steer these countries towards democratic governance and market-oriented economies (Sasse, 2008).

During the Copenhagen Summit in June 1993, the European Community (EC) specified the Copenhagen Criteria, setting forth the essential benchmarks for Eastern and Central European transition countries aspiring to join the Union. This pivotal moment in EU enlargement policy introduced a comprehensive framework for accession that emphasized both political and economic standards. Politically, the criteria demanded that candidate countries establish and maintain stable institutions that support democracy, ensure the rule of law, uphold human rights, and protect minority groups. On the economic front, these nations were expected to prove the functionality of their market economies, demonstrate resilience to the competitive forces within the Union, and show their capability to fulfill the responsibilities that come with EU membership. This includes adhering to the political, economic, and monetary policies of the Union (Katchanovski, 2010).

In a subsequent effort to reinforce the integration process and the adoption of EU norms, the European Commission, at the Madrid Conference in December 1995, added a fourth criterion for EU hopefuls. This criterion emphasized the necessity for applicant states to adopt, implement, and enforce the EU's *acquis communautaire*. The *acquis communautaire* encompasses a vast array of EU legislation, including public laws, regulatory standards, and policy directives. Furthermore, it necessitated that these countries develop the administrative and institutional capacity to effectively apply and enforce EU laws and standards. This strategic move aimed at ensuring a smooth and efficient assimilation of new members into the EU, highlighting the importance of not only legislative alignment but also the practical capability to uphold and propagate the values and legal framework of the Union (Grabbe, 2002).

Between 2004 and 2013, the EU undertook three phases of eastward expansion, tightly intertwining the democratic and market reforms of Central and Eastern European countries with the process of European integration through the mechanism of conditionality. This approach not only provided a clear roadmap for the transformation and integration of these nations but also established fundamental benchmarks for their development. The “Enlargement Strategy,” endorsed by the EU Summit in December 2006, lauded the eastward enlargement as a triumph for both the EU and Europe at large, highlighting the efficacy of conditional restrictions in facilitating the swift recovery and sustainable growth of the first cohort of Central and Eastern European states to join the Union.

In contrast to the relatively smooth integration of other Central and Eastern European countries, the accession journey of the Western Balkans has been markedly protracted, hindered by the legacies of conflict and political turbulence. Nonetheless, the EU has consistently applied the principle of “conditionality” in its dealings with these states. Since the late 1990s, Western Balkan countries have set their sights on reintegration into the European cultural and economic sphere and achieving Euro-Atlantic integration as strategic national objectives. Given the unique historical backgrounds and intricate domestic scenarios of the Western Balkans, the EU's conditionality criteria have evolved to be increasingly multifaceted and stringent, albeit tailored to the specific circumstances of each country. This nuanced application of conditionality underscores the EU's commitment to fostering stability, democratic governance, and economic development in the region, while also reflecting the complex interplay of historical, political, and socio-economic factors that characterize the EU's enlargement policy (Noutcheva, 2009).

### *2.2 Challenges of EU's Regional Approach in the Western Balkans: Conditionality, Integration, and National Resistance*

In 1997, the European Union (EU) unveiled a strategic initiative known as the “Regional Approach” aimed at Albania, Bosnia and Herzegovina, Croatia, North Macedonia, and the Federal Republic of Yugoslavia (later Serbia and Montenegro). This approach was designed with the overarching objective of fostering peace and

stability within the Western Balkans. By establishing enhanced bilateral relations with these nations, the EU sought to support the region's economic recovery and reconstruction efforts, laying the groundwork for a more stable and prosperous future. A key prerequisite set by the EU for these countries was the expectation of regional integration as a stepping stone towards eventual EU integration (Belloni, 2009).

A notable innovation of this "Regional Approach" was the introduction of conditionality in the EU's engagement with the Western Balkans, marking a more focused application of this policy tool. Beyond adhering to the broad "Copenhagen Criteria," which include the establishment of democratic institutions and the advancement of market economic reforms, the EU imposed specific conditions tailored to the unique challenges of the Western Balkans. These conditions encompassed the peaceful resolution of regional conflicts; compliance with peace agreement obligations, including the extradition of war criminals to the International Criminal Court; effective resettlement and encouragement of refugee repatriation; protection of ethnic minority rights without discrimination; and efforts towards regional reconciliation and the normalization of bilateral relations among countries in the region.

Croatia demonstrated significant resistance to the proposed framework, underlining its deep-rooted historical and cultural connections to Central Europe and the European Mediterranean. The nation perceived the European Union's approach as an effort to pigeonhole Croatia within the Balkan region, thereby impeding its path toward European integration. Firm in its stance, Croatia distanced itself from any affiliation with Yugoslavia, the broader Balkan region, or the concept of Southeast European integration. The country was keen on fostering positive relations with its neighbors but was adamant about not being classified in a manner that could dilute its distinct European identity. In a decisive move to safeguard its sovereignty and European aspirations, Croatia undertook a significant legislative step. In 1997, the country amended its constitution to include a clause categorically barring any form of association or union that might result in the resurgence of a Yugoslav or Balkan state-like entity. This constitutional amendment was a clear manifestation of Croatia's commitment to charting its own course within the European framework, free from the geopolitical labels that it believed could undermine its national interests and European integration goals. Through this action, Croatia aimed to assert its unique position and identity on the European stage, emphasizing its alignment with Central European and Mediterranean values rather than those associated with the Balkan region (Türkes & Gökgöz, 2006).

Croatia's resistance significantly undermined the effectiveness of the EU's "Regional Approach," illustrating the complexities of aligning regional integration initiatives with national identities and historical sensitivities. This resistance ultimately signified the EU's initial attempt to foster a cohesive strategy for integrating the Western Balkans into the European fold fell short of achieving its intended outcomes. The challenges encountered in this endeavor highlight the intricate balance between regional stability objectives and the sovereign aspirations of individual states, underscoring the nuanced diplomacy required in advancing EU enlargement and integration policies in the Balkans.

### *2.3 EU's Strategic Vision for the Western Balkans Integration: The Stabilization and Association Process*

The conflict in Kosovo in 1999 marked a watershed moment for the European Union (EU), highlighting the urgent necessity of integrating the Western Balkans into the EU's framework to secure lasting peace and stability in the region. This urgency was not just regional; it was fundamentally linked to the broader security and economic well-being of Europe as a whole. In the aftermath of the conflict, the EU was spurred into action, crafting a comprehensive strategy for the Western Balkans. This strategy aimed to reinforce regional peace, catalyze economic revival, promote democratic institutions, and stimulate dialogue, reconciliation, and cooperation among the diverse nations and ethnic groups in the area. In alignment with these goals, the EU launched the "Stabilization and Association Process" (SAP) in May 1999, tailored specifically to address the unique challenges facing the Western Balkans. The SAP represented a critical engagement tool, offering a structured approach to foster stability and encourage economic development through agreements that paved the way for deeper integration into the EU. By initiating this process, the EU provided a concrete framework for the Western Balkan countries, outlining a clear trajectory towards EU membership. This initiative was a testament to the EU's commitment to the region's future, signaling a new era in EU-Western Balkans relations by actively supporting their journey towards becoming part of the European family (Gordon, 2009).

On November 24, 2000, a landmark summit in Zagreb, Croatia's capital, brought together EU representatives and the Western Balkans to reaffirm the six core objectives of the SAP. These objectives included enhancing economic and political ties within the region, augmenting economic and financial support, supporting democratization and civil society, bolstering cooperation in justice and home affairs, expanding political dialogue at both national and regional levels, and advancing the development of Stability and Association Agreements. Furthermore, the EU set forth specific prerequisites for the Western Balkans' EU accession. These prerequisites emphasized the importance of maintaining good neighborly relations, negotiating resolutions to disputes, respecting ethnic minority rights, adhering to international commitments, addressing refugee issues,

and importantly, fostering regional cooperation. This cooperation was envisaged to culminate in the creation of a quasi-common market, underpinned by political dialogue, free trade areas, and collaboration in legal and law enforcement domains, particularly aimed at curbing smuggling activities.

The Stabilization and Association Process (SAP) is the European Union's (EU) bespoke strategy for engagement with the Western Balkans, designed to accommodate the unique circumstances and aspirations of each country in the region. By negotiating and establishing separate agreements with each state, the EU underscores the distinct path each country follows towards integration, tailoring objectives and conditions to their specific needs and capacities. This individualized approach is reflected in the EU's annual evaluations, where progress reports are issued for each Western Balkan country, assessing their compliance with European norms and their contributions towards achieving regional stability. The advancement of each country's relationship with the EU hinges on its ability to meet these established standards and to fulfill the commitments that come with the status of an associate member. The EU's methodology in guiding these nations towards membership is characterized by a comprehensive and dynamic set of criteria, aimed not just at political and economic benchmarks, but also at fostering reconciliation, reconstruction, and comprehensive reform across the region.

This nuanced approach is implemented through a variety of frameworks, ranging from regional and sub-regional collaborations to bilateral relations and specific country-focused engagements. Such a strategy ensures flexibility and adaptability, allowing the EU to respond effectively to the changing political, economic, and social landscapes within the Western Balkans. By doing so, the EU maintains a focused yet versatile framework for integration, demonstrating its commitment to supporting each country's journey towards European integration within a context of mutual respect for their unique challenges and achievements (Elbasani, 2013).

#### *2.4 EU Economic Assistance and Conditionality in the Western Balkans: Steering Democratic Reforms and European Integration*

Within the framework of its Western Balkans policy, the European Union (EU) employs economic assistance as a pivotal instrument to steer the nations of the Western Balkans towards adopting the European social democratic model, thereby facilitating their path towards European integration. This approach underscores the EU's emphasis on adherence to human rights, democratic principles, the rule of law, and international law as fundamental conditions for eligibility to receive financial aid. Between 1990 and 2000, the EU allocated a total of €5.55 billion in aid to the Western Balkans. This funding was earmarked for crisis management, post-conflict reconstruction efforts, facilitating the return of refugees, promoting good governance, fostering democratization, and supporting institutional development. The cornerstone of this financial assistance was the "Phare Programme," initially conceived to assist Central and Eastern European countries in their political and economic transitions (Niemann, 1998). Over time, as these nations progressed deeper into their transition phases, the Phare Programme increasingly focused on supporting EU accession efforts.

Eligibility for assistance through the Phare Programme necessitated that countries in the Western Balkans exhibit a sincere dedication to democratic reforms. This included making measurable progress in the protection of human rights and the rights of minorities, engaging cooperatively with the International Criminal Tribunal for the former Yugoslavia (ICTY), and facilitating the return of refugees. Such requirements were essential for setting the foundations for economic reforms and promoting open relations with neighboring countries, including the unhindered movement of people and goods across borders. Moreover, Yugoslavia faced additional stipulations, which were critical for its participation in the Phare Programme. These included the gradual recognition of Kosovo's autonomy, emphasizing the need for Yugoslavia to acknowledge and respect the political and administrative independence of Kosovo as a step towards stability and reconciliation in the region. Furthermore, Yugoslavia's full cooperation with the ICTY was mandated, ensuring that the country actively supported international efforts to bring justice for the crimes committed during the conflicts of the 1990s.

These conditions underscored the Phare Programme's comprehensive approach towards fostering stability, democracy, and economic development in the Western Balkans. By setting these prerequisites, the EU aimed to encourage not only internal reforms and regional cooperation but also to align these countries with European standards and practices, facilitating their eventual integration into the European framework (Lamont, 2009).

After 2000, aiming to expedite the European integration of the Western Balkans, the EU devised a comprehensive long-term strategy, within which project-based financial assistance plays a crucial role. The EU extends support to these countries via the Community Assistance for Reconstruction, Development, and Stability (CARDS) and the Instrument for Pre-Accession Assistance (IPA), complemented by other projects that span education, human rights, and information sectors. The provision of this assistance is governed by clearly defined conditional benchmarks. The Western Balkans aspiring to receive aid are obligated to comply with these stipulated conditions; failure to do so results in the cessation of support. Through these financial mechanisms, the EU has effectively influenced the reform agendas of the Western Balkans seeking EU membership, thereby operationalizing the principle of conditionality. Consequently, EU assistance has not only spurred economic

development and comprehensive societal transformation in the Western Balkans but has also served as a conduit for the exportation of EU norms, values, and standards to the region, aligning these nations more closely with the broader European community (Sjursen, 2006).

### **3. EU Integration and Ethnic Harmony in the Western Balkans: Legal Reforms, Minority Rights, and the Path forward**

#### *3.1 EU Conditionality and Legal Reforms in the Western Balkans: Navigating the Path to Integration and Judicial Independence*

In the course of their integration efforts, the European Union (EU) utilizes conditionality as a strategic tool to foster the adoption of its institutional framework and core values within the Western Balkans, with a special emphasis on the development and harmonization of legal systems. A key condition for these countries' path towards EU membership is the establishment of robust administrative structures capable of implementing the EU's *acquis communautaire*. This includes building an adequate administrative framework and an effective national administration, essential for ensuring the successful incorporation and enforcement of EU legal norms.

Amid significant political changes, nations in the Western Balkans embarked on extensive legal reforms, including the adoption of new constitutions and legal statutes, to bring their legal frameworks into alignment with that of the EU. This alignment process was indicative of their strong commitment to the principles and values upheld by the EU. The legal reforms were pivotal in establishing the foundations of multi-party parliamentary democracy and the principle of the separation of powers within these countries. Essential laws pertaining to political parties, civil associations, and the electoral system were formulated, paving the way for the adoption of a Western European-style multi-party and electoral system. These reforms played a crucial role in enabling the formation of governments through democratic public elections, conducted either by individual parties or through coalition partnerships. Such developments represented a collective political agreement on the importance of legal reforms as a critical step towards fulfilling the requirements for EU accession. This comprehensive approach to legal and administrative reform not only demonstrates the Western Balkans' dedication to EU integration but also highlights the transformative impact of EU conditionality in promoting democratic governance, legal harmonization, and the adherence to European standards and values (Joireman, 2016).

Since 2012, the EU has increasingly positioned the rule of law as the cornerstone of the accession process, establishing it as a prerequisite for further negotiation discussions. This focus encompasses a commitment to anti-corruption measures, the fight against organized crime, and public administration reform, with particular attention to ensuring the judiciary's independence, accountability, and efficiency. This emphasis on judicial reform permeates the entirety of the negotiation process, aiming to secure the irreversibility of reforms initiated by candidate countries.

Judicial reform remains a challenging and vulnerable aspect of the Western Balkans' path toward EU membership. Issues such as the limited independence of judicial bodies, political interference, lack of transparency, diminished judicial credibility, administrative burdens on judges, insufficient ongoing training for judicial personnel, and a dearth of modern professionals within the judiciary have impeded progress. Furthermore, legal education deficiencies have led to a shortage of future legal and judicial talent. To bridge these gaps with EU law, the Western Balkans have initiated "National Judicial Reform Strategies," focusing on enhancing judicial credibility, reforming court systems, and addressing needs across the justice sector, including ministries of justice, prosecution services, judicial training, and penal systems (Anastasi, 2018).

In its evaluation of Serbia's commencement of Chapter 23 negotiations, the EU identified an excessive legislative influence over the judiciary as a significant concern, suggesting constitutional amendments akin to those undertaken by Croatia and other member states during their integration processes. Consequently, Serbia enacted a new Judicial Law to bolster the selection process and set objective standards for judges and prosecutors, thereby providing stronger assurances for the independence, impartiality, and effectiveness of judicial institutions. This approach reflects a broader EU strategy to ensure that the Western Balkans not only align with EU legal standards but also undertake substantive reforms that foster a more transparent, accountable, and efficient judicial system as part of their European integration journey (Uzelac & Preloznjak, 2017).

#### *3.2 Strategic Frameworks and Institutional Mechanisms for EU Integration of the Western Balkans*

Nations within the Western Balkans have sequentially initiated their "National Strategies for EU Integration," serving as a comprehensive blueprint for governmental actions aligned with the EU accession framework. These strategies encompass a multifaceted approach based on EU accession benchmarks, including political criteria, economic cohesion, legal system alignment with EU norms, enhancement of administrative capacities, and a proactive public information campaign. These strategic documents outline the execution of the Stabilization and Association Agreement, setting forth specific timelines, responsible entities, and detailed analyses of compliance

for each EU criterion. To ensure agility and relevance, these plans are dynamically updated to incorporate new methodologies and responses reflective of the evolving landscape at each stage of integration (Goodman, 2010).

To guarantee timely progress, the Western Balkans have instituted a robust oversight and notification mechanism, assigning European integration coordinators within various ministries to provide regular updates on the strategic plan's execution, bi-monthly or semi-annually. Furthermore, these coordinators convene bimonthly to deliberate on matters pertinent to European integration. Additionally, a comprehensive institutional framework has been established to navigate the integration process, comprising entities such as the Euro-Atlantic Integration Committee for policy development, the European Integration Working Committee for advisory support, the European Integration Office for policy coordination and fund management, and various cooperation committees and working groups offering consultancy services (Richter & Wunsch, 2019).

To address challenges and foster dialogue throughout the integration journey, formal political dialogue mechanisms between the Western Balkans and the EU have been established. These dialogues aim to seamlessly integrate the Western Balkans into the democratic community, align positions on international matters of mutual interest, enhance regional cooperation, and contribute to a unified vision for European security and stability, including participation in the EU's common foreign and security policy.

In May 2002, to further provide directional, regulatory, and supportive assistance, the EU initiated regular ministerial consultations with the Western Balkans, addressing shared concerns and implementing the "Twinning Program," which deploys civil servants from EU member states as advisors. A technical assistance information exchange office was also set up to facilitate legal reforms in line with EU standards and provide the necessary technical support. Each country in the region has been presented with a tailored accession roadmap, delineating reform priorities at various developmental stages. Since 2005, the EU has conducted annual evaluations of the Western Balkans' accession efforts, generating reports and expansion strategies that serve as critical references for guiding future accession activities. These reports also enable the countries to gauge their progression and standing within the integration process. Unique dialogue mechanisms have also been developed for individual countries. For instance, in June 2012, the EU launched a high-level dialogue with Bosnia and Herzegovina to expedite integration by clarifying EU accession negotiation requirements and methods, culminating in a joint resolution and an integration roadmap. Following this, European Integration Offices were established across the Western Balkans, with Croatia, Serbia, Montenegro, and Albania creating specialized European Integration Departments to enhance domestic agency coordination, implement EU recommendations, and oversee the utilization of EU assistance funds. As liaisons with Brussels, the Western Balkans have also set up missions in Brussels, continuously expanding their presence and capabilities. This comprehensive approach underscores the EU's commitment to integrating the Western Balkans through a combination of strategic planning, institutional support, and tailored dialogue, fostering a path towards EU membership (Pastore, 2018).

### *3.3 Cooperation with the ICTY: A Crucial Condition for EU Accession in the Western Balkans*

The European Union (EU) has stipulated full cooperation with the International Criminal Tribunal for the former Yugoslavia (ICTY), located in The Hague, as a crucial condition for accession by countries in the Western Balkans. This requirement specifically mandates the apprehension and extradition of individuals suspected of perpetrating genocide and other serious crimes during the Bosnian War between 1991 and 1995, implicating states such as Croatia, Serbia, and Bosnia and Herzegovina in these efforts. Among these nations, Croatia emerged as a frontrunner in the EU integration process, demonstrating its commitment to international legal standards by enacting the constitutional law "On Cooperation with the United Nations International Tribunal for the former Yugoslavia in The Hague" in April 1996. Additionally, Croatia established a dedicated government office to facilitate collaboration with the ICTY. This proactive stance was duly acknowledged by the Tribunal and significantly contributed to Croatia's eventual successful accession to the EU, showcasing the profound impact of adherence to international justice mechanisms on EU integration pathways (BARBU, 2015).

Conversely, Serbia encountered significant challenges in its relationship with the EU, primarily attributed to its perceived reluctance to fully cooperate with the ICTY. The Tribunal's allegations against Serbia for providing sanctuary to war criminals and absolving them of their crimes exerted substantial diplomatic pressure on the country, leading to the suspension of negotiations on the Stability and Association Agreement. This situation underscored the EU's stringent stance on the rule of law and accountability for war crimes as non-negotiable prerequisites for accession, highlighting the intricate interplay between international legal obligations and the EU integration process. The contrasting experiences of Croatia and Serbia with the ICTY illuminate the broader dynamics at play in the Western Balkans' path towards EU membership, where compliance with international legal standards and cooperation with judicial mechanisms play pivotal roles in determining the trajectory of accession negotiations and the fulfillment of EU accession criteria.

### *3.4 Refugee Repatriation in the Western Balkans: Challenges and EU Integration Conditions*

The 1951 Geneva Convention Relating to the Status of Refugees marked a significant milestone by legally affirming refugees' right to repatriate. Recognizing this principle, the United Nations has since viewed the return of refugees as a critical instrument in conflict resolution, social order restoration, and the facilitation of post-conflict reconciliation processes. However, the practicalities of refugee repatriation encompass a broad spectrum of political and economic challenges. If mishandled, these efforts can exacerbate tensions among ethnic groups in conflict-ridden regions. The Western Balkans, in particular, witnessed three significant refugee crises since the 1990s, predominantly affecting Serbia, Croatia, and Bosnia and Herzegovina, catalyzed by the Yugoslav Federation's disintegration and subsequent armed conflicts (Milan, 2018).

During the initial conflict following the breakup of the Socialist Federal Republic of Yugoslavia in 1991, territories such as Eastern Slavonia and Krajina in Croatia fell under the control of the Yugoslav People's Army and local insurgent forces, resulting in approximately 700,000 Croatian refugees, including 300,000 from the then-occupied Croatian territories and 400,000 from Bosnia and Herzegovina. The war in Bosnia and Herzegovina, lasting over three years, displaced 2.4 million individuals, marking Europe's most significant refugee crisis since the Second World War. The unrest in Kosovo in 1998 triggered another major displacement, with a considerable influx of Kosovar refugees into neighboring countries, a situation further intensified by NATO's military intervention against the Federal Republic of Yugoslavia (Kilibarda, 2017).

In response to these crises, the EU's 1997 "regional stance" towards Albania, Bosnia and Herzegovina, Croatia, North Macedonia, and the Federal Republic of Yugoslavia emphasized the repatriation of refugees as a pivotal political condition for EU accession. Croatia, among the former Yugoslav republics, initially struggled with this criterion under President Franjo Tudjman's administration, which actively impeded refugee returns through various legislative and policy barriers, notably in citizenship and housing laws that discriminated against non-Croat populations and nationalized Serb properties. It wasn't until 1997 that Croatia attempted to establish mechanisms for refugee return, though these efforts faced setbacks and further restrictions (Blitz, 2005).

Amid EU pressures and international calls for reform, Croatia began to amend its approach after 2000, enacting legislation conducive to Serb refugee returns and eventually reaching a preliminary agreement with Serbia in 2010 on repatriation arrangements, including compensation for returned Serb refugees.

Similarly, Serbia, profoundly impacted by the Yugoslav dissolution, the Bosnian War, and the Kosovo conflict, emerged as a significant refuge for displaced persons. In 1995, during Croatia's military campaign to reclaim Serb-held areas, approximately 200,000 Serbs sought asylum in Serbia. Over time, with many refugees integrating into Serbian society, over 250,000 obtained Serbian citizenship. By early 2011, the Serbian government launched the National Strategy for Solving the Problem of Refugees and Internally Displaced Persons for 2011-2014, aiming to address housing needs through collaborative efforts among national, local, and international stakeholders. While the refugee population in Serbia has declined, the issue remains unresolved, highlighting the enduring challenges of refugee repatriation and integration in the Western Balkans (Webb, 2020).

### *3.5 Advancing Ethnic Equality and Integration in the Western Balkans: Progress, Challenges, and EU Aspirations*

The Western Balkans, characterized by their multi-ethnic compositions, present a complex tapestry of ethnic groups shaped by historical religious affiliations, geopolitical influences, and external interventions. The varied ethnic characteristics and socio-economic conditions across these groups have led to diverse economic and cultural aspirations, creating intricate inter-ethnic relationships. Over time, these relationships have crystallized into deep-seated antagonisms. Recognizing the critical importance of addressing these sensitive ethnic issues for the region's stability and socio-economic progress, the European Union (EU) has made the protection of human rights and minority rights, alongside national reconciliation, key benchmarks for assessing the Western Balkans' readiness for EU membership. Motivated by this EU criterion, the Western Balkans have prioritized the protection and elevation of ethnic minority rights as fundamental governmental obligations.

To this end, the Western Balkans have enshrined the principle of ethnic equality in their constitutions and legal frameworks. For example, Croatia's Constitution guarantees equal rights and freedoms to all citizens, irrespective of race, color, or gender, and ensures the rights of all ethnic groups to express their national identity, use their language and script, and maintain cultural autonomy. Similarly, North Macedonia's constitution, amended in 2001, introduced significant reforms, including recognizing Albanian as a second official language, allocating parliamentary and governmental representation to Albanians, and enhancing the protection of ethnic minority rights (Visoka & Gjevori, 2013).

Furthermore, these countries have instituted mechanisms to ensure ethnic minority representation in national and local bodies. Bosnia and Herzegovina, for instance, adheres to a stringent principle of ethnic parity across various state institutions, offering each ethnic group the ability to challenge violations of their constitutional

rights. The EU's "Enlargement Report" highlighted the need for Bosnia and Herzegovina to amend constitutionally embedded discriminatory practices against ethnic minorities to progress towards EU membership eligibility. Following EU directives, Bosnia and Herzegovina committed to constitutional reforms in 2015 to address these issues, including implementing the European Court of Human Rights' judgments on political equality for Bosnian ethnic minorities (Akova & Kantar, 2020).

A particular focus has been placed on improving the situation of the Roma community, who have historically been marginalized and faced significant socio-economic challenges, including high unemployment, poor living conditions, and limited access to education and healthcare. To address these challenges and facilitate better integration of the Roma into society, the Western Balkans have initiated various measures and established dedicated institutions, such as Serbia's Office for Human and Minority Rights and the Commission for the Improvement of the Status of Roma (Müller, 2013).

While challenges persist, especially in the realms of local governance where discrimination can still be prevalent, it's important to recognize the strides made by the Western Balkans in advancing human and minority rights towards international norms. As these nations continue on their path to EU integration, regional cooperation and the fostering of amicable relations between countries are crucial for promoting ethnic harmony and significantly enhancing the status of ethnic minorities in the Western Balkans.

#### **4. Rebuilding the Western Balkans: From Historical Strife to European Integration**

##### *4.1 From Conflict to Cooperation: Navigating Inter-State Relations in the Western Balkans Post-Yugoslavia*

Following the dissolution of the Socialist Federal Republic of Yugoslavia, the Western Balkans saw the rise of new sovereign states, each endeavoring to adopt Western-style governance and market economies. Despite these shifts towards a shared model of political and economic structures, the anticipated benefits of increased cooperation and development remained elusive. Long-standing inter-country tensions, previously subdued, flared up anew, transforming dormant domestic ethnic strife into full-blown inter-state conflicts, significantly undermining the region's stability. The European Union's strategy in fostering relations with the Western Balkans prioritizes, in order of importance, the achievement of regional peace and stability, the cultivation of amicable and neighborly state relations, and the enhancement of intra-regional collaboration (Mulaj, 2011).

In the nascent stages of their independence, the Western Balkans were characterized by pronounced nationalistic fervor, acute inter-state discord, and a pronounced reluctance to engage in efforts aimed at mending bilateral ties. It wasn't until the year 2000 that the Federal Republic of Yugoslavia (comprising Serbia and Montenegro) initiated formal diplomatic engagements with Bosnia and Herzegovina, and Slovenia, followed by the establishment of diplomatic ties with Croatia in 2001, marked by the exchange of ambassadors. With the dawn of the new millennium and the consequent fading of dominant political figures from the scene, the Western Balkans began to witness a gradual normalization of their relations. These countries have publicly committed to fostering relations based on the principles of mutual respect for sovereignty and territorial integrity, non-interference in internal affairs, and the peaceful resolution of disputes, aiming to build a foundation of good neighborliness and friendship. This shift towards adherence to international norms of relations signifies a concerted effort to fortify regional stability and cooperation.

##### *4.2 Pathways to Reconciliation: Overcoming Historical Legacies in the Western Balkans*

The dissolution of the Socialist Federal Republic of Yugoslavia left a complex tapestry of unresolved issues, including border delineation, the allocation of the federation's assets, and entrenched ethnic and religious tensions, all of which have significantly impeded the progression of harmonious relations among the nations of the Western Balkans. The turn of the millennium marked a pivotal moment for these countries as they embarked on democratic transformations, prompting a renewed focus on addressing these historical legacies.

A landmark moment in the reconciliation efforts occurred in 2001 when the successor states of the former Yugoslavia reached a consensus on the allocation of 46 tons of gold, previously held by the federal government in Swiss bank accounts. This agreement represented a crucial step forward in mending relations within the region. In the same year, a significant advancement was made towards resolving longstanding border disputes, with Yugoslav President Vojislav Kostunica and North Macedonian President Boris Trajkovski signing a border demarcation agreement. President Trajkovski's announcement that this accord resolved the sole remaining dispute between the two nations signaled the conclusion of a contentious five-year period that had recurrently strained their bilateral relations (Halili, 2019).

The Krško Nuclear Power Plant in Slovenia, a subject of ongoing contention between Croatia and Slovenia, also saw a breakthrough in 2001. On December 19th, the two nations signed an accord, agreeing to equally share ownership of the plant, with each country entitled to half of its power output. The agreement stipulated that nuclear waste produced over the following two decades would be stored in Slovenia. This arrangement came into effect on April 1, 2003, when the Croatian Electrical Industries Company formally acquired a 50% stake in

the plant, thus resolving a protracted issue that had marred relations between the two countries for years.

Relations between Serbia and Albania, strained primarily by the contentious Kosovo issue, have shown signs of gradual improvement, a development critical to the overall stability of the Balkan Peninsula. This thaw in relations was highlighted by a series of diplomatic engagements starting in 2014, when the Albanian Prime Minister made a historic visit to Serbia, the first by an Albanian head of government in 68 years. This was followed by the first bilateral talks between Serbian and Albanian officials in 23 years, held in Albania in February 2015. In March of the same year, the Serbian Speaker made a groundbreaking visit to Albania, marking the first occasion a Serbian Speaker had visited the country in the history of their relations. The series of diplomatic engagements culminated in May 2015 with the visit of the Serbian Prime Minister to Albania, another historic first for the two nations. These steps represent significant milestones in the path towards reconciliation and stability in the Balkans, highlighting the potential for overcoming deep-seated historical divisions through dialogue and cooperation.

#### *4.3 Healing the Wounds of War: Steps towards Reconciliation in the Western Balkans*

In the aftermath of the tumultuous conflicts that ravaged the Western Balkan region, the scars of war have lingered, fostering enduring animosities and deep-seated hatred among nations. The path toward cultivating amicable and neighborly relations mandates a forthright confrontation with historical atrocities and an acknowledgment of the suffering inflicted upon various ethnic groups and nations (Michail, 2012).

A significant step toward reconciliation was taken in 2003 when the President of Croatia made a groundbreaking visit to Serbia and Montenegro, marking the first such visit to Belgrade by a Croatian head of state since the wars. During this visit, a pivotal moment occurred when the presidents of both countries extended mutual apologies for the hostilities that had transpired between their nations. In a landmark move in 2010, the Serbian Parliament adopted a resolution offering an apology for the Srebrenica massacre, a tragic event during the Bosnian Civil War. This resolution not only strongly condemned the atrocities committed against the inhabitants of Srebrenica in Bosnia and Herzegovina but also extended heartfelt condolences and apologies to the victims' families, underscoring a significant act of contrition.

Furthermore, in that same year, the Croatian president, on a visit to Bosnia and Herzegovina, issued an apology for Croatia's 1990s policies that sought to partition Bosnia and Herzegovina, acknowledging the detrimental impact of these actions. The 20th anniversary of the Srebrenica Massacre in 2015 served as a poignant reminder of past horrors, during which the Serbian Prime Minister Vucic issued a denunciation of the massacre as a heinous crime and personally participated in the memorial ceremony. This gesture was widely regarded as a harbinger of hope and a positive indication of the Western Balkans' commitment to moving towards mutual understanding and reconciliation.

These gestures of acknowledgment and apology represent critical milestones in the journey toward healing and rebuilding trust among the nations of the Western Balkans. By confronting their contentious past, these countries demonstrate a willingness to lay the groundwork for a future characterized by peaceful coexistence and cooperative relations, essential for the stability and prosperity of the region.

#### *4.4 Challenges and Progress in Regional Cooperation: Navigating the Path towards European Integration in the Western Balkans*

Historically, the Western Balkans have lacked a robust multilateral cooperation framework, often resorting to ad-hoc, temporary alliances to address immediate internal and regional instabilities. The drive for collaboration within this region primarily arises from two objectives: addressing the tumultuous instability resulting from various crises and positioning themselves for integration into the European Union through collective efforts (Petričušić, 2005).

Following the Bosnian War, as the security landscape in the Western Balkans began to stabilize, the focus of regional cooperation shifted towards aligning with the European Union's benchmarks. The EU incorporated clauses on regional collaboration into the Stability and Association Agreements it signed with the Western Balkans. Both the European Commission and the European Parliament have highlighted regional cooperation as a critical yardstick for evaluating the Western Balkans' progression towards EU membership. Consequently, since the early 2000s, there has been notable progress in this arena, evidenced by the signing of numerous regional cooperation agreements. These agreements have focused on establishing mechanisms for political dialogue, creating a free trade zone, and facilitating mutual benefits in the movement of labor, services, capital, and people. They also extend to judicial and internal affairs, areas previously untouched by such agreements. While economic cooperation remains the centerpiece of these efforts, other dimensions are increasingly being considered. This includes participation from the private sector in discussions on cooperation projects spanning banking, telecommunications, energy, and transport sectors, among others. Currently, the Western Balkans are striving to broaden the scope of their collaborative endeavors to encompass political, diplomatic, military,

security, and environmental protection facets (Đorđević & Klemenc & Kolářová, 2018).

Despite notable progress, the level of regional cooperation in the Western Balkans is still characterized by a modest degree of engagement, often limited in scope and leaning towards more simplistic forms of collaboration. The countries within this region tend to prioritize national interests, showing a restrained enthusiasm for advancing collective regional unity. The complex mosaic of ethnic and religious identities in the Western Balkans presents formidable obstacles to quickly bridging historical divides. Persistent distrust and feelings of estrangement among these nations are exacerbated by lingering unresolved issues in bilateral relationships. A particularly divisive issue is Kosovo's unilateral declaration of independence, which has significantly strained Serbia's relationships within the region, except with Bosnia and Herzegovina and Romania, as these countries have not recognized Kosovo's independence, highlighting a notable point of contention in Serbia's regional engagements.

Looking at the larger picture of European integration, cultivating friendly and cooperative relations is in the shared interest of all Western Balkan countries. Although the ultimate direction seems to be leaning towards an improvement in regional relations, the path to achieving such harmony is laden with intricate challenges. Nevertheless, there is a discernible momentum towards fostering a more cohesive and harmonious regional environment. The journey ahead, while promising, is anticipated to be a complex endeavor, requiring concerted efforts to overcome historical grievances and build a foundation for sustained cooperation and understanding among the Western Balkan states.

## 5. Conclusion

The journey of the Western Balkans towards European integration, encapsulated within the broader narrative of expanding the European Union into Central and Eastern Europe, represents a multifaceted process of reconciliation, reform, and regional cooperation. As these nations navigate their path post-Yugoslavia, their efforts to align with EU standards—ranging from legal and judicial reforms to cooperation with the International Criminal Tribunal for the former Yugoslavia (ICTY) and addressing complex refugee repatriation challenges—underscore a collective commitment to overcoming historical legacies of conflict and division.

This article has examined the nuanced application of EU conditionality, highlighting its role not only as a mechanism for governance and external relations but also as a catalyst for fostering democratic governance, economic development, and stability in the Western Balkans. The Stabilization and Association Process (SAP), regional cooperation initiatives, and targeted economic assistance have each played critical roles in guiding these countries towards the EU, reflecting the Union's strategic vision for integrating the Western Balkans into the broader framework of European stability and prosperity.

Despite notable progress, challenges persist, including the need for further reforms, the resolution of outstanding ethnic tensions, and the full realization of regional cooperation. The EU's steadfast commitment to the Western Balkans, coupled with the region's ongoing efforts to meet accession criteria, signals a hopeful trajectory towards European integration. However, the path forward remains complex, demanding continued dedication to reform, reconciliation, and collaboration both within the Western Balkans and between these nations and the European Union.

In conclusion, the integration of the Western Balkans into the EU is not merely a testament to the region's resilience and determination but also exemplifies the EU's broader commitment to peace, stability, and prosperity in Europe. The journey of the Western Balkans towards EU membership, marked by significant strides in democratic governance, legal reforms, and regional cooperation, remains a pivotal chapter in the story of European integration, highlighting the transformative power of EU conditionality and the enduring promise of a united Europe.

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