



# What can the Slovenian Presidency of the Council of the European Union do for the Western Balkans?

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## Policy Recommendations

1. Slovenia should use the priorities of its Presidency of the Council of the European Union to further promote the geopolitical importance of the region for the EU amidst the enlargement fatigue, which is weakening the credibility of the EU vis-à-vis the Western Balkans.
2. Slovenia should use the informal EU-Western Balkans Summit to further promote the new investment plan as an economic backbone for the "Open Balkan" initiative in order to achieve positive progress in the EU accession process.
3. To prove its critics wrong, the Slovenian government should promote a positive narrative on the EU-Western Balkans relations, raise awareness regarding the negative prospects for the whole region due to Bulgaria's veto to North Macedonia's accession process and distance itself from the non-paper with a clear and credible agenda for the Western Balkans during the informal summit.

## Abstract

On 1 July, Slovenia has taken over the Presidency of the Council of the European Union (EU). Its second presidency will be much different from the first one that took place in 2008. Even though the enlargement fatigue and the need to consolidate the EU first were already present at the time, the perspective of further European integration did not seem to have an alternative. Since then, the EU has been challenged by geopolitical competition from the outside and by nationalism and illiberalism from within. The EU enlargement policy has not been exempted from this trend. The slow progress of the Western Balkan countries was a result of the weakening of the EU's credibility and strengthening of the anti-reform players within the region. Meanwhile, the geopolitical framing of the reformed enlargement strategy is mobilising fresh attention and resources from the EU to the Western

Balkans; however, Slovenia under Prime Minister Janez Janša itself became a subject of illiberal trends and is no longer considered the lighthouse of transition to liberal democracy and Europeanisation it used to be. This was demonstrated by the recent non-paper on the Western Balkans attributed to Slovenia that proposed to reintroduce ethnic borders. Nevertheless, Slovenia still supports the EU enlargement to the region that would be strategically beneficial for itself. Within the Slovenian presidency several priorities are relevant from the perspective of the EU's Western Balkans strategy. Last but not least, the informal EU-Western Balkans Summit scheduled for 6 October 2021 will be one of the highlights and opportunities to achieve progress. Slovenia should thus use the presidency an opportunity to regain the lost credibility.



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## No longer a role model

Slovenia has assumed its second Presidency of the Council of the European Union (EU) on 1 July 2021. Since its first presidency in 2008 much has changed. Back then, Slovenia was the first of the Central and Eastern European (CEE) New Member States (NMS)<sup>1</sup> to preside the EU as a reward for its successful integration. While the need to consolidate the EU and the enlargement fatigue were to some extent already present at that time, the accession of the Western Balkan countries (WBC) was seen with little alternative. The Western Balkans (WB) was an important topic on the agenda of the first EU presidency. While finding a consensus among EU countries on Kosovo's independence proved too difficult, during its presidency Slovenia went forwards and recognised Kosovo.<sup>2</sup>

Since the late 2000s, on the outside the EU has been challenged by the global crises, the emergence of the new players and the weakening of the transatlantic-relations. On the inside the EU's dysfunctional policies and institutions have contributed to the specific crisis of the Union, such as the Eurozone, migration crisis, increasing Euroscepticism and nationalism, Brexit and democratic backsliding in the CEE.

Slovenia was heavily affected by the various crises and is no longer the lighthouse of transition to the liberal democracy and Europeanisation for the region it used to be. The government led by Janez Janša of the Slovenian Democratic Party (SDS)

that presided the Council of the EU back in 2008 recently used the fight against COVID-19 as pretext to interfere with the independent state institutions and free media and further align with illiberal regimes in the region and beyond resulting in tensions with the EU institutions. In April 2021 a non-paper on the "Plan B" for the WB, which was attributed to Slovenia and proposed redrawing borders along ethnic lines, was published (Slovenian authorities denied having anything to do with it).<sup>3</sup> The non-paper triggered strong reactions and raised questions regarding the Slovenian presidency and the informal summit on the WB, the most important event that will take place in Slovenia, planned for October 2021. Since the Treaty of Lisbon, the role of the presidency has changed. The European Council President and High Representative (HR) for the Common Foreign and Security policy have overtaken the strategic and foreign policy agenda. Still, some suggested that Slovenia's presidency was a liability and the EU should work around it.

In the following, this Policy Brief will explore what can be learned from the way enlargement policy has accommodated to the changing contexts including the backsliding of the once "star pupils" such as Slovenia and how this has affected the progress of the WBC on the way towards the EU. It concludes by discussing the possible scenarios for the WB agenda during the Slovenian Presidency of the Council of the European Union.

1) In 2004, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia entered the EU. In 2007 Bulgaria and Romania entered, followed by Croatia in 2013.

2) Bojinović F., A., Šabič, Z. Slovenia's Foreign Policy Opportunities and Constraints: The Analysis of an Interplay of Foreign Policy Environments, CIRR, 2017, 32 (97), 41-71.

3) Bildt, C. The Balkans non-paper and the dangers of plan B. ECFR 10 May 2021. Accessed through: <https://ecfr.eu/article/the-balkans-non-paper-and-the-dangers-of-plan-b/>



## Rules of attraction: tightened rules, weakened attraction and alternative partners

### Crisis of the enlargement policy

Enlargement is still the EU's most powerful foreign policy tool. Besides various treaties, the accession remains the 'ultimate carrot' for compliance with the preconditions to membership and for the implementation and enforcement of the *acquis communautaire*.<sup>4</sup> The EU obviously supports players that lead the reform process in the candidate countries and can deliver upon the predefined and agreed tasks. The state-building and socioeconomic transformation of the former socialist countries from CEE, including Slovenia<sup>5</sup>, is one of the greatest achievements of the post-Cold War European integration. It was a proof of the normative power, institutional strength and efficiency of the European integration and furthermore, of the progressive liberalism and multilateralism in general. It became a model for further enlargements, neighbourhood policy and external action.

However, in the last 10 years there has been a growing impression that the EU has lost its transformative powers.<sup>6</sup> The WB as its closest region is particularly concerned in this regard.<sup>7</sup> The weakening of the pull and push powers for the integration have been explained in terms of the triple C crisis: weakened Conditionality, Credibility loss

and higher Costs to domestic elites.<sup>8</sup> The democratic backsliding in the candidate and potential candidate countries and some of the new EU members from the CEE (including Slovenia) have strengthened the need of enhanced conditionality<sup>9</sup>, potentially extended beyond accession and including member states conditionality in terms of rule of law. The dysfunctionality of the EU and the backlash resulted in a loss of credibility of the Union. On the other hand, member states' and candidate countries' elites wondered whether enlargements make sense due to increasing internal costs related to it. The other geopolitical players such as Russia, China and Turkey, who were increasingly present and did not set any such conditions for their support, contributed to the alternatives and perceived benefits and costs of EU accession.

***“However, in the last 10 years there has been a growing impression that the EU has lost its transformative powers.”***

### Progress of the Western Balkan countries

The two countries that at least in terms of opened negotiating chapters have come the furthest in the EU accession process, Montenegro and Serbia, have - due to a lack of political will - in the last decade closed just very few chapters of the *acquis*.<sup>10</sup> Bosnia and Herzegovina (BiH) and Kosovo were entrapped in a post-conflict setting. BiH that signed the Stabilisation and Association Agreement in 2008, ratified the agreement only in 2015, followed by formal application for EU membership the next

4) The body of law [accumulated](#) by the European Union.

5) Slovenia was one of the CEE-8 who became the EU members in 2004 and entered Schengen in 2007 and was the first among the CEE to adopt euro in 2007.

6) Schimmelpfennig, F. and Sedelmeier, U. (2020). The Europeanization of Eastern Europe: The External Incentives Model Revisited. *Journal of European Public Policy*, 27(6), 814–833.

7) Kmezić, M., Bieber, F., Taleski, D., Marović, J. and Tzifakis, N. (2019). Western Balkans and the EU: Beyond the Autopilot mode (Policy Brief). Centre for Southeast European Studies: BiEPAG.

8) Požgan, J., Bojinović Fenko, A. and Kočan, F. (2020). "Never Let a Good Crisis Go to Waste: Strengthening EU Actorness Amid Increased Competition of External Actors in the Western Balkans. *Teorija in praksa*, 57(4), 1124–1146.

9) Conditionality has gradually increased over the years. Since the 2004 'big bang' enlargement, additional conditions were placed on the candidate countries such as alignment of the foreign policy.

10) Both have closed the chapters on "Science and research" and "Education and culture" while Montenegro has also closed the chapter on "External relations".



year. After engaging in domestic reforms (including the change of name on the side of North Macedonia to remove the blockade from Greece) Albania and North Macedonia faced blockades from France, Denmark and Netherlands at the Summit of the European Council in October 2019, which were to an important extent related to their respective domestic political situation (see our discussion of the most recent blockade of North Macedonia by Bulgaria below). In order to save his face, French President Emmanuel Macron called for a reformed approach to enlargement. The blockades were received with huge disappointment in the aspirant countries and did not help the pro-reformist players at all.<sup>11</sup> Jean-Claude Juncker's European Commission, while distancing himself from the blockade<sup>12</sup>, in fact paved its way long ago by accepting the integration fatigue as a fact – not just on the widening<sup>13</sup> but also on the deepening – as seen in the rise of the ideas of a differentiated integration.

***“The blockades were received with huge disappointment in the aspirant countries and did not help the pro-reformist players at all.”***

### **Enlargement policy reform**

The new ‘geopolitical’ European Commission under Ursula von der Leyen increasingly referred to global competition in order to mobilise support for energising the progress in several policy areas including enlargement and neighbourhood policy. However, in doing so, the Commission also created the risk of framing the neighbourhood regions as external buffer zones to the EU where pragmatic rather than normative alliances should be made, thus supporting the status quo players and resulting

in standstill. Moreover, the portfolio of the European Commissioner in charge of EU enlargement was entrusted to Hungary, a country whose own role as an EU member became the source of controversies.

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In February 2020 the European Commission's communication on WB<sup>14</sup> outlined the reformed enlargement policy addressing the triple C issue by renewed conditionality (candidates could move backwards in the accession process), political clustering of portfolios to mobilise sufficient reforms and increased investment in infrastructure to cope with socioeconomic challenges and geopolitical competition. The idea of investing into infrastructure referred to in the third C was not completely new since it was already part of the Berlin Process.<sup>15</sup> Due to heated debates on the post-Brexit EU finances, the amount of the additional resources available was unclear at that time (later this changed, we discuss this below). The big question was whether the reformed enlargement policy was in fact not offering less for more, i.e. giving less credible promises while simultaneously raising expectations, thus putting

11) Hopkins, V. (2019). Balkan leaders want that EU accession delay risks stoking tensions. Financial Times. Available at: <https://www.ft.com/content/9d0f4f6a-fbdf-11e9-a354-36acbbb0d9b6>

12) Rankin, J. (2019). Juncker says failure of EU to keep its promises was ‘major historic mistake’. The Guardian.

13) Alexe, D. (2014). The Juncker Commission: no further enlargement. New Europe.

14) Communication from the Commission to the European Parliament and the Council, the European Economic and Social Committee and the Committee of the Regions – Enhancing the accession process – A credible EU perspective for the Western Balkans (2020a): COM(2020)57 final, 5 February. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52020DC0057>

15) Griessler, C. (2020). The Berlin Process. Bringing the Western Balkan Region Closer to the European Union. Südosteuropa. Journal of Politics and Society, 68(1), 1–24.



the blame for lost motivation on the candidates<sup>16</sup> and third actors.<sup>17</sup>

institutions was not yet solved and continued to serve the Eurosceptic forces.

### The COVID-19 crisis

The EU's lack of effectiveness and slow motion-solidarity in tackling the COVID-19 crisis at the beginning of the pandemic and the Russian and Chinese masks and vaccines diplomacy have exposed some of the existing weaknesses of the European integration. However, within the EU more than Euroscepticism the crisis strengthened a sense of absence of the EU.<sup>18</sup> On the other hand, the European Commission and the European Central Bank reacted swiftly to the socioeconomic crisis. The EU-27 reached an agreement on the multiannual budget and a corona recovery fund at the European Council in July 2020 and restored confidence among centrist pro-EU forces. The agreement also included the rule of law conditionality to address illiberalism and democratic backsliding in the CEE.<sup>19</sup> After the blockade by Hungary and Poland due to the enhanced conditionality within the interinstitutional agreement and call for a compromise from Slovenia, the German presidency was able to secure the agreement by the end of the year based on a political compromise that would buy Budapest and Warsaw some time. Still, as demonstrated by the (in)effective EU procurement of vaccines, the problem of functionality of the EU

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Similarly, COVID-19 and a new geopolitical framing has mobilised EU's foreign policy with the WB and positioned it right in the centre of attention.<sup>20</sup> While the questions of EU's credibility<sup>21</sup> and even of its irrelevance remained,<sup>22</sup> some important steps forwards were made. In spring North Macedonia and Albania were given provisional green light for the start of negotiations and the Zagreb declaration<sup>23</sup> signed during the Croatian Council presidency, while leaving out the words “enlargement” and “accession”, provisioned for a €3.3 bn recovery package for the WB.<sup>24</sup> At the same time the negative trend in the perception of the EU across the WBC was related to the existing anti-reform and status quo political elites, who use the crisis as an opportunity to strengthen their political power (North Macedonia being an exception), while Bosnia and Herzegovina, Kosovo and Montenegro ultimately remained more

20) European External Action Service Special Report Update (2020): Available at: <https://euvsdisinfo.eu/uploads/2020/05/EEAS-Special-Report-May-1.pdf>

21) Bieber, F. and Prelec, T. (2020). Zapadni Balkan u doba globalne pandemije. Graz: BiePAG. Vladisavljev, S. (2020). Serbia the focal point of Chinese “mask diplomacy” in the Western Balkans. European Western Balkans. Available at: <https://europeanwesternbalkans.com/2020/04/30/serbia-the-focal-point-of-chinese-mask-diplomacy-in-the-western-balkans/>

22) Alexandris, I. (2020). Is the EU risking geopolitical irrelevance in its own backyard? Lessons from COVID-19. Available at: <https://modern diplomacy.eu/2020/09/30/is-the-eu-risking-geopolitical-irrelevance-in-its-own-backyard-lessons-from-covid-19/>

23) Zagreb Declaration. (2020). Available at: <https://www.consilium.europa.eu/media/43776/zagreb-declaration-en-06052020.pdf>

24) European Council. (2020). Infographic – COVID-19: 3.3 billion EUR EU package for the Western Balkans. Available at: <https://www.consilium.europa.eu/en/infographics/economic-support-to-western-balkans/>

16) Vurmo, G. (2020). A credible new accession methodology or just a face-saving exercise? Available at: <https://www.ceps.eu/a-credible-new-accession-methodology-or-just-a-face-saving-exercise/>

17) Chrzova, B. Grbovac, A., Hala, M. in Lalić, J. (2019). Western Balkans at the Crossroads: Assessing Influences of Non-Western External Actors. Prague: Prague Security Studies Institute.

18) Krastev, Ivan and Mark Leonard (2020): Europe's pandemic politics: How the virus has changed the public's worldview. ECFR/326, June.

19) The existing procedures such as Article 7 procedure triggered by the European Commission and European Parliament against Hungary and Poland in the past years, legal infringements etc. proved to be either dead-end streets or too weak.



pro-EU than pro-Russia.<sup>25</sup> The role of foreign and state-sponsored fake reporting rather than being solely responsible for change in public attitudes exposed weaknesses in media and civil society institutions across the region.<sup>26</sup> On the other hand, during the German presidency, North Macedonia faced blockade by Bulgaria, which argued that North Macedonia "has to acknowledge that the language spoken by the Slav Macedonian majority is Bulgarian – or a dialect thereof".<sup>27</sup> Germany (and the rest of the EU) failed to prevent the blockade and convince Bulgaria to lift it which was probably not that much a matter of growing nationalism and role of third actors in the region than that of reluctance of the EU as such in seeing enlargement as a priority and best policy.

### Slovenian Presidency of the Council of the European Union

In order to address the pandemic and post-pandemic recovery, the EU involved the WB in joint procurement<sup>28</sup> and in the €9 bln Economic and Investment Plan<sup>29</sup> proposed by the High Representative for Foreign Affairs and Security

25) International Republican Institute. (2020). Western Balkans Regional Poll 2020. Available at: <https://www.iri.org/resource/western-balkans-poll-shows-strong-support-eu>

26) Ivković, A. (2020). Perception of EU aid amidst the pandemic faces challenges across the Western Balkans. Available at: <https://europeanwesternbalkans.com/2020/04/17/perception-of-eu-aid-amidst-the-pandemic-faces-challenges-across-the-western-balkans/>

27) Euronews. (2020). Bulgaria's block on North Macedonia's bid to join EU 'massively endangers Europe's security'. Available at: <https://www.euronews.com/2020/12/08/bulgaria-s-block-on-north-macedonia-s-bid-to-join-eu-massively-endangers-europe-s-security>

28) European Commission. (2021). Reinforced EU support to the Western Balkans in tackling coronavirus crisis and in post-pandemic recovery. Available at: [https://ec.europa.eu/neighbourhood-enlargement/system/files/2021-09/coronavirus\\_support\\_wb.pdf](https://ec.europa.eu/neighbourhood-enlargement/system/files/2021-09/coronavirus_support_wb.pdf)

29) European Commission. (2020). Western Balkans: An Economic and Investment Plan to support the economic recovery and convergence. Available at: [https://ec.europa.eu/commission/presscorner/detail/en/IP\\_20\\_1811](https://ec.europa.eu/commission/presscorner/detail/en/IP_20_1811)

Policy Josep Borrell to support the EU strategy with concrete activities. The plan, as well as the new enlargement methodology and clustering chapters, the Bulgarian blockade to Northern Macedonia and the need to engage more with other actors than state elites in the region, is what Slovenia inherited as the last of the EU presidency trio (Germany-Portugal-Slovenia).

***“Nevertheless, by supporting the ideas of ethnic borders and of Great Serbia, Great Albania and Great Croatia it assisted nationalist status quo players in those countries, who also enjoy support of third countries.”***

The SDS-led government in Slovenia, which took office after the centre-left minority government collapsed in early 2020, deescalated the dispute over the Piran bay maritime border with Croatia that has burdened Slovenian foreign and EU policy making for over a decade and strengthened the cooperation with Central Europe. It highlighted geopolitical challenges from countries such as China and Turkey. However, it also aligned with the Donald Trump administration, the illiberal regimes of Fidesz in Hungary and PiS in Poland, Aleksandar Vučić in Serbia and Milorad Dodik in the Republic Srbska. This was the context in which the non-paper on the “Plan B” for the WB proposing new borders in the region along ethnic lines was published in April and was attributed to Slovenia (the non-paper was actually written by CIA officer serving under the Trump administration some years ago but Slovenian representatives were said to distribute it even though this was officially denied). The non-paper probably did not intend to actually change the borders since this would go against the development of norms and rules since the Second World War and would most probably trigger new conflicts. Nevertheless, by supporting the ideas of ethnic borders and of Great Serbia, Great Albania and Great Croatia it assisted nationalist status quo players in those countries, who also enjoy support of third countries. In contrast, it further pressured the multinational states, such as Bosnia and Herzegovina, Kosovo and North Macedonia, where support for the EU



is currently the strongest. The criticism against the non-paper was fierce in the Atlantic community. The new US administration under Joe Biden specifically threatened any actors that would attempt to destabilise the Western Balkans with sanctions. The other reactions from Russia, Turkey together with another non-paper from Zagreb (the latter which Slovenia officially supported called for a stronger role of (Bosnian) Croats in Bosnia and Herzegovina), show that geopolitical challenges persist.

### **Recommendations: What Slovenia can and could do for the Western Balkans**

The COVID-19 crisis has strengthened the need for the EU to retake the lead domestically and in its neighbourhood. The WB plays a specific role and its EU accession could help the Union to improve its credibility as well as to address certain policy challenges, such as security, migration and relations with third countries.

***“The COVID-19 crisis has strengthened the need for the EU to retake the lead domestically and in its neighbourhood.”***

The WB is perhaps Slovenia's most important strategic region. A next round of EU enlargement would therefore bring immense benefits to Slovenia in terms of trade, investment, political stability and security in the region. After the various EU as well as domestic crises, Slovenia became less of a political actor in the WB. In the early 2010s, the country was even put on the 'Balkans side' of the table at one of the Berlin Process events. Still, it continues to enjoy a relatively positive image in the WBC and is in the position to share its valuable experience with EU accession.

The WB is one of the priorities of the Slovenian Presidency of the Council of the European Union. Even though strategic and foreign policy issues are no longer part of the responsibilities of the presiding country there is much Slovenia could do. Slovenia is (along with other Central European countries) officially supporting the EU enlargement to the WB.

Yet, the non-paper affair has raised the ladder for the informal EU-Western Balkans Summit in October if Slovenia wants to regain its credibility. Thus, the informal summit is an opportunity for Slovenia to pursue at least two 'strategic' goals. The first one being the Bulgarian blockade of Northern Macedonia's EU accession process and the second the progress on the so-called "Open Balkan" initiative (formerly so-called "Mini-Schengen")<sup>30</sup>. The latter would not only enhance the preparedness of the WB states for the future accession to the EU alongside with the new methodology, but would also promote good neighbourly relations and cross-border projects with regional character. This in turn would also position Slovenia as a credible actor and reliable partner of the WB states, but also an attempt to overcome the negative experience with the non-paper on the future of Bosnia and Herzegovina.

In addition, certain priorities of the Slovenian Presidency of the Council of the European Union, such as resilience to health crisis and cybersecurity, that have gained in importance during the COVID-19 pandemic, go hand in hand with the EU's strategy on WB. Next to this the portfolio on asylum and migration, which is also relevant to mobility and economic migration, including seasonal, daily migrations and tourists, bears specific importance for the region raised by the COVID-19 context. One of the specific trajectories that goes hand in hand with the question of mobility, economic migration and broader security paradigm is the question of the illegal migration, as the 2015/2016 Balkan route showed how ineffective policies can be if countries do not work together. In this context – and in line with the new types of uncertainties deriving from the withdrawal of the U.S. from Afghanistan – Slovenia could exploit further the EU Council presidency and pursue the idea of working together regionally in order to manage the regional borders and control illegal immigration.

30) More information: <https://balkaninsight.com/2021/07/29/balkan-mini-schengen-leaders-eye-open-borders-by-2023/>



Furthermore, the informal EU-Western Balkans Summit could also provide an opportunity for Slovenia to explore the potentials of the new WB (*Western Balkans: An Economic and Investment Plan to support the economic recovery and convergence*). The latter will mobilise up to €9 bln for the long-term economic recovery of the region, supporting a green and digital transition, foster regional integration and convergence with the EU.<sup>31</sup> This in turn would not only strengthen the transport and energy corridors connecting North-Western and South-Eastern Europe and offer the opportunity for participating in the tenders, but would also provide an economic backbone for the "Open Balkan" initiative. In this context, Slovenia could frame the new investment plan for the WB, Green Deal and "Open Balkan" as means to achieve positive progress in the EU accession process.

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31) European Commission. (2020). Western Balkans: An Economic and Investment Plan to support the economic recovery and convergence. Available at [https://ec.europa.eu/commission/presscorner/detail/en/IP\\_20\\_1811](https://ec.europa.eu/commission/presscorner/detail/en/IP_20_1811)



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