



Research Article

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The EU as an Actor of Normative Power in the Western Balkans After 2018: The Case of Kosovo, Albania and North Macedonia¹

Klodiana Beshku

Lecturer of Geopolitics and European Integration,
University of Tirana, Square Nënë Tereza 4,
Tiranë 1010, Albania

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Abstract

This article aims to examine the capacity of the European Union (EU) to continue to promote its normative power through the implementation of its Enlargement policy in the region of the Western Balkans. First, it examines the EU strategy towards the Western Balkans regarding its Enlargement Policy and the repercussion on the Western Balkans' perception of the European Union, which here is used as one of the denominators for the EU as a normative power. Then, using the Kosovo, Albania and North Macedonia cases, the article determines whether the EU continues to be considered a normative factor in the Western Balkans. Finally, it explores how the more inclusive Enlargement Policy followed by a harshened Conditionality has affected the future of the Western Balkans Region in the EU. Furthermore, this analysis sheds light on how the EU's strategic vision has altered regarding the Region of the WB and how this vision meets the WB's expectations. Following such an examination, both sides of the story are scrutinized in a comparative approach to establish if the EU remains a normative power for the Western Balkan countries, even after a long period of EU integration stagnation.

Keywords: Normative Power Europe, Conditionality, Enlargement, Western Balkans

1. Introduction

The research rationale of this article lies within the protracted decision-making process of the European Union to make Kosovo, Albania, and North Macedonia upgrade their position regarding their European Integration path. The purpose of this study is the analysis of the European Council's everlasting decision-making process regarding the liberalization of visas with Kosovo (2018-2022), the commencement of access negotiations with Albania and North Macedonia (2018-2020), as well as the subsequent delay in initiating the follow-up Intergovernmental Conference (2021-2022) with both of them. The article tries to unfold the EU's Enlargement Policy by confronting the European Commission's positive *avis* regarding Kosovo for visa liberalization and to Albania and North Macedonia for the opening of the access negotiations with the EU and the consequent refusal of the European Council to follow, in the momentum of a conflict into the EU borders -the Ukrainian

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conflict- and the explicit 'contestation' to the EU by Turkey, Russia, China and the Gulf Countries in the Western Balkans region.

The Western Balkans region has undergone a tumultuous history since the fall of communist regimes, marked by a series of conflicts, including the wars for the dissolution of former Yugoslavia (1991-1995), the civil strife in Albania (1997), the Kosovo crisis (1999), and ethnic conflicts in FYROM (2000-2001). Only after the turn of the millennium the region began to see relative stability. Therefore, the EU has traditionally perceived the Western Balkans as an area of conflict and instability. It was only after 2003 that the European Union began to declare the region's perspective into the EU. After Croatia's accession in 2013, the remaining countries continued to face significant challenges in joining the EU and were stuck. Not any other Western Balkan country has joined the EU since then. Despite the increasing influence of other powers such as China, Russia, Turkey, and Gulf countries in the region over the past decade, it is evident that the Western Balkans have become one of the European Union's most urgent security concerns, particularly in the aftermath of the Russian assault on Ukraine in February 2022.

In recent years, the European Union's attention towards the Western Balkans has diminished considerably, mainly due to the Brexit dilemma. This issue significantly influenced this direction, given that the UK had always been "one of the prominent supporters of the WB within the EU" (Vogel, 2018). The lowest point arrived in May 2019. Following further positive recommendations by the European Commission in 2018, the European Council postponed its decision to open access negotiations with Albania and North Macedonia from June to October 2019. In October 2019, the European Council blocked the process for both these countries because of the vetoes of France, followed by the Netherlands and Denmark. President Macron linked Enlargement to reforming the Stabilization and Association Process (SAP) and reconsidered the whole process by bringing back the question of widening vs deepening the EU. In February 2020, the European Commission approved a revised Enlargement Methodology, paving the way for the restart of accession negotiations with Albania and North Macedonia. In March of the same year, the European Council approved the General Affairs Council's decision to initiate accession talks with Western Balkan countries. However, the Bulgarian veto on North Macedonia prevented the Intergovernmental Conference from signing its official start in June 2021, marking yet another instance of asymmetric power dynamics used against North Macedonia. Starting with Greece, the name question, the country's road to EU accession has continuously been marked by vetoes (Tidey, 2022, p. 1).

Kosovo, Albania, and North Macedonia's recent odyssey to EU integration has been tumultuous. While Serbia was continuously praised throughout its EU path for its commitments and fulfilments despite not closing a single chapter with the EU since 2017 (Burazer, 2020, p. 3), Kosovo has remained the less developed country in the region, experiencing the right to refuse to free movement and visa liberalization. Despite its efforts in the delimitation of borders with Montenegro -a policy asked by the EU and implemented in March 2018 by Kosovo after the repeated failed vote in Parliament and a change in government to see that deal agreed upon (Tannock, 2018)- it still, visa liberalization for Kosovo has not occurred in 2022. Kosovo's youngsters were the only Europeans to ask for a visa all the time they needed to go out of the country for training, an exchange program, or even vacation. European Commission's confirmations that Kosovo has fulfilled the requirements for getting the visas liberalized (July 2018) have continuously been considered by the EU members within the European Council in October 2022, when new conditions were proposed for this aim (Isufi, 2022).

The European Council has several times substituted itself for the European Commission regarding the questions of Kosovo, Albania and North Macedonia. By doing so, the European Council ventured into a technical decision to stall these countries instead of taking the usual political decisions related to the region. Such EC endeavours cast doubts on the Stabilization Association Process, which is based on the work and the evaluation of the European Commission on a country's progress. Through using the veto power in the Council, the EU's credibility with these countries has been put at risk. The biggest victim of this blatant use of asymmetric power has been the Republic of North Macedonia for a long time. For over two decades, the unresolved bilateral dispute between

North Macedonia and Greece has hindered the country's EU accession path and NATO membership. However, the situation improved after the Prespa Agreement was reached in June 2018, paving the way for the Council's decision in June 2019 to nearly open accession negotiations of North Macedonia with the EU.

Albania also faced obstacles despite implementing an unusual Judicial reform in 2016 that led to changes in the country's Constitution. In addition, the European Council of June 2018 delayed the opening of accession negotiations until the following year because France, Denmark, and the Netherlands voiced concerns about the country's rule of law. The EU hesitation occurred when Serbia and Montenegro, despite their governments' autocratic tendencies, received praise from the EU, and third powers continued contesting the EU's influence in the region.

Only the advent of the war in Ukraine in February 2022 marked dynamic changes within the European Council. France boldly tried to unblock the situation with Bulgaria by advocating a special agreement between Bulgaria, North Macedonia, and Germany. The utmost struggle revitalized the Berlin Process in the Western Balkans throughout 2022, aiming to get WB countries back on track for European Integration. Finally, it will be the French proposal of the "European political community" that will represent the latest initiative by the EU towards the region, which "will run in parallel if not as an alternative to the Enlargement process" (Radić Milosavljević, Domaradzki 2022, 401).

For 2018-2022, remarkable to note is how the abovementioned countries perceived the discrepancies between the European Commission and the European Council and wondered if the EU had come to the position of losing its charm as a normative power in these countries and the region. Ian Manner's theoretical input on the normative power of the EU focuses on creating the foundational assumptions for analysis through a tripartite framework. This framework employs three categories to analyze the EU normative power: principles, action, and impact, as described by Manners in 2008. Ian Manner's theoretical contributions to the normative power EU serve to build the analysis assumptions on a tripartite framework, which draws on ethics to structure a framework according to which the EU's normative power can be analyzed in terms of three categories: principles, action and impact (Manners, 2008). Thus, according to this theoretical approach, the analysis is based on the activities of the European Union towards three countries of the Western Balkans, Kosovo, Albania and North Macedonia, by decoupling, where possible, the Enlargement policy with the EU's Strategic interest or the Common Foreign and Security Policy (CFSP) towards the Western Balkans.

On the other hand, conclusions about the EU's normative power or strategic leverages can only be drawn by considering the reactions of non-EU countries to the EU's policies or assessing the EU's impact 'on the ground' (Noutcheva, 2009). The article describes the country's perceptions and level of consent to the EU after the smack to visa liberalization or opening of access negotiations. As stated in Noutcheva's 2009 publication (Noutcheva, 2009), the Western Balkans present a good case for determining the EU's normativity because they have been "on the receiving end of both the EU's CFSP and Enlargement Policy", especially after the case of Kosovo, Albania and North Macedonia where Enlargement and CFSP have been discrepant since 2018.

The article argues that the European Union remains a normative power for the Western Balkans as long as there has not been any decrease in the three analyzed countries' consent to the European Union, nevertheless the smack to their European Integration path. It either suggests that, despite the discrepancy between the European Commission and the European Council regarding decisions concerning these countries, the latter has effectively expressed concerns regarding the corruption of these countries or the need for the revision of the Enlargement policy to stick to the overall public opinion. It suggests that candidate countries perceive the EU's Foreign Policy as genuinely normative, despite nationalizing the European Council's veto power. Although Enlargement continues to be increasingly dominated, if not held hostage, by national agendas (Hillion, 2010, p. 7), the EU continues to be considered mainly as a state-building power, especially by Kosovo, as this article manifests in the following elaboration. Enlargement is a policy through which the Union's institutions transform third states into Member States. It is precisely through Enlargement that the

EU exerts its "state building policy", a leverage which allows the Union "to exercise its normative power since, and to organize the continent in its own image" (Hillion 2010: 6).

2. The Western Balkans: As Viewed from the EU's Perspective

Previous research and literature deal with the EU as a normative power for the candidate countries but must explain how the EU sees them adequately. In contrast, how this normative power of the EU develops is still being determined. It remains to be seen where the EU's side applies this power. All attention has been dedicated to the EU as a normative power rather than to where this model would be implemented or where this power could be exerted. Considering that the normative power of the EU could be more solid if it operates consistently, it would be essential to analyze how the EU sees the Western Balkan Region and understand if the region serves as a solid basis for exerting this power.

The EU's narrative on the region has continuously changed in the last decades. Initially, the area has represented the symbol of "the otherness", the "conflict-bringer", and "the oriental". However, according to Tulun (2018), the European Union has attempted to transform the Balkan region by changing its name and dividing it into sub-regions corresponding to countries' progress towards EU accession. This labelling attempt has resulted in categorizing Greece, Slovenia, Romania, Bulgaria, and Croatia as ex-Balkan countries now part of the European Union, creating a sense of "otherness" associated with the Balkans. Meanwhile, the Western Balkans, including Albania, Serbia, Kosovo, FYR of Macedonia, BiH, and Montenegro, have been grouped as a separate sub-region. Tulun also notes that Turkey has been designated as part of the "Eastern Balkans" category.

The Western Balkans have been described as the "EU's backyard" (Bechev, 2018), the "periphery of the periphery" (Bechev, 2012: 1), "a buffer zone" (Zaragoza-Cristiani, 2017), and even the overlooked "soft belly" (Bonomi, 2019, p. 15), despite being located within Europe. Although the Western Balkans have moved towards becoming "the missing piece of the puzzle" in the European Union (Schweng, 2021) and have passed into "the inner courtyard of Europe" (Ruge, 2021), they are rarely considered as a natural extension of the EU, even though the region is geographically part of Europe. As Mišćević (2021) states, it is "a region that fully belongs to Europe as a continent but is still not part of the EU institutional structure." Although geography is often seen as a significant factor in a state's foreign policy decision-making process, it seems that this is not the case for the European Union when it comes to the Western Balkans region. The enlargement process to the WB is not viewed as an essential tool for extending the existing security community eastward (O'Brennan, 2006) but rather as a potentially destabilizing factor if the region joins the EU. It is worth noting that before the conflict in Ukraine in 2022, the EU did not openly recognize the WB as a crucial geopolitical region under the realist approach.

The European Union's most pressing security concerns regarding the Western Balkans have had to do with the ethnic tensions among them, the bilateral disputes and the persistent, organized crime. The Western Balkans have traditionally represented an essential bridge between West and East in the eyes of Russia, China and Turkey, an idea reflected by their continuous attempts to include this region in their spheres of influence. The EU has also been challenged recently by the Gulf countries. They have strengthened their investments in the region's agriculture, tourism, construction, and military technology. Like China, they view the Western Balkans as a means to access the European market (Feyerabend et al., 2018). Since 2014, China, Russia, Turkey and Gulf Countries have advanced in their sphere of influence in the region. They have weakened the EU's power in the region since the WB countries have continuously tried to benefit these global actors, which do not apply conditionalities but aim to have a direct influence through direct investments.

On the contrary of these actors, the EU has always preferred to distance itself from blunt power politics. The Enlargement of the European Union has the potential to empower the EU, and this ability is rooted in Article 21 of the Treaty on the European Union. Enlargement aims to strengthen peace, democracy, and stability in Europe while positioning the EU to address global challenges

better. Incorporating the Western Balkans into the EU would represent a significant step forward in the “territorialization” of the EU. This could lead to a more consolidated political space for the EU, both functional and symbolic. However, as an actor attached to legalism, the EU has consistently sought to extend European principles beyond its borders to non-European territories. This EU’s continuous search for legitimacy in approaching other countries despite the strategic interest towards them has made the EU a normative global actor. There lies its force of attraction to the Western Balkan countries, too.

Considering this attachment of the EU to the legacy, some of the EU member states have sometimes been too enthusiastic about refusing some of the WB countries to upgrade in terms of European Integration in the name of their non-consolidated democracies. Although geography is known to shape the foreign policy decisions of a state’s leaders, the EU’s approach towards the Western Balkans is a clear example of how the Foreign Common and Security Policy has been anything but ‘common’ or ‘unique’ in the last decade. Whenever it seems reasonable to any member states, geography became exclusively linked with the EU’s values, like France’s veto in 2019 and Bulgaria’s in 2021. It is a case of nationalization of the CFSP in the European Council concerning the Western Balkans. Furthermore, the Conditionality has been harshened with the New Methodology of February 2020 (European Commission 2020). Although Russia, China, Turkey, and the Gulf countries’ influence has been increasingly penetrating, the New Methodology has inured the Western Balkan countries to the set of conditions. Regarding this harshening of the Enlargement Policy, scholars dealing with the Western Balkans concur that since there is a further elevation of the accession criteria, it is clear that the Enlargement policy is “exposed to a complex set of interactions way beyond the primary geopolitical or geostrategic goals” (Milosavljević, Domaradzki, 2022).

In fact, since 2016, the European Union Global Strategy has already emphasized that ‘a credible Enlargement policy ground-ed on strict and fair Conditionality is an irreplaceable tool to enhance resilience within the countries concerned’ (European Union Global Strategy 2016). Since then, we have experienced that the political Conditionality of Enlargement has always dominated the EU’s need to follow its geopolitical interest towards the candidate countries despite the role of the third powers in the region becoming more pervasive in the last decade. The Strategic Compass, a document endorsed by the EU to enhance its geopolitical position with the menacing threat of war at its borders, reaffirms this principle. It states that whenever the EU functions as a security provider, this role must be founded “upon the Union’s fundamental values as laid down in Article 2 of the Treaty on European Union” (Council of the European Union, 2022). Thus, principles like the rule of law, democratic accountability and the fight against corruption have always been based on the EU, constituting its normative power, legitimacy, and power of attraction towards the Western Balkans. Furthermore, there is a sort of difference reflected in the grouping of the candidate countries as a geographical categorization made by the EU relegating them to the periphery on the one hand – as in the case of the Western Balkans Region - and in the consideration, these countries have in regard of the EU as the centre of their existence; on the other hand.

3. The EU: As Viewed from the WB’s Perspective

After the failure of the European Council to decide on liberalizing visa with Kosovo (2018), the postponement of the decision to open access negotiations with Albania and North Macedonia after France’s veto (2019) and the failure to start the Intergovernmental Conference with the same countries after Bulgaria’s veto (2021), one is expected to find a lower consent among the population of these countries towards the EU. In a Public Opinion Poll published by BiEPAG in November 2021, to the question “Are you in favour of your country joining the EU?” citizens from the WB region responded like this:

Country	Yes	No
Albania	94%	5%
North Macedonia	79%	20%

Country	Yes	No
Kosovo	90%	9%
Serbia	53%	43%
Bosnia and Herzegovina	83%	15%
Montenegro	83%	14%

Source: BiEPAG, 2021/ Public Opinion Poll in the Western Balkans on the EU Integration, November 8 2021, last entered in March 2023 at: <https://biepag.eu/news/public-opinion-poll-in-the-western-balkans-on-the-eu-integration/>

It is curious to note that, even after the EU blockade in terms of the upgrade of these countries in their European Integration path, the citizens' consent in the Western Balkans -except for Serbia- remains still high, especially in Albania and Kosovo. Despite the efforts in some of these countries, the struggle for reforms has only sometimes paid off. For example, it is the case of Albania's reform in the juridical system or Kosovo's struggle for good bilateral relations with Montenegro. Kosovo's signing of the demarcation of borders with Montenegro in 2018 - a suffering decision for the government of that time - did not contribute to visa liberalization with the EU. These facts have significantly left a footprint on these countries. The efforts to finalize the construction of the High Judiciary bodies in December 2018 did not count for the opening of the access negotiations with the EU in 2019. It was also the case of the Republic of Northern Macedonia with the suffered and historical Prespa Agreement with Greece of the same year.

The examples considerably reveal the WB's societies' perceptions towards the European Union. Although the European Council should have praised more Albania, North Macedonia and Kosovo's efforts and commitments to the EU path, the latter's societies have retained their consensus towards the European Union. It shows these societies' perception of the EU as a subject of normativity to the extent of never putting it in doubt. Instead, what the EU has often put in doubt is the capability of these countries' governments to raise the standards of living and the rule of law principles. Another continuously questioned element is the ability of these countries' societies to absorb European values and norms. Political changes in Southeastern Europe after 1990 have always been perceived as a learning process in which the locals have encountered Western norms and thereby learned to behave more Europeans. The candidate countries are taught the community (EU) values and norms through this process. They must prove their willingness and ability to internalize them (Parker, 2008, p. 28). The Western Balkan countries not only consider themselves as bad pupils but are considered so by others as well. Although the Western Balkan countries have made efforts to comply with the European standards of the rule of law and good governance or combat corruption and encourage innovation, they have demonstrated a need for assistance in establishing and emulating these practices in a European way. Conditionality, which stands at the very basis of the Enlargement policy, by not being so effective, has produced fake, partial and imposed compliance of these countries with the EU norms. These phenomena constitute the limits of the EU's normative power in the Region (Noutcheva, 2009) or rather a significant "discrepancy between the EU norms and their formal application" (Wunsch, 2019) in the Western Balkan region.

3.1 How can the EU continue to exert its Normative Power in the Western Balkans?

Over the past two decades, the European Integration of the Western Balkans has faced obstacles, partially due to the Enlargement Policy becoming more stringent than in the past and the veto power in the European Council, as well as by the strengthening of the Conditionality principle that has led to a harshening of the Enlargement policy. Moreover, the Stabilization and Association Process through which the Western Balkans have had to go through has, interruptedly since 2007, produced a more 'muscular conditionality' (Pridham, 2007). Moreover, the last new Enlargement Methodology of 2020 has made things even more difficult for the region, especially for the countries that had not

opened the access negotiations – Albania and North Macedonia – advantaging those that had already opened them, like Montenegro and Serbia.

The EU has been the Western Balkan countries' undiscussed normative power since the beginning of the nineties (Beshku, 2013, pp. 58-59). Although the normativity of the EU has never been questioned either by the WB countries' governments or their societies, the EU's transformative power needs to be more flexible to help these countries sprint out of their *status quo*. Instead, it has been based on stricter Conditionality. In a world where the model of liberal democracy is put into question, the EU enlargement approach policy of "sticks and carrots" has not been delivered. It has not been a process that has facilitated the Western Balkans in a reciprocal, fair, equal relationship with the EU which could create the basis for a future shared community of values and norms between both sides.

The events within the European Council were – without a doubt- a result of the "nationalization of the European Council". They are a clear example of the "domestic politicization of Europe" (Bressanelli, Koop, and Reh, 2020: 330). This phenomenon refers to the fact that European integration can easily create polarization and contention within member states, which can translate into pressures that impact the decision-making within the European Council and, consequently, within the EU. The opposition of some of the EU member states to liberalize visas with Kosovo in 2018 and to initiate accession negotiations with Albania and the Republic of North Macedonia between 2019-2021 weakened the EU's role as a geopolitical power and called into question the credibility of the Enlargement process in the long run. However, the fact that all this was not translated into a lack of support by the WB societies for the European Union demonstrates how strong the roots of the European Union are as a normative power that spreads models which resemble itself (Manners, 2008).

4. Conclusions

This article tried to determine if the EU is still a normative power for some of the Western Balkans by confronting the institutional behaviour of the EU to the level of consensus of these countries' societies. Since the people's perceptions in Kosovo, Albania and North Macedonia did not appear alternated compared to the past, this suggests that the EU's CFSP represents a normative model to them. As Noutcheva states, "If a foreign policy action is truly normative, it will be accepted by the domestic players experiencing its effects, and they will submit voluntarily to the normative pressures for change" (Noutcheva, 2009). In this case, the EU, acting as a foreign policy actor, holds normative power, as it faces no opposition in its call for a change in behaviour towards non-member countries. Therefore, the Western Balkans societies accept the norm, as is typically European, and do not consist of an external pressure to conform. They instead challenge their governments to adapt to the EU's pressure and deal with corruption, the rule of law and economic lagging behind. Therefore, the EU's refusal to liberalize visas with Kosovo and open access negotiations with Albania and North Macedonia during 2018-2022 has been perceived as usual by the societies of these countries since their consensus with the EU has remained unchanged. Manners' definition (2002) of normative power suggests namely "an ability to shape conceptions of 'normal' in international relations" (Manners, 2002). By not challenging the EU, these societies show that the EU still possesses a high legitimacy among them, suggesting that they consider their governments the main responsible actors for this situation. Apparently, for the WB countries, "the Croatian EU membership in 2013 represents a significant achievement in demonstrating the EU's power to transfer 'EU normality' to the Western Balkans" (Bojinović Fenko, Kočan, 2022).

The need for the EU to favour its geopolitical interest in the Western Balkans over the Enlargement's Conditionality posed a normative question concerning the very existence of the European Union. It went back to the old debate on the roots of the European Union and the rule of law and the democratic values that stand at its basis. Thus, as long as the European Union would lose its legitimacy in the global arena if it did not impose its core values on the candidate countries, the

best way of approaching the Western Balkans would remain the one of conditioning them to reform while keeping them in the EU's sphere of influence. Ultimately, the essence of the EU normative power approach and its continuous search for legitimacy and as an actor attached to legalism. The Union can become a global player only if it resumes both its Enlargement process and its constituent process – regardless of the current reluctance of member states to do that (Elise, 2022). The biggest issue in the region remains the Kosova-Serbia relations which, through the constant jamming of the Belgrade-Pristina dialogue, call for an effective and comprehensive long-term solution. The Commission and the Council expect a legally binding normalization agreement between the two countries, a cornerstone in advancing their respective European paths. The fact that five of the EU member states do not recognize Kosova proves that the domestic politics of the EU member states matters, but especially in this case, the European Union, through its normative power, can be a credible negotiator in this issue.

The Enlargement process plays a critical role in reinforcing peace, democracy, and stability in Europe while also enhancing the EU's capacity to tackle global challenges and reinforcing its power. However, the EU must adhere to its fundamental values when dealing with the Western Balkans to maintain its credibility and legitimacy. "The EU should stick to its commitment regarding the democratic transformation of the region, as well as keep the credibility of the carrot of membership for the Western Balkans" (Anastastakis, 2022). However, at the same time, it must enhance its power as a global actor. Only if the EU continues to remain a normative power for the WB countries could it lead processes and simultaneously meet expectations compatibly regarding democratic demands and extend the strategic sphere from the EU to the WB. The EU has a significant advantage in becoming the only credible model-orienting geopolitical power in the region precisely due to its undeniable normative power to the Western Balkan countries.

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