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THE ROCKY ROAD OF WESTERN BALKAN COUNTRIES TOWARD EUROPEAN INTEGRATION: THE NEED FOR A CREDIBLE AND EFFECTIVE APPROACH

GENTJAN SKARA

Abstract

The EU enlargement has been considered as a one of EU's most powerful policy tools which has helped to transform Central and Eastern European Countries from communist regimes to modern, well-functioning market economy and functional democracies. Such transformative power has not been replicated in the case of Western Balkan countries. Since 2003, when the EU leaders promised the European future to Western Balkan countries, save Croatia, which joined in 2013, other Western Balkan countries are backsliding on the rule of law, media freedoms, and democratic accountability. State capture and the growth of corrupt patronage networks are becoming more present in the society. Recently, with the legislative measures to prevent Covid-19, the Western Balkan countries are becoming more authoritarian. The paper argues that lack of EU to become a 'transformative power' in the Western Balkan countries hinders the risk of this region to return to authoritarianism and opens the 'Pandora box' for non-EU actors to advance their agenda, which impede NATO expansion and the EU enlargement. Therefore, the current enlargement strategy should be revised to address problems faced by Western Balkan countries and most importantly, EU Member States should not politicize enlargement process by exerting their veto power during accession process. A credible enlargement approach needs to be adopted where rules and principles are clearly set.

Keywords: Credible and Effective Enlargement policy, EU Conditionality, Western Balkan countries.

Introduction

The EU enlargement policy is defined as the process of 'gradual and formal horizontal institutionalization of organizational rules and norms' (Schimmelfennig and Sedelmeier, 2005, p.5). It is considered as the most effective tool of the EU in spreading democracy, the rule of law, fundamental freedoms and other values on which the EU is founded. In 2004, the EU succeeded to transform Central and Eastern European Countries (CEECs) from communist regimes to modern, well-functioning market economy and functional democracies. Despite high expectations of EU as a 'transformative' (Grabbe, 2004) or 'normative' power (Manner, 2002), such success was not replicated in the case of the Western Balkan countries (WBc).

The European integration has become both a journey and final destination for the WB countries. After the cold war, the EU policy towards the WBc was ambiguous and this region

was a European question. Security matters represented a major challenge to the stability of the region and for the Union itself. Bosnian conflict revealed the incapacity of the EU to manage the conflict in its own backyard due to the lack of political unity (Skara, 2014, 26). It was only after the decisive involvement of the United State of America (USA) and starting of the implementation of the Dayton agreement that relations were normalized. It was assumed that the region would make steps forward in terms of democracy, stability and economic development.

However, the Kosovo conflict showed once again the lack of EU capability to deal with security matters in the Western Balkans (WB) due to the EU Member States reservation about the Common Foreign and Security Policy. This conflict played an important role in developing a strategy for the WB. Until that time, the WB was seen as a foreign policy of the EU dealing more in terms of aid rather than offering a membership perspective as in the case of CEECs. Only after the lessons learned in the Balkan crises, did the EU start to develop a more comprehensive strategy that was in tune with the goals of the EU to export peace and prosperity to the WB with the eventual aim of full membership: namely Stabilization and Association Process (SAP).

As the name of the strategy shows, the EU policy toward the WBc has been characterized as standing between two alternatives, those of ‘containing’ and ‘transforming’ (Balfour, 2008). The deployment of civilian and military troops has contributed to preventing possible inter-ethnic tensions and conflict in the region. So far, the EU has deployed in total 6 civilian and military mission; 4 completed and 2 still ongoing (Skara, 2014, 30 - 35). On the other hand, the EU ‘transformative’ or ‘normative’ power has failed to bring the WBc closer to the EU, save the case of Croatia. Some authors argue that such failures are attributed to domestic factors, which have undermined and delayed the EU transformative power (Elbasani, 2013).

This paper aims to analyze the effectiveness of the EU strategy toward the WBc. The analysis shows that transformative power has not been replicated in the case of the WBc. Save Croatia, which joined in 2013, all other WBc countries are backsliding on the rule of law, media freedoms, and democratic accountability. State capture and the growth of corrupt patronage networks are becoming more present. The paper argues that lack of the EU to become a ‘transformative power’ in the WBc hinders the risk of this region to return to authoritarianism and opens ‘Pandora box’ for non EU actors to advance their agenda which impede NATO expansion and EU enlargement. Therefore, the current enlargement strategy should be revised to address problems faced by the WBc and most importantly, the EU Member States should not politicize enlargement process to advance their political agenda. A ‘credible and effective enlargement policy’ for opening of accession negotiations with North Macedonia and Albania needs to be adopted where rules and principles are set clearly. It remains to be seen under German European Council its success.

The paper is structured as follows. First, I set forth the EU strategy toward the WBc, which is characterized between stabilization of the regions after bloody conflicts and transformation toward the EU integration. Then, I analyze the effectiveness of the EU conditionality to Europeanize the WBc (section 3), which is undermined by non-EU actors (section 4). The fifth section provides a discussion whether the EU enlargement methodology should be changed and what consequences will have for these countries. Finally, the paper provides a conclusion.

A Strategy for Western Balkan Countries: From Stabilization to Integration

Security matters represented a major challenge to the stability of the region and for the Union itself. On June 28, 1991 the then foreign Minister of Luxemburg, Jack Poos, made a statement declaring ‘...if one problem can be solved by the Europeans, it is the Yugoslav problem. This is a European country and it is not up to the Americans. It is not up to anyone else’ (Skara, 2014, 29). The creation of the Common Foreign and Security Policy as a second pillar of the Maastricht Treaty assumed a more unified foreign policy. However, the lack of political unity among the 12 members of the European Community to prevent Belgrade’s military offensive against Slovenia and Croatia showed ‘Achilles’ weakness of the EU to reflect the ambition laid down in the Maastricht Treaty: an active role in the international area.

It was only after the decisive involvement of the United States of America (USA) and starting of the implementation of the Dayton Agreement that relations were normalized. It was assumed that the region would make steps forward in terms of democracy and stability. The failure to manage the Bosnian conflict and the intervention of the USA put the EU under pressure to develop a new policy with the WB.

As a starting point, the EU adopted the ‘EU Regional Approach’ in Luxembourg (October 1996), which marked ‘a new beginning for the formulation of EU policies toward the region’ (Knezović, 2009, 98) and provided substantial changes of the region through political stability, economic development, and cooperation among the countries themselves. The EU Regional Approach aimed at: i) supporting peace in the Former Republic of Yugoslavia (FRY) which would serve as a starting point for ensuring stability and good neighborly relations in the region; ii) reconstruction and harmonious economic development; and iii) the cooperation of the EC with UNHCR so that refugees and displaced people could return to their country of origin (General Affairs Council, 1996).

The expectations of the EU Regional Approach were very high, but it failed due lack of sufficient financial resources (Papadimitriou, 2002, 197) and due to being limited to one or few areas (Uvalic 2001). Furthermore, relations under the EU Regional Approach were marked by ‘negative conditionality, in the form of limited contractual relations, exclusion from the Association Agreement, and in the case of Serbia, outright sanction’ (Anastasakis and Dimitar Bechev, 2003, 7). It lacked a EU membership perspective. Türkes and Göksöz have argued that:

The manner in which the conditionality applied in the case of the Western Balkans clarified the contours of a distinctly different mode of relations that EU would maintain with the region: there was no prospect for rapid membership, but the countries meeting the conditions were to be rewarded with trade concessions, financial assistance and economic cooperation on the part of the EU (2006, 676).

The escalation of violence in Kosovo in 1999 showed that the EU policy for stabilising the region was insufficient and ill conceived. Consequently, the EU officials understood that the future credibility of the EU international actorness depended on stability in the Balkans. As the High Representative for CFSP Javier Solana stated:

The experience of the Balkans has been a sobering one for the European Union. But it has, I believe also provided us with an opportunity. It is a test of our commitment to the region, to a wider Europe, and to a mature common foreign and security policy. The Balkans has shown that the European Union

can no longer remain a force for peace simply through example. It has also to be forthright in defending the basic values of democracy, human rights, and the rule of law on which it is founded (2000).

By offering the perspective of EU membership, the EU attempted to dilute the role of USA in the state building process in the WBc and take responsibilities in its own backyard.

In order to prevent further war in the WBc and to move the region from stability and security to the accession process, a new strategy was introduced – Stabilization and Association Process (SAP) (General Affairs Council, 1999). Another factor that had influenced the need to develop a more sustainable policy by offering membership for the

WBc related to the role of the USA in the region. The conflict in BiH and the Kosovo war are perfect examples of the so-called ‘Clinton Doctrine’. The most explicit definition of this doctrine is provided at the Clinton’s speech that foreshadowed the decision to bomb the Federal Republic of Yugoslavia. Clinton stated that, ‘Where our values and our interest are at stake, and where we can make a difference, we must be prepared to do so’ (Poulain and Teleki, 2010, 28 – 29).

The SAP represent a transformative strategy for the region toward European integration by using conditionality as a ‘stick’ for the WBc to carry out the reforms toward democratization, prosperity, and peace (Commission, 2006a). In contrast to conditionality applied in the case of CEECs which referred to Copenhagen criteria (European Council, 1993), the EU conditionality in the WB ‘is a multi-dimensional instrument geared towards reconciliation, reconstruction and reform. It is regional, sub-regional and country-specific; it is economic, political, social and security-related; it is positive as well as negative’ (Anastasakis and Dimitar Bechev, 2003, 8). The conditionality imposed on the WB has relied in: i) the treaty provision article 49 of TEU; ii) the Copenhagen criteria; iii) the Regional Approach; iv) country-specific conditions to be met, laid down in the SAA, and v) conditions that aroused from Resolution 1244 of the United Nation Security Council (UNSC), the Dayton Agreement, the Ohrid Framework Agreement and the Belgrade Agreement. One of the building blocks of the SAP is the contractual relationship between each country and EU; while on the other hand; the SAP encourages regional cooperation between countries themselves and with other neighboring nations. The given promise of membership was intended to transform the region from a post-conflict situation toward ‘Europeanization’. In terms of this promise, the question is not whether the WBc can join to the EU but is rather when (time) and how (what criteria have to be fulfilled).

Europeanization of the Western Balkan Countries: the EU Conditionality and its Effectiveness

Traditionally, the impact of European integration process, denoted as Europeanization, has been focused on the EU Member States. From the late 1990’s, the attention of Europeanization process shifted toward candidate countries, as the later were required to adopt not only the EU *acquis* but also principles and rules, such as democracy and rule of law, in which EU did not had competences (Sedelmeier, 2014, 825). Various studies suggested that the EU and its conditionality played an important role in successful post-communist democratization and Europeanization of public policies (Grabbe, 2002; Vachudova, 2015; Schimmelfennig and Sedelmeier, 2005b; Pridham, 2005). Schimmelfennig and Sedelmeier, in their article have argued that the effectiveness of EU conditionality on compliance depended on four factors: i) the determinacy and consistency of EU conditions;

ii) the size and speed of rewards; iii) the credibility of accession; iv) the size of adoption costs (2004, 664).

In the case of the WBc, the membership perspective remains very high. Since 2003, the European Council declared that ‘the future of the Balkans is within the European Union’ (European Council, 2003). Such political statement made by heads of state or government was a clear promise once the WBc would fulfil Copenhagen criteria and other conditions set forth in the SAP. Ten years later, only Croatia succeeded to join the EU. At the same time, the EU has provided financial assistance to improve economic capacities of the WBc (Skara, 2014, 38). For the period 2000 – 2006, under the CARDS instruments, the EU allocated around EUR 4.65 billion (Council Regulation 2666/2000). In 2006, the IPA I program replaced CARDS instrument and provided a budget of € 11.5 billion for the period 2007 – 2013 focusing on following goals: i) strengthening of democratic institutions and the rule of law; ii) reforming public administration; iii) carrying out economic reforms; and iv) fostering regional cooperation as well as reconciliation and reconstruction, and alignment of domestic legal system with EU *acquis* (Council Regulation 1085/2006, Arts 2 and 26). For the period 2013 – 2020, IPA II allocated a budget around € 11.7 billion (Regulation 231/2014, Arts 2 and 15).

In terms of the *determinacy and consistency of the EU conditionality*, the enlargement strategy has been upgraded several times by embodying lessons learned through previous enlargement, especially Bulgarian, Rumania and Croatia. Firstly, after the successful accession of the CEECs in 2004 and the failure of the European Constitution in 2005, the European Commission published the 2006 Enlargement Strategy that gave Member States control over the enlargement policy (Hillion, 2010, 18). This shift towards a more restrictive policy came as a result of experience with the newcomers, especially Romania and Bulgaria and the failure of the Constitutional Treaty (Commission, 2006b, 3-4). Secondly, experiencing problems with Croatia negotiation related with the implementation of laws and rule of law, in 2011, the Commission upgraded its enlargement strategy. The upgrade concerned with the role of Member States expert to monitor the benchmark (Commission, 2011, 6). The purpose was ‘to improve the quality of the negotiations, by providing incentives for the candidate countries to undertake necessary reforms at an early stage’ (Commission, 2006b, 6).

Thirdly, in 2013, the EU adopted a more comprehensive approach by emphasizing the political criteria related to democracy, rule of law and human rights and reforms in economic sphere (Commission, 2013). Such changes reflected lessons learned from the negotiations with Croatia and understanding that chapters 23 ‘Judiciary and Fundamental Rights’ and 24 ‘Justice, Freedom and Security’ were too important to address from the beginning of the negotiations as these countries have been experiencing problems with democracy, rule of law and human rights (Dimitrova, 2016, 10). In contrast to previous accession rounds, Chapters 23 and 24 would be open in the beginning of the negotiation and would not be closed until the end of negotiations. With regards to economic sphere, the EU’s approach increasingly focuses on structural economic reforms, competitiveness, and fundamentals of economic governance programs (Commission, 2013, 4-5). To facilitate these reforms, the Commission provided a detailed framework for political and economic reforms including progress evaluation, monitoring, and financial and technical assistance.

Again, in 2015, the Commission introduced a strengthened approach to its assessment in the annual reports (Commission, 2015, 4). Firstly, the new approach provides even clearer

guidance for what the countries are expected to do in both the short and long term. Secondly, besides reporting on the progress achieved, the new approach put much more emphasizes on the state of play and their preparedness for taking on the obligations of membership. A harmonized assessment scale was introduced to assess both the state of play and the level of progress. The clear language and harmonized assessment scale of preparedness was meant to give a new impetus of EU enlargement process and encourage the WBc to compete with each other in fulfillment of vital reforms (Dimitrova, 2016, 11).

Finally, in 2018, Commission published a new enlargement strategy to reinvigorate the process. It qualified EU perspective of Membership for the WBc as ‘a geostrategic investment in a stable, strong and united Europe based on common values’ (Commission 2018, 1). For the first time, beyond diplomatic language used in the EU Progress Report, the Commission acknowledged lack of progress and established that all ‘the countries show clear elements of state capture, including links with organized crime and corruption at all levels of government and administration, as well as a strong entanglement of public and private interests’ (Commission, 2018, 3). Moreover, Commission added that ‘none of the Western Balkans can currently be considered a functioning market economy nor to have the capacity to cope with the competitive pressure and market forces in the union’ (ibid, 3).

Another factor of the effectiveness of EU conditionality is *credibility of the EU membership*, which depends on both on: i) a credible threat to withhold the membership if the conditions are not fulfilled; and ii) a credible membership perspective if the conditions are met. The upgraded enlargement strategy was to make enlargement more credible for EU Member States and push WBc toward domestic reforms. On the contrary, the WBc face lower credibility of the EU membership due to: i.) EU citizen’s perceptions and ii) EU Member States behavior (referring to Article 49 TEU as a weapon for ‘nationalization of enlargement policy’.

Firstly, Eurobarometer survey shows a decrease of the enthusiasm of EU citizens toward future enlargement of EU. In the 2019 Eurobarometer survey, 42% of the respondents at the EU opposed for the future enlargement. Opposition majorly comes from Netherland (60%), France (58%), Austria and Germany (57%), Belgium and Denmark (56%) (Commission 2018, T 87). This decrease of enthusiasm has been reflected as well in the WBc. Compared to 27 percent in 2014, according to the data from the 2018 Balkan Barometer, only 12 percent of respondents today foresee their economy joining the EU as early as 2020. Overall, 26 percent of citizens in the Western Balkans believe their country will never join the EU, with particularly high rates in Bosnia and Herzegovina (39 percent) and Serbia (32 percent) (Regional Cooperation Council, 2018, 52).

Members States’ control over future enlargement has been strengthened through the interpretation and implementation of the application procedure foreseen in Article 49 (1) TEU.

Since 2009 when Commission recommended opening the negotiations, the advancement of North Macedonia – at that time FYROM –has been blocked by the Greece veto concerning the name dispute. In 2009, the Albanian submitted an application for candidate status. Germany held up the decision arguing the approval by

German Bundestag. Only after consultation with German Bundestag, did Germany invite the Commission to prepare an opinion report and to apply the procedure under Article 49 (1) TEU (Hillion, 2010, 24). Similarly, on 22 July 2016 the Albanian parliament voted in favor of constitutional amendments regarding the judicial system, which complied with the 5 key

priorities set by the EC. It was supposed that Albanian will start negotiations but instead, German Bundestag announced to block the start of negotiations as long as certain judicial and political reforms were not made (Independent Balkan News Agency, 2016).

While the case of Greece and Germany mentioned above relate to interpretation and implementation of the application procedure (Art 49 TEU), France has changed its Constitutional rules vis-à-vis the ratification of the Accession Treaty. According to Article 49 (2) TEU, the Accession Treaty will be negotiated and concluded by the Member states and the applicant state and then ratified in accordance with the constitutional requirements. Article 88 – 5 of the French Constitution stipulates that any future accession of the candidates' countries to the EU will be determined by a referendum. This article is not applicable to accessions that 'result from an Intergovernmental Conference whose meeting was decided by the European Council before July 1, 2004' (French Constitutional Act no. 2008-724 of 23 July 2008, Art 47). Overall, Member States control over enlargement process – be either Treaty interpretation provision or accession referendums - increase the number of veto players and make future enlargement uncertain.

The fourth factor depends to *the capacity of candidate countries* whether target governments have capacities to meet the EU's conditions and comply to transfer more than 80,000 pages of EU acquis and ensure its proper implementation (Leonard, 2005, 45; Toshkov, 2008, 380). Even in the case that candidate country enjoys sufficient administrative resources to implement EU acquis, still may face adoption cost which obstruct the process. Adoption costs are generally political in nature in the sense that they depend on the preferences of government or other actors for EU implementation of norms (Schimmelfennig and Sedelmeier, 2004, 666-667).

All the WBc have signed Stabilisation and Association Agreement (SAA) and are required to approximate their domestic and future legislation in line with the EU acquis and ensure proper implementation. This in turn, requires both financial and administrative resources. Currently, in terms of economic performance, the WBc are characterized by low level of economic growth, high level of unemployment, informal economy, trade deficits and slow liberalization of the market (Osbuild and Bartlett, 2019, 5-6; The World Bank and WIIW, 2020, 13-15). Moreover, according to the World Bank, the WBc is expected to enter a recession in 2020, as a result of the COVID-19 (The World Bank 2020). On the other hand, the public sector is characterised by the politicization of bureaucracy, uneven distribution of human resources, ineffective law enforcement and high level of corruption (Zhelyazkova et al., 2019, 28; Hajdini and Skara, 2017, 54 – 59; Linotte, 2019).

Unlike the accession of CEECs where adoption costs related to Eurosceptic parties in government or in parliament (Zhelyazkova et al., 2019, 29), new types of domestic player appear in the WBc and at certain moments, these factor have reduced both the willingness and capacity to implement EU acquis (Börzel, 2013, 173) or have had produced deadlock with regards to EU accession. The most prominent example is the name dispute between Greece and North Macedonia, which had led Greece to block the start of accession negotiations from 2009 until 2018 with Prespa Agreement. Additionally, the non-recognition of Kosovo as an independent state by several EU Member States may also block Serbia's accession.

While membership credibility appears to be high, internal domestic challenges of the WBs seems to dilute the transformative power.

As the analysis shows, the EU conditionality applied by the EU in the WBc has become more stringent

compared with CEECs. Moreover, enlargement fatigue, increasing euro skepticism, Brexit and recently COVID-19 have made the prospect of EU membership uncertain. This in turn has opened the possibility of non-EU foreign actor to have a presence in the WBc. As HR/VP Federica Mogherini stated in a press conference asked about Russian interference, ‘the Balkans can easily become one of the chessboards where the big power game can be played’ (EEAS, 2017).

The Western Balkan as a Chessboard for non-EU Actors

Following the wars in the 1990s, the EU increased its influence in the region through offering financial aids to undertake the necessary reforms and later, offering the prospective of EU membership. Montenegro applied for accession in 2008. Since June 2012 when negotiations started, Montenegro has opened all EU *acquis* chapter and closed only three chapter. Serbia applied for accession in 2009 and started negotiation in 2014. So far, Serbia has opened 18 out of 35 EU *acquis* chapter and provisionally closed only two (European Western Balkans, 2020). In the best scenario, Serbia and Montenegro, as the frontrunners, will be EU members by 2025 (Juncker, 2017, 32). North Macedonia applied for accession in 2004. Since 2005 when became an official candidate, North Macedonia has not been allowed to start negotiations due to name dispute with Greece. Albanian applied for membership in 2009 and so far has not started negotiations. Kosovo and BiH are facing internal stalemates and contested statehood.

In this context, tired with long waiting to become EU member and plagued by high unemployment and social discontent, the WBc are exposed by other non EU actors that have long histories with the region (Russia and Turkey) or relatively newcomer’s actors which lately their engagement is seen as a potential threat to the liberal values and democratization process induced by EU enlargement perspective (China and the Gulf States). As a common denominator, all these countries use a variety of tools, exerting economic, political, military, cultural and religious leverages over the WBc. While some political elites and experts tend to observe their increasing influence with great suspicion, other see as an opportunity to build up infrastructure, energy projects or to establish special partnership as a leverage for delayed membership.

Russia and Turkey are traditional player involved in the region. Both countries have considerable political, economic, historical and cultural stakes in the country. For Russia, the Western Balkan region is not a sphere of vital interest but, it is symbolically important to assert its power in a region. In 1990, as Jarosław Wiśniewski emphasizes, ‘many in Russia viewed the fall of Yugoslavia as an example of humiliation, where the West ignored Moscow’s views – and the post-Soviet world first saw the blueprint for “color revolutions” (Wiśniewski, 2016). Only after Putin consolidated its political power and strengthened Russian’s global position, he used Kosovo independence to maintain its leverage with Belgrade and ‘as his justification for asserting Russia’s power by fighting in Abkhazia and South Ossetia in 2008 and in Crimea in 2014’ (Wiśniewski, 2016). Thus, for Russia, the Western Balkan is a region where it can extend its global power.

According to European Commission, in 2017, major Western Balkan trade partner is the EU with 47.558 EUR million, followed by China (3.717 EUR million), Russia (3.103 EUR Million) and Turkey (2.830 EUR million). As table 1 shows, Russia’s biggest partner is Serbia, BiH, North Macedonia and in the end Albania. While Russia lags far behind in terms

of financial terms compared to EU, a survey conducted in 2015 found that ‘47% of respondents believed that Russia provides more financial aid than EU’ (Bechev, 2017). Only for the period between 2000 and 2013, the EU contributed €3.5 billion in grants; whereas Russia has only committed to extend a loan of \$338m to the Serbian railways (Bechev, 2017). Main reason of the misperception relates to the Russian outlet operating in Serbia since 2015. Russian *Sputnik* news service provides free content in Serbian languages, making it more likely for local media agencies to republish Russian-friendly news, often without verification. This in turn has increased Russian support from 47.8% to 60 % in June 2017 (Committee on Foreign Relations United States Senate 2018, 82).

Table 1: Major Western Balkan Trade Partners in 2017 (EUR million)

	EU	China	Russia	Turkey
Serbia	22,278	1,689	2,322	1,041
Bosnia and Herzegovina	9,642	624	511	601
North Macedonia	8,236	446	173	371
Albania	4,768	465	97	423
Kosovo	1,412	283		301
Montenegro	1,222	210		93
Total	47,558	3,717	3,103	2,830

Source: Aydıntaşbaş 2019, 15.

Also, Moscow has been able to play an opportunistic spoiler in the WBc by approaching political elite or impeding NATO and the EU enlargement, by using very little political and economic capital. The most pronounced example is BiH, where Moscow has supported vocally Milorad Dodik, the *de facto* leader of Republika Srpska, considered as most solid ally in the Balkans (Bassuener, 2019, 8). Concerning NATO and EU expansion, in 2014, during the discussion at UN Security Council to extend for another year the mandate of EUFOR, Vitaly Churkin Russia’s Ambassador to the UN agreed on the mission important role and made it clear that Russia is ‘against having an international presence in the field of security that could be viewed as an instrument to accelerate the integration for the country into the European Union and NATO’ (DW, 2014). Recently, after the negative decision by French President Emmanuel Macron to veto a date for the start of EU accession negotiations between Albania and North Macedonia, Russia’s Permanent Representative to the EU Vladimir Chizhov invited Albania and North Macedonia to join the Eurasian Economic Union (EEU) as an alternative of the EU. During the Eurasian Economy Forum, Russian diplomat noted that ‘I am sure that the countries, which are candidates for EU membership and have recently been “put on ice” by Brussels, could find more understanding in the Eurasian Economic Union’ (European Western Balkan, 2019a).

As far as Turkey, after the end of Cold War and the dissolution of Yugoslavia, Turkey foreign policy toward the WBc has changed profoundly from defensive realpolitik to the approach ‘zero problem with the neighbors’ and ‘win – win’ politics (Mitrovic, 2014, 9). In the end of 1980s and early 1990s, Turkey started to restructure its foreign policy from ‘being the tail end of Europe into the center of its own newly emerging world’ (EGF, 2013, 6). Following the dissolution of Yugoslavia, Turkey engaged diplomatically on behalf of Bosnia Muslims in international organization. In 1992, Turkey organized a dedicated special meeting for the Bosnian conflict at the Organization of the Islamic Conference. Also, it presented a ‘Action Plan’ for Bosnia at UN Security Council and participated in the London conference

organized by EC concerning the situation in Bosnia (Mitrovic, 2014, 31). After Bosnia war (1992 – 1995), Turkey joined multilateral force to maintain peace and security in Bosnia; a country where Muslim population suffered mostly (Chrzová, 2019, 11). During Kosovo conflict and the quest for independence as well as prolonged time for name dispute between North Macedonia and Greece, Turkey extended its influence in the WBs striving for a mediator role in the region (Vračić, 2016,8).

As AKP came to power in 2002, Turkey begun to intensify its relations with the WBc in two lines: i) promoting culture, religion and education with the WB countries with Muslim population (Bosnia, Kosovo, Albanian and to some extent North Macedonia) and ii) intensifying economic relations with non-Muslim population countries (Serbia, Montenegro and North Macedonia). Ahmet Davutoğlu, the mastermind of Turkey's new Balkan foreign policy, in his famous book, *Strategic Depth: Turkey's International Position*, provided the basis and principles of new Turkish policy which shaped profoundly the approach with the WBc. Davutoğlu took geography as being the first determinant of foreign policy, and history as second, particularly stressing the significant number of Turks with Balkan origin and people from Balkan countries living in Turkey (Mitrovic, 2014, 9; Vračić, 2016).

In the beginning, Turkey paid particular attention to the enhancement of cultural, religious and educational linkages with two Muslims communities of the region: Bosnia and Albania. To enhance its Islamic influence in the Muslim population areas, Turkey has used several state institutions. Firstly, the Turkish Cooperation and Coordination Agency (*TIKA*) has financed the restoration of several Ottoman period monuments and several mosques in the areas populated by Muslims (TIKA, 2013). Another institution very active is the Yunus Emre Foundation, a public foundation whose task is to promote Turkey and its language, history, culture and art. The Yunus Emre Foundation has opened offices across the region (Yunus Emre Institute, 2020), offering Turkish course attended by thousands of students in the region (Vračić, 2016, 13). Finally, the Presidency of Religious Affairs (*Diyanet*), which is an official public whose task is to execute the works concerning the beliefs, worship, ethics of Islam and administer the sacred worshipping places, has provided religious education and facilities for the Muslim communities. *Diyanet* is financing the project of the “Central Mosque” in Kosovo with an estimated cost of \$35- \$40 million and at the same time is financing to build a similar mosque on a 10,000-square-meter parcel in the center of Tirana (Ben-Meir and Xharra, 2018).

Additional to promotion of its Islamic agenda to the Muslim population areas, economic interest came to the fore. According to Meir and Xharra, trade between Turkey and the WBc increased from \$430 million in 2002 to \$3 billion in 2016. Interestingly, roughly one-third of this trade was with Serbia (Ben-Meir and Xharra, 2019). While Turkey supports integration of the WBc both with the EU and at Euro-Atlantic level (Commission, 2010, 37), various academician or politician fears whether Turkey's shift toward more authoritarian rule would have a negative impact on the region.

As for China, the WBc are geographically strategic for the Belt and Road Initiative. In this context, in 2012, China launched the 16+1 initiative for cooperation with the countries of Central and South Europe (Ministry of Foreign Affairs of the People's Republic of China, 2012). Seven years later, in Dubrovnik Summit, the 16+1 initiative extended to Greece (now 17+1 minus Kosovo), which previously had observer status. During the summit, China signed approximately 40 bilateral agreements with partner countries, which included the opening of credit lines between the China Development Bank and Hungary worth €500

million, Croatia worth €300 million, Romania worth €100 million, Bulgaria worth €300 million, and Serbia worth €25 million (Jakóbowski and Seroka, 2019).

While 16+1 initiative with EU Members States is channeled within China – EU dialogue, China supports the EU integration of the WBc. The partnership is seen only in economic terms: as an opportunity to provide entrance to the European market. Using the need of the WBc for infrastructure and connectivity, China is acting in the WBc as an investor, disposing billions of dollars in the form of low interest to finance the building of transport infrastructure, heavy industry and energy projects (Tonchev, 2017). Covering about 85% of the capital, these loans are offered on favorable conditions with long maturity period (around 20 years) and low interest rates (of around 2%) (ibid, 4). So far, Beijing has announced the reconstruction of a Belgrade–Budapest railway; the construction of the Bar–Boljare highway (connecting Montenegro and Serbia); the construction of a highway between Albania and Montenegro; and the construction of highways within Albania, Bosnia and North Macedonia (Tonchev, 2017, 2-3; Zeneli, 2019). Recently, of particular importance is the Huawei Chinese company involvement in the 5G in Albania through a partnership with Vodafone Albania. Immediately after the announcement of the partnership, US Embassy reacted opposing the threats that may come from 5G (Albania News, 2019). Few days later, Albanian government decided to withdraw from the project and signed a Memorandum of Understanding with US Government on 4G and 5G (Tirana Times, 2019).

Finally, the Gulf States – primarily Saudi Arabia, the United Arab Emirates (UAE), Qatar and Kuwait - represent another player in the region. The involvement of the Gulf States can be tracked back during dissolution of Yugoslavia when helped Muslim fellows with financial aid to purchase arms, volunteers' fighter and supplying humanitarian aid (Hänsel and Feyerabend, 2018, 7). Once the war ended (Bosnia and later in Kosovo), many religious foundations became involved in constructing mosque, schools and spreading Wahabi interpretation of Islam which served as a connection with transnational Islamic terrorism like Al Qaida or Islamic State (IS) (ibid, 7).

The influence of the Gulf States is not limited only on the religious aspects or only to the Muslim population countries. The Gulf States have made substantial investment to other non-Muslim countries in the area of construction, agriculture, defense and aviation (Rustemi et al., 2019, 37-87). The two most iconic cases invested by the Gulf States are without doubt the 'Belgrade Waterfront' and 'Buroj Ozene City'. The first is a US \$3 billion project by *Eagle Hills*, an Abu Dhabi-based company, for the redevelopment of the 1.8 million m² site of the Sava riverbank in Belgrade, with the construction of 5,700 homes to accommodate 14,000 people, eight hotels comprising in total 2,200 rooms, the largest shopping mall in the Balkans which includes 140,000 square metre and a 200-meter-high tower (Bartlett et al., 2017, 103-104). The second project, *The Buroj Ozene City*, is a US \$2.5 billion project by Buroj Property Development, a Dubai-based company, for the construction of a tourist city in Trnovo, Bosnia, that would contain thousands of housing units, luxurious hotels, a shopping mall and a hospital (Brunwasser, 2016). Also, Abu Dhabi Fund for development provided EUR36.7 million concessionary loan for development of Tirana-Elbasani road project, of which €13.9 m was disbursed in 2012 (Bartlett et al., 2017, 99).

In conclusion, as the EU shifts its attention to WBc, the influence of these countries became more obviously. The WBc political elite in several public speeches, indirectly, have emphasized the possibility to focus their strategy toward non-EU countries as long as the EU does not provide the promised EU perspective. Therefore, considering the lack of progress of

the WBc to fulfill accession criteria, the enlargement strategy should be revised to make accession more credible.

Revision of the EU Enlargement Methodology and Uncertain future

In June 2018, the Council suggested to open accession negotiation with Macedonia and Albania by June 2019 (General Secretariat of the Council, 2019). However, in the last Brussels summit (October 2019), the French President Macron, vetoed the opening of accession negotiations with North Macedonia and Albania. The EU Member States were divided among themselves whether the veto should be for both candidate countries. The French leader was alone in rejecting Macedonia after successfully resolving a 27-year-old dispute over the Macedonia's name in 2018 by signing the Prespa Agreement, that led to Macedonia changing its name to the Republic of North Macedonia. While in the case of Albania, Macron was supported by the leaders of Denmark and the Netherlands (ESI Report, 2020, 4). Macron defended its decision arguing that the EU should focus on getting its own house in order before considering new members. In Macron words, this momentum 'is a dispute about vision' and 'the enlargement rules need reform' (Bechev, 2019).

Macron veto had two unintended consequences. Firstly, a day later after refusal, the Prime Minister of North Macedonia Zoran Zaev called for early elections and resigned. Such decision jeopardized the North Macedonia stability. During the electoral campaigning, VMRO-DPMNE has promised to annul the Prespa Agreement with Greece (Shqiptarja.com, 2020) and would have consequences for the entire region if the conservative-nationalist VMRO-DPMNE parties win elections (Santora, 2019).

Secondly, the French veto opened a political debate on enlargement policy (Delevic and Prelec, 2020). Considered by the then European Commission president Jean-Claude Juncker as a 'historic mistake' (European Western Balkans, 2019b), on 15 November 2019, French government circulated to EU diplomats a six-page letter on the 'gradual association' of the WBc, which was the basis for a 'reformed approach to the [EU] accession process' (Politico.eu, 2019). Reaffirming 'unequal support to the European perspective of the Western Balkan countries' which 'belong to Europe by virtue of their history, culture and geography', the French paper justified Macron's veto emphasizing that the past 20 years of EU intervention in the Western Balkans had yielded 'too slow' progress and 'insufficient benefits' for its people.

Pursuant to French proposal and the call of several experts and think tanks to revise the EU enlargement methodology (ESI Report, 2020; Kacarska, 2019; Delevic and Prelec, 2020), on 5 February 2020, the Commission published its new methodology (Commission, 2020a). As stated by the European Commissioner Olivér Várhelyi, the purpose of revised methodology is to 're-establish a credible EU perspective for the Western Balkans' (Commission, 2020b).

The new enlargement methodology is based consists on a more credible process built on trust, mutual confidence and clear commitment by both the EU and the WBc.

The proposal suggests the reinforcement of credibility through even stronger fundamental reforms, starting with the rule of law; functioning of democratic institutions and public institution and market economy. According to the Commission, the

political nature of accession process requires a strong political steer and engagement at the

highest levels. Therefore, the Commission proposes to increase the involvement of high level political and policy dialogue through EU and WBc in a form of a summit or ministerial meetings. Additionally, Member States should be involved in monitoring and reviewing processes. Involvement of high political actors or experts from Member States may politicize the accession talks and put into the question the credibility of the Commission's technical assessments. However, it remains to be seen in the future. The third principle is a more dynamic process. Instead of French proposal suggesting 7 stages, Commission proposes to group the negotiation chapters in 6 thematic clusters. Negotiation on the fundamentals would be open in the beginning. Each cluster will be open as a whole and the Commission proposes a timeframe to open and close the cluster. Finally, the Commission will provide more clarity on the rewards expected in different stages of process and negative consequences when no progress has been achieved.

The revised methodology remains silent on the reversibility of the process, as proposed by French government, for the candidate countries, which no longer meets certain criteria or ceases to fulfill the commitments undertaken (Politico.eu, 2019). Furthermore, the revised methodology left open the issue whether Serbia and Montenegro will follow this strategy or to continue with the old one. It remains to be seen whether new rules will satisfy France and confirm the European perspectives, or whether Albania and North Macedonia have to spend more time in 'waiting room'.

On 1 July 2020, Commission presented to the Council draft negotiating frameworks for both Albania and North Macedonia, laying out the guidelines and principles for their accession talks. The draft negotiating framework is divided into three parts: i) principles governing the accession negotiations, ii) substance of the negotiations, and iii) negotiations procedure (Commission, 2020c). The ultimate goal of negotiations is the adoption of the EU *acquis* in its entirety and ensuring full implementation.

Conclusion

The EU enlargement policy of EU towards the WBc shows the complex relationship characterized by the two main driving forces of maintaining security within the region and transforming the region through achieving economic prosperity and growth. Both of these forces are interrelated and overlap with each other. The EU has deployed several civilian and military missions aiming to maintain security and help these countries in state building processes. In this regard, the EU policy for the region is twofold: the stabilization of the region in terms of security, and the accession of these countries to the EU. For this reason, the EU introduced SAP, which deals with these two issues and is specially designed to stabilize and strengthen security in the region and to make accession more likely.

On the other hand, association of the countries in the EU is linked with conditionality, aiming to enhance democratic reforms, market economy, good governance and legal approximation, with the ultimate aim of reaching EU standards and being admitted into EU.

In the case of WBc, lack of the EU to replicate the 'transformative power' in the WBc hinders the risk of this region to return to authoritarianism. The paper argued that all WBc are losing ground on the rule of law, media freedoms, and democratic accountability. State capture, erosion of independent media, and the growth of corrupt patronage networks are omnipresent. Also, a disagreement over regional cooperation exists among WBc leaders.

Recently, the North Macedonia, Serbia and Albania came up with the idea of a Mini-Schengen. The initiative aims at creating a free trade and free-travel zone between the three countries by 2021 (European Western Balkan, 2019c). On the same day, the President of Kosovo, Hashim Thaci wrote a status on his official Facebook page arguing that the initiative is meaningless since neither Serbia nor BiH recognize Kosovo as an independent state. With the new Kosovo Prime Minister Hoti, it is questionable whether the 'mini-Schengen' idea will succeed. It is obvious that without clear prospects of EU membership, the WBc could very well shy away from the EU.

Furthermore, the ambiguity of EU strategy toward WBc exposes the region to other non-EU actors like Russia, Turkey, China, and several Persian Gulf states which are exerting greater economic, political and religion influence in the Western Balkans. The EU needs to follow a credible approach with the WBc and most importantly, to give the WBc government a sense of certainty of future accession based on clear criteria. If the region remains in the 'waiting room', an alliance with Turkey and Russia will become more attractive than waiting indefinitely to become part of the EU. Consequently, EU membership should be based on its own merits principle and not be considered as a bureaucracy issue or left in the hand of Member States to assert their veto power.

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MAIN DOMESTIC CHALLENGES OF ALBANIA TOWARDS EUROPEAN UNION INTEGRATION: JUSTICE REFORM ON THE FOCUS

DEA BASHKURTI

Abstract

This article discusses Europeanization as a long-term public policy process for all governments in Albania since the fall of communism, regardless of their political orientations. The European integration process has been the driving force of Albanian transformation, democratization and modernization, yet it has not come without costs. These are the main domestic challenges and if they are not fully implemented there will be no green light for Albania in European Union.

Keywords: Albania, European Union, integration, reforms, justice system, open negotiations, requirements, institutions

Introduction

Albania integration in the European Union is a long-time process determined at the same time by country commitment on implementation of domestic reforms to meet the criteria and standards and by the EU inside development and its enlargement policy toward the Western Balkans generally and to Albania in particular.

In these complex factors influencing the general process and the speed of Albania integration in the EU sometime domestic reforms are determining the evaluation of Country performance based on the requirements of the EU for Albania. In other circumstances there are EU challenges coming from inside organization or individual member states that influence the EU generally and enlargement policy particularly.

Among the reforms required for Albania democracy and democratization and further integration processes toward the EU integration the justice reform is priority. It is complex, painful and not a perfect reform. But, at last instance it will depend on how this justice reform will be carried out in the Country and how it will impact the country governance, rule of law, human rights that the accession negotiation between EU and Albania will be continuing in the future.

Historical Background

After the fall of the communist regime in 1991, Albania entered the new era of developments. The country inherited bad legacy from the past. Mostly in three aspects the communist legacy let serious consequences over Albania's future: the political dictatorship, economic recession and international self-isolation. This inherited legacy let behind a lot of consequences that would take a long time for Albania to be recovered. In this huge transformation toward democracy, market economy and human rights, the European integration would be a strong

motivation for the country, entire population and its leadership (Biberaj, 1999).

Albania was the first country in the region to sign Trade and Cooperation Agreement with EU in 1992. This agreement became eligible for funding under the EU Phare program. Five years later, in 1997 EU Council of Ministers established political and economic conditionality for the development of Albania-EU bilateral relations. After the Yugoslav dissolution and crisis, the EU proposed the new Stabilization and Association Process (SAP) for five countries of Southeastern Europe including Albania. From 1999, Albania was the first to benefit from the Autonomous Trade Preferences with the EU, getting in the year 2000 duty-free access to the EU market for several products made in Albania.

During the Summit of June 2000, the European Council stated that all the SAP countries are "potential candidates" for EU membership therefore six month later in Zagreb Summit; the SAP was officially endorsed by the EU and the Western Balkan countries, including Albania. In the following year, the Commission recommended the undertaking of negotiations on a Stabilization and Association Agreement (SAA) with Albania. The directives of EU were prepared for the negotiation of a SAA with Albania in 2002 and were adopted on 31 January 2003. It was the time when the President of EU commission Romano Prodi officially launches the negotiations for a SAA between the EU and Albania.

In the EU-Balkan relationship, the Thessaloniki Summit in June 2004 is considered a historical event. The Thessaloniki Summit confirmed the EU policy for the Western Balkans and the EU perspective for these countries. Such all the countries participating in the SAP started to be eligible for EU accession and would join the EU once they would become ready. On this spirit in December 2005 the Council made the decision on the principles of a revised European Partnership for Albania and on 12 June 2006 the SAA was signed at the General Affairs and External Relations Council in Luxembourg.

On 9 November 2006, the European Commission decided to start visa facilitation negotiations with Albania, and on 13 April 2007 the visa facilitation agreement was signed in Zagreb. The signing was the first step toward a full abolishment of the visa requirements and the free movement of the Albanian citizens in the EU. On 14 January 2009, the SAA ratification process by all the member states was completed and on 1 April 2009 The SAA between EU and Albania entered into force.

Albania formally applied for membership in the European Union on 28 April 2009. On 16 November 2009 upon the recommendation of the Council of the EU the European Commission started to prepare an assessment on Albania's readiness to start accession negotiations. The questionnaire on accession preparation was submitted to the Albanian government by the EU commission. Five year later on 14 April 2010 Albania sent answers on the European Commission's questionnaire. Despite this fact the candidacy status was not granted to the Country in December 2010 due to the long-lasting political domestic crisis. Unfortunately, the candidacy status was not granted, in December 2010, due to the long-lasting domestic challenges. The desire for EU to integrate Albania was demonstrated when the European Commission proposed visa free travel for Albania to Schengen Area. The Council of EU approved it in December 2010, and it is considered the greatest achievement of Albania in this integration process.

At the fifth "High Level Dialogue meeting" in March 2015, between Albania and EU, the EU Commissioner for Enlargement notified Albania the setting of a start date for accession negotiations to begin still required the following two conditions to be met: the first, the

government need to reopen political dialogue with the parliamentary opposition, and, the second, Albania must deliver quality reforms for all 5 earlier identified key areas not yet complied. These are public administration, rule of law, corruption, organized crime, and fundamental rights. This stance was supported by the European Parliament through passing a Resolution comment in April 2015, which agreed with all conclusions drawn by the Commission's latest 2014 Progress Report on Albania.

Conditioned opening Accession Negotiations

In March 2020, the European Council finally confirmed to Albania, on opening negotiations on European Union membership (Commission welcomes the green light to opening of accession talks with Albania and North Macedonia, 2020). The confirmation was given after taking into consideration the progress that the candidate state has made during this year but still, EU once more appeared to emphasize on the promises. Beginning the process of negotiations, it is a complex and difficult process, nevertheless during a global pandemic, in which the country should be fully committed to revive the economy and support its citizens, which have suffered the consequences (Lessenska, 2020). Albania public service and institutions have to demonstrate the full capabilities in managing the situation. The government of Albania should be focused on the successfully completing the conditionalities required by EU. In these times of crisis due to global pandemic to complete the process of accession, the state should be persistent and dedicated on this journey (Lessenska, 2020).

Crisis times have witnessed a growing geopolitical influence in the region of other states as Turkey, China and Russia in the Western Balkans region.

It is in the interest of European Union to emphasize the importance of integrating this region and to try to keep these geopolitical factors outside the Balkans (Lessenska, 2020). As the other Western Balkan states, Albania has been fully focused on the integration process in EU by carrying out major reforms which require making

significant sacrifices. This dedication of the candidate state has made EU more forward and direct in declaration and requests. European Union has publicly declared that opening the negotiations is only the first step on this intense and difficult process. The new methodology adopted last year by the EU, make the process more open, more transparent, inclusive, dynamic and reversible. The new methodology is a new challenge for Western Balkans.

The prime minister is the key personality whose decisions can directly affect the integration process of Albania. EU representatives in the respective state will carefully follow the leader's political moves. The main political agenda is mainly focused on the reforms of economy, politics and society. Even though in difficult time for the whole world, the European Union took the chance and approved the candidate status for Albania. It is time for Albania to give the example in Western Balkans as a democratic state ready to be integrated.

Even though Albania is a step closer on the integration process, German Bundestag adopted last year, October 2019, the resolution by confirming the German Government to support the accession negotiations talks with Albania, additionally listing the conditions required. These condition furthermore, have been adopted to the European Council conclusions this year, March 2020 (Ivković, 2020).

These conditions are the main domestic problems, which challenges the Albania process toward European Union. Firstly, it is the judicial reform, in which the functioning of the Constitutional Court and the High Court are still in the process (Ivković, 2020). Due to the all-encompassing judicial reform in the country, which saw the resignations and dismissals of many judges, the Constitutional Court had only one member out of nine in December 2019. Now it has four, which still means it cannot hold plenary sittings, for which at least six judges are required. Of course, the most notable reform effort of Albania in recent years – the vetting process of judges – still has ways to go (Ivković, 2020). According to Commission's updated report on the country form March 2020, there have been 234 cases of vetting out of the total of 811. Overall, so far 60% of the vetted magistrates were either dismissed or they resigned. According to European Western Balkan Portal analysis of the process last year, noting that, despite the positive outcomes, which are also recognized by the EU, the pace of the process needs to accelerate. If it remains on this level, the process could end in 2027, six years after the original deadline (2021) (Ivković, 2020).

Another centerpiece of the judicial reform, which started in 2016, was the establishment of the Special Anti-Corruption and Organized Crime Structure (SPAK), which consists of Special Prosecution Office and National Bureau of Investigation (Ivković, 2020). In the beginning of August, The High Council of Prosecutors appointed the Head of the National Bureau of Investigation. After this step the Bureau will be fully accomplished with full staff. The Council of the EU has made it clear that, in addition to setting up the anti-corruption bodies, Albania will have to demonstrate a track record of dealing with corruption cases, including initiation of criminal procedures against judges and prosecutors accused of criminal conduct during the vetting process, initiation of proceedings against those accused of vote buying, as well as against high ranking public officials and politicians (Ivković, 2020).

One of the biggest political controversies last year centered on the “anti-defamation package” of media laws, adopted by the Parliament in December. The President originally refused to sign the bill into the law and the journalists protested the government-proposed legislation on the streets. Now the Council expects amending the media law in line with the recommendations of the Venice Commission. The ‘anti-defamation package’ introduces restrictive measures to the freedom of information in Albania, by means of adopting a mandatory registration of online media outlets and provision of administrative bodies with extensive powers which go beyond their mandate, it allows by law to levying heavy fines and closure of these online media. The initiative relies on the government's intention to fight against disinformation, although in this regard there has been many accusations by the opposition for the government abusing the power given by the people, also on the extent to which the anti-defamation package content was sold to the general public as in line with the recommendations of EU and Council of Europe

As above mentions the EU was the main, most important factor in the transition reforms process of Albania since the fall of the communist regime. Through the years, the EU conditionalities in this case have been ineffective, due to the lack of the political leadership towards integration and the persistence in solving the main issues slowing down this process (Bieber, 2011). The key areas where the European Commission Report has published every year are public administration reform, rule of law, corruption, organized crime and fundamental rights. Through these years EU has been present in the transition process by transferring not only economic and security but also norms, ideas, institutions and practices into Albanian society (Tholens, S., & Groß, L., 2015).

These domestic challenges reflect Albania as not yet matured democracy facing poor results in reforms and unfavorable domestic conditions.

European Union is not yet willingly for integrating Albania in the organization because the domestic challenges that are lingering for many years in the country regarding the government, institutions and society. According to Arolda Elbasani, very little research is done on whether and how the challenging factors on the domestic side might threaten the integration process (Elbasani, 2013). Albania is known as a weak state due to lack of resources as well as institution structures of corruption and clientelism (Dabrowski, M., & Myachenkova, Y., 2018).

The process of integration towards EU is impacted by the lack of capacity in Albania for state and the institutional building. The comparative analysis shows that the Center and Eastern European previous candidates implemented clear strategy of integrations and worked with rigorous discipline in democratic institution building and implemented successfully the post-communist reforms (Johnson, 2001). These abovementioned countries also shared the same past communist regime as Albania had. So, it is unreasonable justification for Albania that the communist regime might have impacted the current situation.

Taking into account the Treaty of Lisbon the integration process is based on the individual performance evaluation of each aspirant Country that wants to become full member of the EU. This individual performance evaluation is very inclusive decision-making process including the EU institutions, EU Commission, EU Council, EU Parliament as well as all individual member states of the EU. Formally in the Treaty of Lisbon there are criteria and certain standards for each aspirant country to be met. There are political, legal and economic criteria known as Copenhagen criteria as well as administrative adopted Madrid criteria. There are also 35 Chapters standards requirements to be fulfilled by candidate country in order to become full EU member. This process goes through individual continuing homework for each candidate country to meet the criteria as well as through a negotiation process between candidate country and EU to approach each other. Albania on its own should be focused to speed up its domestic reforms in order the EU criteria and standards to be met. It will improve its individual performance and EU individual evaluation (Strelkov, 2016).

Conclusions

The progress of the integration process of Albania through these years has been very complex with ups and downs. The politics and leaders dismissed the declarations by EU to take action and solve these domestic issues which at that time would have been much easier to recovers rather than reforming from the core. These domestic challenges have been building up in every step and that is the reason why the process of integration began to get slower and slower through historical analysis. It is the responsibility of the government and the state institutions to take actions and implementation of these reforms.

Albania's reforms efforts toward the EU integration process is closely observed and assisted by the Commission of European Union and its delegation accredited in Tirana.

One of the most serious challenges in Albania is the gap between adopted reforms and laws on paper and their implementation. Also, the evaluation process is suffering inefficiency. The future of Albania integrating in European Union will be very much depended on the reforms

and laws adopted, on their fully implementations process as well as on the evaluation. On the EU prospective Albania and Western Balkans are extremely important factors in the international arena.

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ETHNIC POLITICAL IDENTITY IN KOSOVO

KRISTIAN LIKA

Abstract

This article speaks of the conditions that have occurred in the formation of Kosovo Constitution after 2008 and tries to scrutinize the application of fundamental state building theories. It questions whether the institutional instruments are efficiently operating parallel to the supposed political principles and its effect on society. The purpose of the article is to review the cross-relationship of political factors that boost the ethnic-relationship along communities. Literature review extends to understand the conditional requirements of consociationalism theory application in Kosovo political competition. Afterwards, the paper tries to reason the meanings of political behavior under the Constitutional rules. Then, the paper lengths to aware the social-tools politicians use on the purpose of elite needs. Methodology is a mix qualitative-quantitative, where after the exploration of the literature, the outcome is reflected by survey collection of international and local organizations narrowed at the community's responses on the main issues and their desires of cooperation. The results are focused to perceive the situation of how society adapts to the political climate and the consequences that derive from it. The data collection has potential limitations on its proficiency. Firstly, for the same question addressed to both communities, there is negligence to verify if each group perceives the content similarly. Secondly, there were not too many follow-up data correlated directly to inter-ethnic communication and the results may leave space for speculation.

Keywords: identity, ethnic conflicts, Kosovo, state building

Political System of Kosovo in Theory and Practice

Starting from 1948 with the Universal Declaration of Human Rights, there has been a linear development on a global scale to transfer the minority rights from domestic policy to international level. Despite the absence of explicitly mentioned minority in this declaration, there is the assurance of every individual to be granted the freedom of practicing comfortably its cultural anthropomorphic heritage.

Following the events, in 1976 the International Covenant on Civil and Political Rights recognizes the inherent and equal rights of all members of the human family and in the Article 27, it emphasizes the importance that every member of minority groups to not be denied the right to practice its own culture, religion, and language (Rights, 23 March 1976). Furthermore, the European Union persists that every country that aspires to join the organization shall require fulfilling the institutional stability in respect and protection of minorities as it is stated in the Copenhagen Criteria. Also, NATO has a precondition of

stabilized ethnicity relations of every domestic policy that wish to strategically join the organization. Indeed, it is understood that minority rights are gaining widespread legitimacy globally and is a policy undertaken into the responsibility of international law.

The establishment of Kosovo's Constitution, supervised by international factors, is made to suffice post-conflicts societies and to reduce the anger between ethnicities.

Kosovo's Republic foundation is also based on the same principles. Still, Kymlicka and Opalski argue that the relationship quality of ethnic groups in a post-conflict society directly affects the democratization process, and it distances itself if settlement, boundary, and language policies are significantly different (W. Kymlicka, 2001).

In post-conflict societies, where groups are still deeply divided, consociational democracy is considered as the adjustable system that enables peace and stability (Andeweg, 2000). Arend Lijphart (1977) theorizes the concept of consociational democracy as a political system where the government is inevitably created by a coalition where all ethnic groups are involved and represented. Every selection of government seats that is made through election calculated by the notion of proportionality and every minority group has a veto right to stand when the matter asks.

Sisks (1996) notice that ordinary engagement between minorities should start with them owning a sense of autonomy on their own. He suggests that the consociational model shall take form by attributing a territorial autonomy, communal federation based on ethnic population, proportional representation in administration, and a legal framework that guarantees minority rights. In this way, the minority ethnic groups won't feel oppressed or discriminated and this policy pushes away the elite nationalism impact of "survival for the fittest" political campaigns of the last century. Thus, the interaction between groups will step forward by finding consensus with each other rather than conflicts.

The consociational democracy institutionalizes the decisions on a demographic scale by giving opportunity ethnicities to self-govern on their territory and later to find agreement by power-sharing governmental structure and by reaching consensus on every decision with the premise that coherent problems will push the need for future long-term bargains and disvalue hatred policies. In that order, democratic development will emphasize elite cooperation, premising multi-ethnic political stability, and develop a political culture of consensus.

Even though the purpose of consociational democracy stands to give ethnic groups fair credibility in their relationship, still, it doesn't absolutely shrink the subjectivity interpretation during a political settlement. According to McCulloch (2014), by providing separate institutional, legislative, and executive entrenchment to ethnic groups, their individuals willingly are going to feel more representative of their group. Thus, as being fueled and fulfilled by their ethnic background, they will not be favorable to seek a universal citizenship and it is most common that the competitiveness between will be the main focus of them all. Here, we can also identify it in practice in the case of Bosnia and Herzegovina.

The conflict of Kosovo-Serbian is not a conflict of just one territory rather than a conflict of ethnic superiority between Albanian and Serbs, exceeded to extreme limits with the help of the nationalism fueled by the late communist influence. Despite it, Kosovo is facing the same issue of non-cooperation even though this system is being applied. Differently from Bosnia and Herzegovina or any other, the Albanian ethnic community demographically dominates

Kosovo. It is estimated that nearly 90% are Albanians and the other 10% are from other groups, most widely Serbs. Although the demographic quantity difference is more than significant, the notion of a consociational system is more applied in the principles to motivate the closeness between both groups.

As we have seen, in the first decade of declaring independence from the Yugoslavian regime and adopting a political system that favors a multi-ethnic society, the Serbian and Albanian political elite on Kosovo claims itself displeased by the outcome. The present serves us with a political reality where both elites module their agenda on the basis of ethnicity. Political entrepreneurs of today are more oriented to an ethnical mobilization of the society by accounting their agenda on the common myths, history, legal rights and indirectly fixating the state identity through the educational system by building a shared identity not able to interact with the other side.

The Kosovo Serbian elite is strongly affiliated by Belgrade's policy agenda in Kosovo. The community gets along in a parallel system where it participates in both sides of governmental structure. They rely on Belgrade's government for security, salaries, and employment while endures pressures on the separation policies of the "North" (Baliqi, 2018). Thus, they obtain the autonomous and self-governing perspective from the vulnerable dependency by the country across the border.

Therefore, the inner-connection of communities in Kosovo are determined by the offspring of border-relationship between governments and their agenda. Hence, the central source of the contradicts between the elites is concentrated due to the fact of how they understand the power-sharing relationship with each- other. The Albanian majority community accepts the identity boundary among itself and the Serbian community but also perceives a boundary between this community and the external factors. Meanwhile, the Serbian community perceives a boundary between itself and the majority group while they do not mark a contemporary line with the Serbian state.

This behavior status and recognition erect many complexities in fundamental discussions of the state-building and reconciliation policies between social groups. Under this condition, both parties tend to be more integrated to follow the nationhood collaboration of supporters as they find it as the easiest way rather than the citizenship one. This status position raises many questions if, are political elites attempting to cooperate for a more cohesive government apparatus, or are they willing to extend their autonomy or secession?

Ethnic Communities and their Constitutional Rights in Kosovo

One of the fundamental tools of reconciliation between the ethnic groups in Kosovo has been also to provide the rights and demands of one ethnic group's claims in the constitution.

To achieve wider stability, the constitution of Kosovo underlines a list of factors that the political elite must fulfill to please the needs of each social construction and to motivate further corporation and negotiation in the future.

In Article 58, the Constitution of Kosovo delegates responsibility to the state to notice the reconciliation and the responsibility towards minor groups to

prevent any forms of discrimination by the democratic majority selected government. As it does in the “Chapter of Fundamental Rights and Freedoms”, the state prohibits any form of inhumanity, cruelty, psychological and physical damage or any degrading treatment towards every citizen, the same line is followed in the respect of communal nationalistic beliefs and culture. The seven points of the Article obliges state institutions to “adopt adequate measures as may be necessary to promote, in all areas of economic, social, political and cultural life, full and effective equality among members of communities”.

Following, the Constitution dedicates a specific chapter in line with Article 59 where minorities are attributed to community rights alike as in their sovereign state. Citizens are given the right to receive and invest in any educational, cultural, artistic, religious, and scientific level with the purpose to maintain and develop essential levels of its identity. The usage of mother-tongue and its alphabet is permitted in the areas and municipalities they represent as well as media broadcast or other informative platforms. They are free to manifest their symbols, rituals, origin, in public life when it is needed without fear of discrimination from third parties.

In Article 60, under the backup of the Presidency along with laws “On the Protection and Promotion of the Rights of Communities and their Members in Kosovo”, a Consultative Council for Communities is formed under the responsibility of accounting the minority community views in relation of the public policies of state institutions, provide the opinions of the communities concerning specific laws and its application, serve as a mediator, coordinator, consultation between communities and the government, to provide continuity in the recognition of communities need.

This law guarantees the right of non-majority communities to have equal representation at all levels in public administration bodies and police service as an autonomous right of self-governing.

As a consensual democracy, in Article 64, the Constitution states 20 out of 120 seats in the Assembly are reserved for minority groups. This law prevents any natural democratic attempt by the majority to create a monopoly inside the parliament, also it gives a special treatment towards Kosovo-Serbs where 10 out of 20 seats are reserved for them no matter what the results are. The other 10 seats are shared among other communities, but as long as one minority party gets more votes, legally, it gets the seats it deserves.

Furthermore, the Constitution categorically denies any attempt to change by a referendum “8-Laws” that are directly bonded with the minority-majority interaction in the protection of the community's cultural heritage and rights as they are seen as vital to promote democracy and tolerance through the state.

In Article 96, it is stated that the Constitution can function only if, in the establishment of every new government, there should be a minister post lead by the Serbian Community and the other by another minority. Also, if the government requires more than 12 ministries, a third one shall be represented by the minority groups.

The constitution of Kosovo provides the opportunity of minority participation in the Supreme Court in the judicial system. Two out of nine judges must be community representatives, and their selection has to be approved by the majority vote of the deputies in the Assembly that hold seats on the as Community representatives.

The principles of Constitutional Rights are empowered to boost the interaction of the communities towards a common identity under citizenship dogma. Still, the obstacles are vehemently significant, and they have no tendency to fusion for a heterogenic outcome. The reconciliation policies have turned to national proportionality boundaries, where ethnic groups conceptualize the institutional rights as self-interested. There is a consequential natural line within the ethnicity and nationalism focused on group hegemony which causes difficulties for establishing an equivalent functional group, that overcomes the nationhood rationality and promotes reasonability with the given circumstances.

Contradictory, the institutional distinct have silent the conflict in a short time but have footprinted the long-term boundary within groups. Indirectly, communities now participate, promote, and deliver task or policies through institution by their ethnic marks, that supposedly has to corporate for a common identity, without establishing platforms to light the interior feeling of belonging.

Youth Ethnic Relationship between Serbs and Albanians in Kosovo

The aftermath of the Kosovo War and its comprehensive damage have consequently made it difficult to follow up with statistics and studies on the relationship of the youth generation of both ethnic groups. Also, by considering the slow political progress on state-building and reconciliation policies by the political elite of both groups, Kosovo people are encountered in front of a wall that disallows the future economic progress and development.

Young Kosovars people of that belong to 10-24y group age today are estimated to be the largest group of population in Kosovo (ASK, 2016). Mostly, young people in today's Kosovo are the continuation of the generation of post-1990, a period when the conflict affected their predecessors, making its footprints very emotional, sensitive, and part of the everyday life in family ties and the outside world of the Kosovars. Still today, we realize an uprising desire of both ethnic youths to migrate away from Kosovo as regional conflicts stay unresolved and postponed.

The wartime trauma is a common experience in Kosovo, but it is both contested by the one-ways of interpretations. This experience can be placed in practice to modulate the process of reconciliation in Kosovo whereby can get underway the division of identities of the future generation. In accordance with Nigel Hunt, war trauma experience and memories affect the social discourse to reshape the individual collective identity. Meanwhile, as the historic framework is distantly closed with the present reality it suffices to create a personal narrative of national identity in private and public life implicating separation of ethnic relationship in the youth perspective (Baliqi, February 2017).

Also, commemoration days are hegemonically shaped and they remain subjectively interpreted on their way by causing irritation among citizens. In principle, public objects, memorials, symbols, and honorable rituals serve as a tool to remember historical events whereby can be used to boost future political ideologies (Ashplant, 2000). Meanwhile, the dynamics of post-war consequences are at the social level. As political elites' dogma in Kosovo remains separated into the interpretation of the same period and their position in the history, the tension has yet not faded away by strengthening the wall bloc of social engagement between Kosovars of different ethnicities, and thus consequently the social

strategic development relict low.

Even in the educational system, the history of the inter-ethnic relation is served based on national narratives of both communities. The curriculum is built and taught on purposes of political-ideological affiliation. Each side justifies its nation action of the same period as rightfully undertaken given the circumstances of history and emphasize the wrongdoings of the other part as devil marks, often contesting the historiography (Anna Di Lellio, February 2017). Textbooks, content politicization, and education curriculum on teaching young citizens remain an active problem in Kosovo as it is supervised directly from political institutions and naturally obeyed by the national altruistic behavior of public servants.

Currently to live with.

The world history has faced many conquests that have lasted more than twenty years and has had a lesser impact on political elites to fuel the masses. Today, the same way as it did nearly 30 years ago, we listen to the nationalistic myths whispering in the social ground attempting to evoke the imaginary ghost that divides ethnicities in Kosovo. After the international intervention, to give an end to the conflict of Albanian and Serbs, there was a huge pressure to get under building the right institutions to secure the peace in the region.

The institution establishment, as we have described above, goes in detail to emphasize the necessity and duties of the majority-minority relationship, but lesser has gone under the responsibility of each group alone must-have. The institutional bargain of ethnic groups appears as a perfect tool of reconciliation and integration where it exits any opportunity of political dictatorship acts to outperform the other. Nevertheless, since it was imposed by the international pressure and not internalized by political actors first, it has kept the political acts concentrated in its primitive stages.

In a survey conducted by UNPD in 2018 (USAID, 2018), approximately less than 33% only believed in the effectiveness of central institutions, administrations, and courts. In the NDI survey of 2019 (2019), the percentage of trust towards assembly, judiciary, the presidency, and political governance kept as lower as an average of 26%. Currently, the youth stands highly motivated to attend educational institutions even if they show a relatively high level of pessimist ranked 55% about its quality in a survey made by IDRA (2012).

The surveys give a panorama of how the institutions are monopolized based on the priority of political agenda that regardless of their purpose, emphasizes the contrast between ethnic lines. Often, the advantage is possessed through creating holiday events, political soap operas and celebrations on the purpose to irritate the memory of the other community and to contest its historic continuity. The society on its side, whereas feels alienated from the political agenda, find itself vulnerable by the political act, consequent to the comprehensive conditions of the new state.

Political inconsistency has played a major role to marginalize future opportunities and to enhance populist rhetoric as a key tool of diplomatic bargaining.

The dissatisfaction of the citizens derives by the current direction politics is going, and the Kosovo instability to produce economic growth is one of the biggest consequences. Kosovo's economic conditions are rated as the lowest in the region of Europe and its youth unemployment escalates to 70% (World Bank Group, 2017).

The relation between communities remains constantly low but the economic difficulties have slightly increased a positive shift towards the consensus to be part of the same working environment where 35% of both sides agree to live along and be part of a mixed labor sector. Still, they do not see it as acceptable to form family ties as only less than 3% react optimistically to this case (UNPD, 2013).

Political identity in Kosovo endures distinct in its axolotl level without promoting any future alternative on which ethnicity feature won't be a significant factor towards the next step forward. There is a declivable approach by the political factor that doesn't recognize its identity constructive or changeable through the time to benefit the common welfare. Social groups are pre-determined at that level where they do not engage with others.

Also, Kosovo's government does not fulfill the monetary fund requirements to engage its policy in social cohesion and reconciliation and the international community ought to be more involved through workshops, volunteering programs, exchanges, etc. to engage the future generation. The Kosovo of today as every state in Balkan, regarding its communal conditions where the population is mixed by ethnicities in its borders, offers a great opportunity to be an example of a democratic state, where ethnicities are harmonically connected and become part to boost the general welfare prosperity.

Following the current issue and the continuous involvement of the Serbian national politics on the domestic level there will be less progress in ethnic community to integrate in forming a common identity with shared similarities to come closer to cooperation. There is a need of acknowledging each group responsibility and understanding its coexistence with the past with humbly respect. Without it, there will be an infinite rotation of the first step.

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ETHNIC NATIONALISM AND PARTY POLITICS IN WESTERN BALKAN COUNTRIES

ENTELE SALLIU

Abstract

The core issue of this paper is ethnic nationalism in Western Balkan countries with a special attention given to nationalist parties inside the territory of Bosnia and Herzegovina. This study presents and explains what ethnic nationalism is, its causes in the region and how it is used by leaders in order to remain in power. This research examines how a nationalist party in Bosnia and Herzegovina is controlling the country and it seeks to understand why is so hard for other parties to succeed in the political arena. The main focus is on the reasons that impede the succession of multiethnic parties to come in power and to remove nationalistic parties. The remaining in power of nationalist parties it is considered as the main cause why countries in Western Balkan have had stagnation in their economies and moreover, they are far away of what is called a democratic regime. This study it is based on qualitative analyses. The results showed that nationalist parties are more successful than multiethnic parties in Bosnia and Herzegovina mainly because they are favored by the electoral process and people lack knowledge about these parties, their leaders or politicians and their programme.

Keywords: Nationalism, Western Balkan, political parties, multiethnic parties, Bosnia and Herzegovina

Introduction

The focus of this paper is the study of ethnic nationalism and political parties in Western Balkan with a special attention given to nationalist parties in Bosnia and Herzegovina and their success toward multi-ethnic parties. This topic is important because ethnic nationalism is still present in Western Balkan region and impedes democracy and leave countries outside the international organizations such as European Union. Ethnic nationalism it is described as the main element that characterized Western Balkan countries during the 1990s and responsible for the disasters and suffering happened inside the region. Nationalism has been the ultimate force that politicians in the region have used to be part of several and important international organizations and in the same time to raise the pressure of membership in the European Union. Nationalism it is the key of impeding the solidity in the region. There is not a full solution to this phenomenon, but there are some steps which can be taken to make a difference in the region.

Literature Review

Ethnic nationalism means belonging to a certain group which shares the same attributes with you such as religion, language, shared historical memory, culture or any other similar traits (Muscato, 2017). Ethnicity is tightly linked with nationalism. But in difference from ethnic nationalism, nationalism is more ideological and political (Kellas, 1998, 5). When ethnicity becomes nationalist, then the state is in danger and ethnic conflicts are likely to happen. Ethnic nationalism it is described as the main element that characterized Western Balkan countries during the 1990s and responsible for the disasters and suffering happened inside the region (Nordman, 2015). Time showed that it was the most powerful weapon that politician figures used in order to come in power. Even though countries in Western Balkan region are trying to be part of the European Union, the wave of misunderstandings and tensions between ethnic groups and nationalist rhetoric politicians have not disappeared yet (Nordman, 2015). Nationalism has been the ultimate force that politicians in the region have used to be part of several and important international organizations and in the same time to raise the pressure of membership in the European Union. Nationalism it is the key of impeding the solidity in the region (Nordman, 2015).

Nationalism has been the language and the political ideology that leaders and elite have largely pursued in Western Balkan countries (Mulalić, 2018). Leaders used myths, religion, history, language, tradition and ethnicity to create political parties, to reinforce them and to spread their roots of influence everywhere (Mulalić, 2018). Another trait of ethnicity is the association with a homeland. The homeland it represents the past and the origin of the group living there, as a result they become very attached with the territory. One concrete example is the case of Kosovo, which was by Serbs as a very important territory and claimed that they have total rights on this territory. Albanians have populated Kosovo's territory before Serbs. So, the leader of the Serbs in that time Milošević played a crucial role in the ethnic conflict that followed. He used nationalism and appealed for the deep patriotic feelings and used the situation to create speeches and statements like "Serbian nationalism is a serpent deep in the bosom of the Serbian people" (Sotiropoulou, 2004, 7). Leader's language is so precise, and their words are manipulative (Mulalić, 2018).

Western Balkan countries had the rise of their political parties which encouraged and furthered the nationalism and unity based on ethnicity during 1980 (Stojarova & Emerson, 2010). There are some reasons that explain the rise of these parties during that time. The first one is the upheaval of the war (Stojarova & Emerson, 2010). The second one involves the spreading of non-democratic regimes in several countries. Finally, there are problems that prevented the formation and consolidation of nation and states (Stojarova & Emerson, 2013). In Croatia, the party which resulted to be the winner during this transformation time during the 1990s was the Croatian Democratic Union. This party lead the country totally in a non-democratic way (Stojarova & Emerson, 2010). In Bosnia and Herzegovina, despite the war, the rise and support of the nationalist parties was enormous (Stojarova & Emerson, 2010). The party that managed to be in power was the party of the Democratic Actions. In addition, the party which presented the interest of the Serbian was the Union of Independent Social Democrats (Stojarova & Emerson, 2010). The furtherance of nationalism in Serbia helped the party of so-called Socialist Party to remain in power. But this party had communist characteristics. Political environment in Montenegro has also been dominated by the communist presence. The dominant party resulted to be the Democratic Party of Socialists of Montenegro, which also had some nationalist traits (Stojarova & Emerson, 2010).

Parties in Western Balkan region are nationalistic and pragmatic, but their focus is to participate in coalition governments (Anastasakis, 2014, 4). A concrete example that it can be mentioned is the Socialist Party of Serbia, which in order to be in the front line of the government it abandoned in a way the nationalistic ideologies. The main reason for this was to take advantage and raise its audience, to strengthen its support and to be appreciated in front of the international community (Anastasakis, 2014, 4).

For ethnic conflicts, a broad and rich literature is provided in managing them through power sharing. The best well-known type is consociationalism. According to this theory, ethnic groups are the key which impede and do not let the political system moving forward. Profound social cleavages such as ideology, religion, ethnicity, class, or language, are generally thought of as obstacles to the establishment of stable democratic systems. When cleavages are cross cutting in the sense that an individual is a member of different social segments, the risk is considered being limited, as this situation creates pressures that have a moderating effect on social conflicts (Saurugger, 2014). If the social cleavages and pressures coincide, however, the chances of creating stable democratic political systems are rather poor. Considering this theory, the grand coalition of government, the mutual veto and group autonomy must ensure that permanent exclusion of minorities cannot happen (Touque, 2011). This theory seems to have some strong criticism because according to Horowitz, “the system replicates the deep ethnic divisions in society on the political level, as ethnic parties make up the basis of the political system.” (Touque, 2011).

Two main reasons that keep the nationalist parties in power and give them the necessary support are the electoral system and the perception of the people.

Electoral system seems to favor nationalist parties since they represent only one group of people and elections are held only in one constituency and do not leave space for other parties to win. People itself are not well informed and do not understand the logic or the programme that this kind of parties presents. Even way nationalist parties do not lead the country toward democracy and their progress is very low people support their cause.

After the results that such parties brought, Western Balkan countries created and supported civic identities that go hand to hand with international organizations such can be European Union or Organization for Security and Cooperation in Europe, rules and norms (Nordman, 2015). They are trying to follow the steps of democracy, to build human rights norms and to be part of the free market (Nordman, 2015). International organizations such as OSCE have played a significant role in building legitimate institutions and legal aid. European Union stands with its requirements that will help the region gain the membership. Their requests include a stable relation with neighboring countries, protection of minority rights and for sure the economic aspect of each country in the region.

Census politics and ethnicity in the Western Balkans

In a region, like Western Balkan where the ethnic division and the dominance of the nationalist parties are very high, the census and population politics are a very important and fragile issue (Visoka & Gjevari, 2013). Census means having some reliable for the number of people, houses, the ageing of people or many other in order to plan some long-term policies and to set out the economic or social activities. In politics and especially in multiethnic states the census is translated in political contests where the domination of numbers matters

especially achieving the right number (Visoka & Gjevori, 2013). This is one of the dominant tools that elites from the majority use to remain in power. The minority group uses census to increase their number so they can pass the threshold. This number game pushes parties to brawl and to maintain the number that they need to be part of the political process (Visoka & Gjevori, 2013). Censuses do not count random variables but what really matters for population or for the governing authority. Census is a method to measure social activity but also is the tool which can maintain division and reframe power relations which are the key in ethnic politics. Therefore, the process of demographic data gathering, which in established democracies is to a certain degree a common fact of life, in emerging democracies with a multi-ethnic population is a politicized act with wide-ranging repercussions. Dominant nationalizing state signifies those states that have tendencies to homogenize and control the identity, political and social dynamics in favor of the dominant ethnic group (Visoka & Gjevori, 2013). Brubaker defines nationalizing states as those that have tendencies to dominate the linguistic, cultural, demographic, economic, and political aspects of the state. The tendency for dominance is influenced by three factors: the absence of external interference and conditionality, the absence of institutional safeguards for minority communities, and demographic dominance. In the Western Balkans, census politics is a sensitive and politically charged process affected by socio-economic underdevelopment and ethnic politics (Visoka & Gjevori, 2013).

The sensitivity of this issue is taken by the EU Commission as a matter to be addressed and resolved as part of the enlargement conditionality. The Western Balkans elites of Albania, Kosovo, Macedonia, Montenegro, and Serbia share a vision of their state as belonging to their hegemonic ethnic group while simultaneously hosting national minorities from neighboring states that are often viewed as potentially disloyal and whose protection from the kin state is viewed as an intervention in domestic affairs (Visoka & Gjevori, 2013). This vision of their states, and the common view of the presence of minorities from non-trusted neighboring states that claim to stand up for the minority's rights, connects these countries and makes them particularly attentive towards each other's census politics. While the size of a national minority has shaped the census politics and the extent of contestation and boycott in some countries, the involvement, interference, and pressure from the external homeland through governmental and non-governmental actors has been critical in shaping the census process in other countries. In the case of Albania, the political strength of the Greek minority and the political pressure posed by the Greece as the external homeland has significantly shaped the census process and outcomes, despite the small size of Greek population in Albania (Visoka & Gjevori, 2013).

Methodology

The method being used is qualitative focusing on Bosnia and Herzegovina as case study. The study is based on secondary data, regarding political parties in Western Balkan, with a special attention to ethnic nationalism. The importance is to make clear the role of ethnic nationalism in the region and all its consequences that are affecting the future of many people. The research question is "Why is it so hard for multi-ethnic parties to succeed in Bosnia and Herzegovina?" Articles are being analyzed, which provide several data about the Western Balkan region and especially for Bosnia and Herzegovina, when it comes to ethnic nationalism. Different websites are being used, including those of European Union.

Why is it so hard for multi-ethnic parties to succeed in Bosnia-Herzegovina?

The war in Bosnia ended with the Dayton Peace Agreement in 1995 (Touque, 2011). After this moment the country has been under the international community observance to strengthen rule of law and to reunite the country (European Forum, 2020). International community has put some restriction on funding the nationalist parties. All their funds went for moderate nationalist and non-nationalist parties (Touque, 2011). Still, the nationalist parties won the elections and remained in power. Here, international community imposed some pressure on nationalist parties to form coalition with moderate nationalist and non-nationalist parties. Despite all the measures undertaken by the international actors, Bosnia and Herzegovina remains a split country (Touque, 2011). After the war almost all elections are won by nationalist parties. The winning of these nationalist parties has been very concerning for international actors since it divided and made the country more fragile than it was. One of the results of this situation is the political corruption and extensive spread all over the country (Touque, 2011). Despite the centrifugal nationalisms that seem to dominate the top political level, there are civil society actors in Bosnia who engage in integrative political mobilisation. Second, these actors face difficulties that go beyond the often-cited problem of the tendency of the constitutional state structure to reify ethnic identities (Touquet, 2011).

Political parties in Bosnia and Herzegovina

The key political parties in Bosnia and Herzegovina are: Party of Democratic Action, the most powerful Bosniak party which is pro Bosnian coalition and is a conservative Bosniak nationalist political; Social Democratic Party, a multiethnic party and it is pro Europeanism; Croatian Democratic Union that is is a multi-ethnic party aspiring toward Europeanism; Democratic Front of Bosnia and Herzegovina based on civic nationalism and pro Europeanization; Alliance for a Better Future of Bosnia and Herzegovina is a center right party which ideology is based on populism, secularism and pro Europeanization. In Republika Srpska: Alliance of Independent Social Democrats which is a nationalist party; Serbian Democratic Party it is a nationalist party which has been sanctioned by United States of America for war crimes (Balkan Insights, 2018). As it is seen, the country is dominated by nationalistic parties.

Modelling Bosnian Voting

The voting system in Bosnia and Herzegovina is the key reason why nationalist parties and politicians are so powerful. One key event after the dissolution of the Federal Republic of Yugoslavia and the war in Bosnia and Herzegovina was the success of the nationalist parties which had domination in the electoral process (Mujkić & Hulsey, 2009).

For example, when it comes to multi-ethnic parties in Bosnia, they face a major difficulty in the electoral process since most of the elections are hold in the constituencies that have only one national group or should fill political mandates that are explicitly assigned to one national group (Mujkić & Hulsey, 2009).

The current voting system in Bosnia is proportional representation semi open list. A directly

elected tripartite Presidency, which is in charge of foreign, diplomatic and military affairs, and the budget of state level institutions (Nardelli, Dzidic & Jukic, 8 Oct 2014). The three presidency members are from the three constituent nations one Bosniak, one Serb, and one Croat. Quite controversially, the candidates are self defined as such and must only claim one identity, so you cannot have someone standing (or voting) for both the Bosniak and Croat member, or identifying outside these pre-constituted groups (Nardelli, Dzidic & Jukic, 8 Oct 2014). Each member is separately elected by plurality vote. Members of Bosnia and Herzegovina's parliament are elected through open lists and via proportional representation. At a state level, Bosnia and Herzegovina is divided into eight electoral units, three in the Republika Srpska and five in the Federation (Sahadžić, 2009). Each presidency member is separately elected by plurality vote with each voter in the Federation choosing either a Bosniak or Croat candidate, and those in the Republika Srpska electing a Serb candidate (Sahadžić, 2009).

Ethno-nationalist conception/ Security dilemma

According to the ethno-nationalist conception, ethnic communities are viewed as essentialist, absolutist or perennial entities. Society, as a whole, is understood as a mosaic of "individually homogenous", self-enclosed monocultures, timeless atomic particles that exist parallel to one another. In such a conception, the only hope for the establishment of a stable society is the emergence of equilibrium between the three presupposed, self-enclosed, homogeneous groups that protects the interests between the three groups (Mujkić & Hulsey, 2009). This perception prefers collective conceptions of political rights at the expense of individual rights, which is a logical result of the idea that the interests of individuals within a group are homogenous for the most salient political issues (Mujkić & Hulsey, 2009, 3). The result of this conception in an electoral context is that the Bosnian citizen is valuable only as a member of his or her ethnic group, and their only political purpose is to vote for the representative from his or her ethnic group, thereby maintaining the strength of that group against the other national groups in the struggle to protect and expand the group's collective rights (Mujkić & Hulsey, 2009, 3).

It is seen that it is possible for Bosnian voters to prefer a change from the current context and desire to remove ineffective politicians but still find it in their best interest to vote for incumbent nationalists because of their belief that the other side will vote nationalist. The following table shows the winning of parties through years in Bosnia and Herzegovina.

1990	Nationalist party / Party of Democratic Action
1994	Nationalist Party / Party of Democratic Action
1998	Nationalist Party / Serbian Democratic Party
2002	Nationalist Party/ Party of Democratic Action
2000	Non-Nationalist Party/ parliamentary election/ Social Democratic Party
2006	Nationalist Party/ Croatian Democratic Union
2010	Nationalist Party/ Alliance of Independent Social Democrats
2014	Nationalist Party / Party of Democratic Action
2018	Nationalist Party / Party of Democratic Action

As it is seen in the table nationalist parties are very strong in Bosnia and Herzegovina and their support by the people is very high. The reason why Social Democratic won the parliamentary elections in 2000 is because the party emerged as the largest party, with nine of the 42 seats in the House. Voter turnout was 64.4%. Also, it gathered more support by the Bosnians people (Muller, Isacoff & Lansford, 2012). Furthermore, the opposition Social Democratic Party (SDP), led by Mr Zlatko Lagumdžija and backed openly by the international community, was the only major party fielding candidates in all three ethnic regions. During the campaign it promised economic development, legal reform and ethnic tolerance (Muller, Isacoff & Lansford, 2012).

On the other hand, the strongest nationalist party, Party of Democratic Action, it appears to be very strong. The SDA achieved considerable success in elections after the breakup of Yugoslavia in the early 1990s (Muller, Isacoff & Lansford, 2012). The party has branches in Slovenia, Kosovo, North Macedonia, Croatia and Sandžak region of Serbia. One of the goals of the party, outside Bosnia and Herzegovina, is to represent and defend the interests of Bosniaks and other Muslim South Slavs in the entire Balkan region (Muller, Isacoff & Lansford, 2012).

Perceptions of Bosnian people toward nationalist parties

In Bosnia, although nationalist parties are not bringing any prosperity and wellbeing among people, they still continue to be in power. In this context, people lack knowledge about these parties, their leaders or politicians and their programme. Nationalist parties are only representing a group of people and not the whole population. There have been hopes that the next election would bring some changes and those politicians will be removed, but the situation has remained the same (Mujkić & Hulsey, 2009). The performance of nationalist leaves a lot to desire. The unemployment has exceeded 40% and the population has expressed its concerns, but at the ballot box these parties result to be the winner (Mujkić & Hulsey, 2009). Efforts made by international community to promote the engagement of multi-ethnic parties in the political system have faced some difficulties since there are people who see the poor engagement and lack of intention by the nationalist parties but still, they support them. After the war, situation in Bosnia has been more ethnic politics oriented than interest-based politics (Mujkić & Hulsey, 2009).

According to the author Hulsey, “Bosnian voters are not somehow incognizant of their own best interests and that instead the details of Bosnia’s electoral system and the broader political context creates a dilemma for Bosnian voters that leads them to choose the nationalist status quo despite the fact that they would prefer a different path in Bosnian politics.” (Mujkić & Hulsey, 2009). Even why politician and nationalist parties change election to election still the rhetoric part and everything else that they had built remains.

The tentative to overthrow those nationalist parties has increased the competition but still, this is not enough to increase the multi-ethnic parties in the country.

They still influence people to follow the nationalist parties. Nationalist leaders appear to be very radical (Mujkić & Hulsey, 2009).

A convenient sample of 406 citizens from Bosnia and Herzegovina completed a survey in 2017. Although there is little chance that one vote would influence the election, the strongest reason for voting was to affect the results. The reasons “it is a democratic obligation to vote” and “to express the political view by voting” were also mostly considered as important or very important. People perceived not voting as unethical. This perception was stronger

among left-wing voters. The results also showed that people believe that they vote less selfishly than others. The majority of the respondents considered selfish voting as unethical or very unethical. The study also describes the influence of socio-demographic variables on the reasons and motives for voting and on the perception of selfish voting and not voting. As far, it is seen that there is not even a chance to break the circle of nationalist parties. If they want, they can change the situation, but they are not trying to do nothing and are gaining a lot from status quo. The problem remains at the voters and the context that they perceived. The continuation of dominance from nationalist parties will only bring more respect and trust among voters (Mujkić & Hulsey, 2009). Communication and trust level are two important aspects in these kinds of situations but building this, it requires a lot of efforts from different individuals and among groups, especially in a country which experienced 15 years of civil war (Mujkić & Hulsey, 2009).

The best way to put a fair end for the nationalist parties would be the change of electoral scheme which would put in the same position non-nationalist parties and nationalist parties. Most probably a preferential voting scheme, where non-nationalist parties can make an appeal for multi groups of people and not for only one group as nationalist do. Voters must number every box on the ballot paper. You can number them in any order, but you must number each of them. So, if there are eight candidates, you must number one to eight inclusive. Supporters of political parties hand out how to vote cards that advice voters how to fill out their preferences, but you certainly don't have to follow them. You can still vote "1" for that party's candidate but change the order of your later preferences. For example, suppose you want to vote for the candidate of the Social Democratic Party, and it recommends that you vote "1" Social Democratic Party and "2" for the candidate of the Party of the Democratic Action. If you don't like the Party of the Democratic Action, you can still vote Social Democratic Party "1" and mark your other preferences in any order you choose. As long as each candidate receives a different preference, your vote is valid. And as long as you vote "1" for the Social Democratic Party candidate, your vote is still a full vote for the Social Democratic Party candidates. The current electoral scheme is very aggressive, but the preferential one would give a "say" to non-nationalist parties (Mujkić & Hulsey, 2009). "Such a system makes nationalist rhetoric less politically desirable and expands the constituency to which politicians must appeal, while also deemphasizing the collectivist aspects of the constitution", said Hulsey (Mujkić & Hulsey, 2009). This is the reason they still have the power to succeed (Mujkić & Hulsey, 2009).

The nationalist parties have the power to show citizens that ethnic division is better than political interest.

According to respondents, the European Union and Turkey provide most of the financial aid for BiH. According to a survey conducted in 2016 in Bosnia, somewhat more than half of the respondents mention both EU and Turkey in this context. They are followed by the United States, United Nations and Saudi Arabia. Bosniaks are more likely to state that Turkey and Saudi Arabia provide most of the financial aid, compared to Serbs and Croats. They are also more likely to claim that the European Union provides most of the aid, in comparison to Serbs. Croats mention financial aid from the United States, European Union and Croatia more often than Bosniaks and Serbs do. Serbs perceive that Russia and Serbia provide most of the financial aid for BiH, more frequently than both Bosniaks and Croats. Compared to Croats, Serbs are more likely to mention financial aid from Turkey and Saudi Arabia (UN, 2015).

Concluding Remarks

The main research question in this paper was “Why is so hard for multi-ethnic parties to succeed in Bosnia and Herzegovina?” The answer it includes many reasons where the most important ones are the electoral process in the country, the language of the nationalist leaders and the people which still are not clear when it comes to nationalist parties and leaders. There are no actions taken in this country to prevent this issue because of the status quo. International community is trying to make a difference in the region and helping non-nationalist parties, but again no major changes have happened. As mentioned and explained above the best way to put a fair end for the nationalist parties would be the change of electoral scheme which would put in the same position non-nationalist parties and nationalist parties. Most probably a preferential voting scheme, where non-nationalist parties can make an appeal for multi groups of people and not for only one group as nationalist do. The current electoral scheme is very aggressive, but the preferential one would give a “say” to non-nationalist parties.

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RECONCILIATION IN THE WESTERN BALKANS: CAN OLD GLOVES FIT YOUNG HANDS?

ENI DAKA

Abstract

The Western Balkans have a long history of ethnic conflicts within the region as well as reconciliation attempts practiced through means of regional cooperation. Many of these attempts have been futile, while others have produced enough to avoid further conflicts. So what is preventing such a conflict-rich area from becoming a region of neighborly harmony? Throughout this paper, the reader will be acquainted with reconciliation in theory and successful European cases of mending old wounds, while analyzing the multidisciplinary steps taken so far from international, regional, and state actors including civil society, in reconciling the region of the Western Balkans. Furthermore, the paper scrutinizes the wide range of possibilities arising from further involving and engaging younger generations of WB states in promoting regional harmony as a means of also bringing much-needed closure to older generations.

Keywords: ethnic conflict, reconciliation, Western Balkans, regional harmony, cooperation.

Introduction

The question posed in this paper “Can old gloves fit young hands?” leads to the debate on whether worn-out methods of regional cooperation and current stalemate reconciliation fit the needs of upcoming generations. To which I would directly answer no, we need new gloves that are tailored for the hands of the future. But this isn’t a matter of actual gloves, so throwing out the old and bringing in the new is furthest from easy, and not simply a two-step process. The intricacy of the relations between WB states impedes this paper from giving an exact solution to the region’s problematics, nevertheless, analyzing these problems and discussing possible solutions is what sparks dialogue, which is essential for any improvement of any aspect of life -in this case improving regional harmony and annihilating the possibility of relapsing to a state of conflict. Before we dig any deeper into the region’s conflicts and efforts for peace, we should acquaint ourselves with the theoretical concept of reconciliation, and how some European states have succeeded in reconciling with their neighbors.

Reconciliation: Theory & Praxis

There is no one particular definition regarding the concept of reconciliation, but many interpretations that are in any way, valid. Exactly, Reconciliation is a term so clear, yet so hard to put into words that all can agree, being that it is a destination but also the journey

itself. Mending an old friendship is reconciliation, it can happen anywhere, in a marriage, a community, and also between states. Johan Galtung put it in a simpler way: Reconciliation = Closure + Healing. On the other hand, Karl Marx viewed the term reconciliation (as coined by Hegel) to be very conservative, stating that it was a way to dissolve social conflicts to interest the state (Prussia at the time) (Hofmann, 2004). One could also say that reconciliation is inhumane, to just forget and forgive the wrong done to you, just for the sake of it. From research, the following definition seems most appropriate for what we will be discussing: “Reconciliation is a societal process that involves mutual acknowledgment of past suffering and the changing of destructive attitudes and behavior into constructive relationships to-ward sustainable peace.” (Brounéus, 2003). Even though the Theory of Reconciliation coined by Camphausen dates all the way back to the mid-nineteenth century, socio-political circumstances -and the whole world for the matter- rapidly changes, and as such, concepts continually evolve to give a valid understanding of the current perceptions on a certain issue. It is very hard to try and narrow down such a broad concept that can be influenced by many factors such as jurisdictional ones, social, political, and cultural.

On the other hand, there are some actual examples to look up to, respectively that of the Franco-German case in the post-WWII era, uniting former enemies in the pursuit of shared interests and engaging them in constructive and pragmatic cooperation, embedded in the Schuman Declaration in 1950, laid the basis of the European Coal and Steel Community (Europeum, 2019). Reconciliation became of utmost importance in Europe after the fall of communism in the Eastern and Central parts, mainly divided by the Iron Curtain. The success of reconciliation was proved as fruitful seeing the economic cooperation between Germany and Eastern Europe, with Germany supporting the further reconciliation of the Visegrad Group, then consequently joining the European Union. The Visegrad Group of Visegrad 4 (V4) is yet another success story of regional reconciliation through cooperation. Consisting of Hungary, Czech Republic, Slovakia, and Poland, the V4 also experienced turmoil regarding good neighbourly relations in their region, though they managed reconciliation quite nicely by joining forces between the group towards EU integration, unlike the other part of South-Eastern Europe, namely Yugoslavia and other Soviet-ruled countries that were deep in a conflict that wouldn't seem to be over anytime soon. The V4 still continues to improve neighborly relations within the group but also regarding third parties, such as the Western Balkans, which is assisted by V4 funded workshops and other reconciliatory activities.

Reconciliation & Cooperation in WB: Steps Taken and Lessons Learned

In the region, reconciliation attempts are abundant, though they are not as effective as thought, otherwise the current state of affairs would be different and not as prone to re-collapse as now.

Among many projects and summits and agreements, this essay will focus on two players of the reconciliation game in the Western Balkans, namely the Western Balkans Fund, and the Regional Youth Cooperation Office, both deriving as a result of the Berlin Process. When it comes to WBF, such a great initiative to promote regional cooperation through interdisciplinary fields of action between the states, there is so much to be told about; Need to sum it up, it

can be said that there is so much room for improvement and further dedication. The WBF opens periodic calls for applications to benefit from financial aid in various sectors such as education, culture, and sustainable development. The beneficiaries of these calls are from every state of the WB, in order to obtain some sort of equality among the region. While

looking at the winners of the last call so far, the WBF Third Call for Regional Project Proposals 2020, it can be argued about the actual impact of the winning applicants, in concretely prospering cooperation and reconciliation. The projects look great, but how will they actually contribute to the everlasting race towards good neighborly relations? The selection process and even the nature of these awarded projects spark a sense of skepticism. Considering that most of the winning projects do not have the full region involved in conducting or implementing their project goal, how would they impact regional cooperation? Through such projects possible spill-over might eventually happen and get the whole region involved, but still it is not the same thing as willingly trying to involve the region into working together.

On the other hand, RYCO, focusing on projects that mainly benefit the cooperation of WB youngsters, and funnily enough resembling the WBF's little brother, is flawed in the very same aspects, with a few differences obviously. What you can clearly see from the lists of winning projects for RYCO's yearly calls, is a disbalance between who gets what, meaning that there are more winning projects for one country and less for the other. This might be of course because of an imbalance in applications that lead to an imbalance in award-winners, but still, it comes off as a little bit odd. On the other hand, RYCO's activities seem to have even less connection to regional cooperation and reconciliation as we have spoken about thus far, in comparison to the WBF. In 2008 for example, there was a youth exchange funded by the Japanese Ministry of Foreign Affairs, announced from RYCO, intending to select about two individuals per WB countries, and sending them to Japan where they would get to know more about Japanese culture, traditions, and customs for around two weeks. Even though such an activity is interesting and beneficial, how will learning about Japanese culture create a bond between the participants of this trip? How will Japanese culture ignite reconciliation and cooperation among the youth of the WB region? So, all in all, yes there are many projects and activities being done in the name of reconciliation, but are they being done correctly? Are they producing results, be it short-term or long-term? We are facing challenging times and it would be fit to the case that we grasp the importance of taking actions that actually prosper the upcoming WB generations and the ones already here.

Power to Young People: Concept of Spill-over as an Opportunity

The more time passes, the more wrong stereotypes are ingrained in oneself, meaning that the earlier one can prove these stereotypes wrong the better the perception of diversity and acceptance is digested by individuals. After all, this is just plain familiarity. If you are used to something from childhood onwards, it will be easier for you to accept this phenomenon as normal. The same would apply for educating youngsters of the region about diversity and

Try to put more focus on how children are raised and how we can shape their perceptions and possibly stray away from negative behaviors of discriminating what isn't us or ours to then violently acting upon these perceptions.

acceptance among a community. Imagine for a moment being educated since early youth about unity, about forgiving mistakes, and most importantly about tolerance. This does not mean being educated in one's family, that is an unpredictable variable, but being educated by the schools and other institutions to be more open towards inclusivity and acceptance. Would this have changed the course of events in the Western Balkans? Would there be more neighborly compassion in the region? We do not know. Though what it can be definitely done is to try.

It sounds very optimistic and tale-like, but it is not impossible to at least take the first steps toward some common sense in the region. Like getting the story straight, harmonizing the history books of fifth graders and not having one country villainize the rest in order to create incoherence in what is taught to be the truth about the past. It never fails to make you ponder how, 50 years from now, new generations will be blooming and older ones won't be here anymore, and how we have to adapt to this shift and try to welcome the newcomers, and teach them that this is their world, and it should be cherished in togetherness and not unreasonably destroyed over personal opinions of someone somewhen. So then, power to young people, and to younger people coming after them!

Conclusion

In Albania, we use an expression when saying that a certain situation leaves room for improvement, and that is “e mira s’ka fund” that roughly in this context translates to improvement is everlasting, thus meaning that there always is room for improvement. So this comes to mind when thinking about reconciliation in the Western Balkan region, where crucial steps towards reconciliation have been taken by the former Yugoslav federation, but there is much more work that needs to be firstly thought through, then correctly implemented when it comes to such multidisciplinary inter-state cooperation, for reconciliation to be fruitful and for avoiding a relapse to conflict.

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