Reflection Paper

The European Union and the Western Balkans after the Berlin Process

Reflecting on the EU enlargement in times of uncertainty

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1. Introduction

Launched in 2014 following the Juncker Declaration on enlargement and against the backdrop of key geopolitical challenges at the EU's doorsteps, the Berlin process is an initiative aimed from the onset at maintaining the momentum of European integration in the Western Balkans. Limited in time (2014-2018) and in scope, it involves a few Member States (Germany, Austria, France, Italy, Croatia, Slovenia), the 6 Western Balkan states aspiring to join the EU (i.e. the so-called WB6 group consisting of Albania, Bosnia-Herzegovina, Macedonia, Montenegro, Kosovo, Serbia, to a certain extent the UK, as well as the European Union (mainly through DG NEAR). The goal of the Berlin process is to advance the EU's agenda in three dimensions: economic growth and connectivity / good neighbourly relations and regional cooperation / civil society development and people-to-people connectivity.

Rather than ambitioning to replace EU's ill-functioning approach towards Western Balkans would-be Member States, the Berlin process seeks to supplement it and vitaminise its dynamic. It was developed outside the enlargement framework, in an *ad hoc*, more flexible mini-lateral format, but was nonetheless closely linked to the EU's overall enlargement strategy, in terms of both substance and objectives, and was recognised very quickly as contributing to its advancement[2].

The Berlin process, albeit limited in time and in scope, can be seen as introducing a novel practice in the EU's enlargement toolbox. Yearly Berlin Process Summits (staged in Berlin in 2014, Vienna in 2015, Paris in 2016, Trieste in 2017 and expectedly London in 2018) at the highest level, complemented by a long series of meetings at lower levels and a number of regional side-events seem to have warded off the oblivion to which the enlargement policy was otherwise consigned. In that sense, the Berlin process was instrumental in keeping on the radar key issues marring progress made by Western Balkan states on their way towards the European Union: their infrastructure gap and economic vulnerability; the lack of perspective perceived by WB6 youth; their democratic backsliding into stabilitocratic regimes[3]; the persistence of

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[2] The Commission stated in 2014 that "the Berlin Process can be instrumental for encouraging reforms and agreeing realistic priorities for core connectivity investments. It can also act as a spur to help resolve outstanding bilateral issues". European Commission, 8.10.2014. *Enlargement Strategy and Main Challenges 2014-2015*. COM(2014) 700 final, p. 17.
[3] Balkans in Europe Policy Advisory Group. March 2017. *The Crisis of Democracy in the Western Balkans. Authoritarianism and EU Stabilitocracy.*

ethno-nationalism under the surface of reconciliation; the destabilising potential of bilateral disputes and the growing engagement of Russia, China and Turkey throughout the region.

This achievement is anything but insignificant, as the "business-as-usual" modus, through which the EU previously pursued its enlargement policy, had led it to turn a blind eye on the issues that are looming over the region. But beyond this achievement, what substantive contribution has the Berlin process made to the EU's approach towards enlargement? How much has it helped to address these issues? And based on an assessment of its track record, what perspective(s) should it be given in 2018 and beyond, in times of greater uncertainty? How does it relate to the soul-searching challenges the EU faces both internally -e.g. with Brexit and prospects of differentiated integration- and externally -with an increasingly complex environment and an undermined credibility as normative power?

The following reflection paper explores some of these questions. In that sense, it focuses less on WB6 politics at the micro-level than on the EU-WB6 interface created by the Berlin process and the changes in the enlargement policy the process induces. While not overlooking the responsibility of WB6 leaders in (willingly or not) failing to advance reforms in a European spirit, the paper is premised on the EU' s claim that its enlargement process (including Berlin process) can influence Western Balkans policies, politics and polities in a decisive manner. Its inability to do so, e.g. because of WB6 leaders' reluctance to support genuine reforms, although not necessarily falling under the main responsibility of the EU as embodiment of integration project, indicates nonetheless that the opportunity structure offered by the EU in its current approach is not nudging WB6 leaders effectively to make optimal choices genuinely supportive of their country's EU agenda. In other words, if the EU's claim to be an influential actor in the Western Balkans is to be taken seriously, its inability to deliver cannot be simply eschewed on ground that WB6 domestic political contexts are unfavourable or lack receptiveness, for demonstrating influence is precisely about changing preferences, or at least behaviour. In that sense, the democratic backsliding that the EU witnesses in the Western Balkans, while being orchestrated by local governments, is nothing but a sign that the EU has lost influence in guiding political transformations – a key pillar in its foreign policy strategy.

The following reflection paper first examines the achievements of the Berlin process, discusses its novelty and shortcomings and assesses its impact on the EU's practice of European integration in the Western Balkans. Based on this assessment and on current developments in EU politics, it then discusses the future of the Berlin process and its possible contribution to transforming the EU's enlargement policy. This paper draws from expert discussions held in the framework of the Western Balkans Reflection Forum Initiative[4], organised in the framework of the Berlin Process, as well as a dozen of semi-structured interviews conducted in 2016-2017 with national and EU officials as well as experts and CS representatives throughout the region.

2. Assessing the Berlin Process

2.1. What's new in the Berlin Process?

The objectives of the Berlin process, set in the Final Declaration of the Conference on the Western Balkans of 2014, consist in furthering "the endeavours to make *additional real* progress in the reform process, in resolving outstanding bilateral and internal issues, and in achieving reconciliation within and between the societies in the region [as well as in] enhancing regional economic cooperation and laying the foundations for sustainable growth" (emphasis

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[4] Especially the Reflection Forum of Paris (2016) and Trieste (2017), but also the Outreach Events Series (2016-2017). See section 2.3.3.

added)[5]. The emphasis on *"real"* progress can be understood as underlining the difference between output and outcome in external Europeanisation (e.g. in reform-driven compliance with EU rules)[6]. This difference is essential to understand the mixed results yielded in 20 years of post-conflict transformation in the Western Balkan states and the limited consolidation of economic and democratic governance in the region[7]. For that matter, following the accession of Bulgaria and Romania, the EU itself has paid a greater attention to ensuring that rule-adoption is followed by rule-implementation. The emphasis on *"real"* progress guiding the Berlin Process objectives, in that sense, bears little novelty.

Its call for *"additional"* progress, by contrast, does. The EU's enlargement policy, once considered the most successful external policy of the EU, has traditionally been considered as a community-policy: although the Member States (through the Council) retained the prerogative of sanctioning key progress in accession matters (from the signature of SAA to the opening of accession negotiations for instance), the European Commission was in fact given the driver's seat: it monitored progress, provided assistance and final recommendations, etc… The guiding role of the European Commission, on more sensitive issues (Belgrade-Pristina dialogue, situation in Macedonia, etc…), was supplemented by the mediation of EU diplomats from the Secretary General of the Council and later, by the double-hatted High-Representative of the Union / Vice-President of the European Commission. EU institutions, in other words, were primarily responsible for managing the various aspects of the enlargement policy towards the WB6.

With the Berlin process, their action has been supplemented by the engagement of a self-designated small group of Member States (Germany, Austria, France, Italy, Croatia, Slovenia und in the near future, expectedly the United Kingdom). It was a core group of Member States within this group that initiated the Berlin process -without prior-consultations with the European Commission[8]- and determined its original agenda. Other Member States (Romania, Hungary, Greece…), initially interested in joining the initiative, were not allowed to join[9]. This mini-lateral format was to keep the Berlin process more flexible in advancing ways to keep the political momentum of EU enlargement/integration both within the EU and in the WB6. It was, in other words, this difference in the approach that justified the process' ambition of achieving *"additional"* progress (which presumably could not have been achieved by the EU community approach).

This mini-lateral format and the patronage of Germany around which it was built, introduced a "change as addition" in the EU's approach towards enlargement[10]. The Berlin process did not

[5] Final Declaration by the Chair of the Conference on the Western Balkan. 28.08.2014.
https://www.bundesregierung.de/Content/EN/Pressemitteilungen/BPA/2014/2014-08-28-balkan.html
[6] see Ademmer, Esther & Börzel, Tanja. 2013. Migration, Energy and Good Governance in the EU's Eastern Neighbourhood. *Europe-Asia Studies*. 65(4). 581-582
[7] e.g. Dzihic, Vedran & Segert, Dieter. 2012. Lessons from "Post-Yugoslav". *Democratization*. 26(2). Noutcheva, Gergana. 2012. *European Foreign Policy and the Challenge of Balkan Accession*. London, New York: Routledge. Dolenec, Danijela. 2013. *Democratic Institutions and Authoritarian Rule in Southeast Europe*. Colchester: ECPR Press. Elbasani, Arolda. 2013. *European Integration and Transformation in the Western Balkans*. London, New York: Routledge. Bieber, Florian (ed.). 2013. EU *Conditionality in the Western Balkans*. London, New York: Routledge. Dzihic, Vedran & Hamilton Dan. 2012. *Unfinished Business. The Western Balkans and the International Community*. Washington D.C: Brookings Institutions Press.
[8] Interview with an official from the European Commission. November 2016.
[9] Interview with a Serbian official. March 2016. France, for instance, was particularly reluctant to open the Berlin Process to the Visegrad countries, despite their open-door policy towards enlargement. Interview with an official from Macedonia. November 2016.
[10] Holsti K. 1998. The problem of change in international relations theory. Working Paper n°26. Institute of International Relations, the University of British Columbia

create a new *acquis* that would replace the EU's one. It did not rest on new institutions, nor did it provide new funding capacities. It was launched as an additive and complementing process, essentially anchored in the EU's normative approach to membership (EU Enlargement Strategy 2013) and regional competitive and growth strategy (SEE 2020) [11]. The Berlin process, in substance, is a repackage of existing approaches, advertised by different means. It was not designed, as such, to induce "dialectical changes", i.e. to generate novelty by cross-fertilising old practices with new practices[12], but merely to give a new impetus to the business-as-usual approach that was hitherto pursued. That does not mean, as theories of change in international relations suggest, that change as addition cannot pave the way to deeper and broader dialectical changes.

2.2. Who's steering and monitoring the Berlin Process?

The Berlin process is not equipped with an in-built steering and monitoring mechanism. This certainly is one its weaknesses. The Member states organising the yearly Berlin Process Summits are responsible for following up on the initiatives launched by their predecessors. No specific institution is tasked with oversighting the strategic development of the overall process or monitoring its achievements. Individual Member States hosting the Summits and drafting the agenda, in that sense, are free to focus on one dimension or another, and add or retrieve components from the agenda, depending on their national interest or priorities. Germany, for instance, set the basis of the process ("the fundamentals first"), later upgraded by Austria (with an emphasis put on bilateral disputes, migrations and civil society participation), while France focused more on vocational training and youth exchanges (at the expense of civil society, bilateral disputes and migration) and Italy seems more interested in SME development and innovation. As for the United Kingdom (presumably hosting the Berlin process Summit of 2018), its priorities are not known (these are usually set a few months before the Summit). In that sense, the development of the Berlin process has both the properties of a continuum (e.g. with respect to the connectivity agenda) and a sequence (with respect to "newer" items such as bilateral disputes). Its ability to ensure continuity across its expending portfolios is therefore limited.

The Berlin process, likewise, does not feature an in-built monitoring mechanism. The Member States hosting the yearly Summits are expected to follow-up on the progress made by WB6 countries in respecting their commitments, but, in practice, no systematic approach is foreseen. Therefore, in seeking to achieve "*additional real progress*", the Berlin process, largely relies on the voluntarily engagement of WB6 rulers (while capitalising on the EU's conditionality approach).

The absence of internal monitoring mechanism is barely compensated by external assessments. These have been sparse and elusive: the European Commission repeatedly praised the achievements of the Berlin process in its 2015 and 2016 Enlargement strategy documents as well as in its WB6 individual progress reports. More specifically, it acknowledged that the Berlin process has been instrumental in furthering regional cooperation

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[11] Hackaj, Ardian, et al. 2015. *Albania in Berlin Process: Current achievements and Upcoming Challenges for the Paris Summit*. Tirana: Botimet. p.14.
[12] Holsti K. 1998. The problem of change in international relations theory. Working Paper n°26. Institute of International Relations, the University of British Columbia

in general[13]; "furthering advances on the EU's connectivity agenda"[14] and "opening cooperation in new areas, notably through the establishment of the Regional Youth Cooperation Office"[15]. But a more (country-) specific monitoring of the progress made in the framework of the Berlin process is missing[16]. The European Parliament, likewise, remains quite silent on that matter.[17]

More information on the Berlin process' outputs can be found at the sectoral level in monitoring reports produced by the Energy Community Secretariat (EnCT Secretariat) and South-east European Transport Observatory (SEETO), on the implementation of energy and transport soft measures respectively. But these monitoring reports, by definition, only focus on particular policy-areas and treat the Berlin process as intervening, rather than independent variable.

In the end, the most consolidated source of information about the achievement of the Berlin process can be found among independent experts and think-tanks. In Albania and in Serbia (the greatest beneficiaries of the process for that matter) and in Kosovo, publications have been issued that take stock of the progress made under the berlin process by WB6 countries[18]. In the absence of more structured reporting mechanisms, these publications certainly contribute to shed light on a process insufficiently scrutinised.

2.3. What are the achievements of the Berlin Process?

The Berlin process has been programmed to last for 4 years only. Any assessment of its achievements prior to its end is therefore premised on a very short analytical timeframe. What kind of "real additional progress", after all, can be brought about in such a short time, knowing the complexity of social processes in enlargement matters. A balanced assessment of the Berlin process, therefore, should not be limited, temporally, to the duration of the process itself, but should extend beyond to the possible thrust given to the overall dynamic of European integration.

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[13] European Commission. 9.11.2016. *2016 Communication on EU Enlargement Policy*. COM(2016)715 final. https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2016/20161109_strategy_paper_en.pdf

[14] European Commission. 9.11.2016. *Serbia 2016 Report*. SWD(2016)361 final. https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2016/20161109_report_serbia.pdf; European Commission. 10.11.2016. *EU enlargement Strategy*. COM(2015)611 final. https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2015/20151110_strategy_paper_en.pdf

[15] European Commission. 9.11.2016. *Serbia 2016 Report*. SWD(2016)361 final. https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2016/20161109_report_serbia.pdf; European Commission. 10.11.2016. *EU enlargement Strategy*. COM(2015)611 final.

[16] Country-specific monitoring (e.g. regarding the implementation of connectivity reform measures or the establishment of the prioritised list of investment projects) is very unusual in the Commission's progress reports.

[17] Exception made of a briefing paper and a few expressions of support in various documents. E.g. European Parliament. 4.7.2016. The Western Balkans' Berlin process: A new Impulse for Regional Cooperation. *Briefing*. PE586.602. chttp://www.europarl.europa.eu/RegData/etudes/BRIE/2016/586602/EPRS_BRI(2016)586602_EN.pdf

[18] Cooperation and Development Institute / ShtetiWeb. *Berlin Process Series*. Minic, Jelica (ed). 2017. Stocktaking of the Berlin Process. *Foreign Policy Paper*. 01/17 http://www.emins.org/uploads/useruploads/forum-mo/Foreign-Policy-Papers-1-2017.pdf. Nicic, Jovan et al. December 2016. The Berlin Process and Regional Cooperation in the Western Balkans: How to Make Agreements More Effective and Efficient? Policy Brief. https://issuu.com/europeanfundforthebalkans/docs/the_berlin_process_and_regional_coo; Emini, Donika. 2016. *Berlin Process: Path to Europe or to Nowhere?*. Pristina: Kosovar Centre for Security Studies.

In assessing achievements, furthermore, it is necessary to discriminate between output-achievements (i.e. concrete changes initiated in the pursuit of pre-defined objectives) and outcome-achievements (i.e. wider changes responding (or not) to expectations generated at the genesis of the process). Although being essential, the former does not always entail the latter. This distinction is important because it relates to the ambition borne by the Berlin process. On the one side, a restrictive reading of its objectives -with the emphasis on its supplementing role in pursuing objectives defined in the context of the EU enlargement policy- would lead to focus more on output-achievements. What contribution has the Berlin process made to bringing Western Balkan countries closer to the standards defined by the EU in enlargement matters? On the other side, the novelties brought by the Berlin process and new developments in Europe have had an impact on key expectations in Western Balkan states. That would lead to discuss the Berlin process in terms of outcome-achievements. How much does it respond to, and is it part of, the new realities in which European integration is embedded? Is it up to the challenges faced by the EU in the region?

2.3.1. Perceptions of success and failure

Interviews with officials from WB6 countries, EU institutions and EU Member States' administrations shed light on how elites involved in the Berlin process perceive and assess its achievements. The main points of their argument can be summarised as follows: first, the Berlin process has been instrumental in keeping on the EU agenda the question of enlargement towards the Western Balkans. It has, in that sense, mitigated the negative impact of recent developments at the EU level (Juncker Declaration, establishment of a unique DG in charge of both the enlargement and neighbourhood policy, shift from enlargement to integration fatigue, Brexit, etc…) and thereby kept WB6 leaders "busy". This achievement is anything but irrelevant, if one considers that the shrinking interest of the EU for enlargement towards the Western Balkans occurs while other players increase their engagement (mainly China, Russia and Turkey). The Berlin process, in other words, signalled that the EU remains a strategic player in the region. That signal was all the stronger since the initiative was brought to the fore by Germany and welcomed as such in the Western Balkans. In sum, it looked "as if Germany had understood what was at stake in the region"[19]; as if it was ready to serve as a "role-model"[20] vis-à-vis other Member States less inclined towards enlargement. This perception created great expectations: The Berlin process, although owned by the region, was to be driven by the German "Witschaftswunder"[21] and Berlin, i.e. Europe's political locomotive.

More substantively, a major achievement of the Berlin process, according to most interviewees, is that it has boosted up the interest of WB6 and EU stakeholders for regional cooperation. That is a distinctive contribution of the Berlin process, which can easily be designated as advancing "real additional progress". Regional cooperation has always been a component of the EU's enlargement strategy. The European Commission, for instance, has repeatedly demonstrated its support for inclusive, regionally-owned and driven structures and initiatives (SEECP, SEE 2020 strategy, CETFA, ReSPA, ECAA…) and welcomed the constitution of the Western Balkans Six grouping in 2013-2014, which drew on the positive experience of the Visegrad Four and became pivotal in the Berlin process framework. But the EU, before the Berlin process, promoted regional integration, mainly through political dialogue, as a somehow distinct, if not separate issue-area (next to rule of law or economic

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[19] Interview with an official from the European Commission. November 2016.
[20] Interview with Serbian official. March 2017.
[21] Interview with an official from the EEAS. November 2015.

and social challenges), which WB6 countries had to work on, jointly (i.e. quasi in parallel), rather than collectively (i.e. quasi in unity). The Berlin process de-encapsulates this understanding of regional cooperation by replacing it at the core of the dynamic of European integration so that it permeates most sectoral policy fields, with a major emphasis on economic matters. This re-framing of regional cooperation (or streamlining) has had positive effects: it has led to the multiplication of regional meetings at all levels, which in turn constitute an effective way of building trust and interpersonal relations (between Serbia and Albania's leader, most notably); it has increased the level of interactions between EU and key Member States' officials on the one hand and WB6 leaders and officials on the other hand, including from those non-negotiating prospective Member states (e.g. Bosnia-Herzegovina, Kosovo) that had less operational relations with the EU hitherto; it has been conducive in improving the planning and preparation of genuinely "regional" projects as well as their monitoring (EU reports used to focus very much on national projects); it has reinforced the focus on enabling measures participating to "real progress" (through monitoring of soft measures implementation); and more generally, it is deemed to provide better foundations for "real" reconciliation in the region.

In more specific terms, the greatest successes of the Berlin process initiative are seen to be the regionally coordinated and agreed Connectivity Agenda, supported by the EU and international financial institutions, and the establishment of the Regional Youth Cooperation Office (RYCO). The launch of the Western Balkan Chambers Investment Forum can be added to this list of perceived Berlin Process achievements as well[22]. The significance of these achievements (as well as others) will be discussed in the sub-sections below.

2.3.2. Transport and energy connectivity

The Berlin process has been launched with the idea of putting "fundamentals" first, hence its emphasis on transport and energy connectivity. And indeed, the region is characterised by major infrastructure gaps and fragmentation[23]. The density of its railway and motorway networks, for instance, is at least three times lower than in neighbouring EU countries. Moreover, the region faces extreme difficulties in financing new infrastructures due to narrow fiscal space. These challenges, and their negative impact on growth, have been recognised as hindering progress towards European integration in an important manner. That is why the Berlin process builds on the EU's Connectivity Agenda in transport and energy[24]. Using existing frameworks (the SEETO and EnCT), it serves as a "prioritisation mechanism to focus new infrastructure investments onto selected projects"[25]. The Berlin process, in that sense, is to facilitate the preparation and financing of concrete regional infrastructure investment projects reflecting the priorities of the WB6 countries. In Vienna, for instance, the WB6 governments presented an ambitious connectivity agenda with 50 projects seeking co-financing. Out of these 50 projects, 10 were deemed mature, but only 3 have been eventually endorsed for co-funding to date (estimated grant: €97 million out). In another policy-area, the

[22] Minic, Jelica (ed). 2017. Stocktaking of the Berlin Process. *Foreign Policy Paper*. 01/17 http://www.emins.org/uploads/useruploads/forum-mo/Foreign-Policy-Papers-1-2017.pdf. p10
[23] Holzner, Mario. June 2016. Policy Options for Competitiveness and Economic Development in the Western Balkans: the Case for Infrastructure Investment. *Wiiw Policy Notes and Reports*. 16. https://wiiw.ac.at/policy-options-for-competitiveness-and-economic-development-in-the-western-balkans-the-case-for-infrastructure-investment-dlp-3916.pdf
[24] European Commission. 2016. Connectivity Agenda: Co-financing of Investment Projects in the Western Balkans. https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/western_balkans/20160704_paris_package.pdf
[25] Kovacevic, Aleksandar. 2017. Energy and Transport in Minic, Jelica (ed). 2017. Stocktaking of the Berlin Process. *Foreign Policy Paper*. 01/17. p14

Berlin process has been prioritising the realisation of an integrated Western Balkan electricity market.

Although the Berlin process does not come with additional funds, it relies on the fact that the European Commission set aside up to €11 billion for connectivity investment projects and technical assistance for the 2014-2020 period. Access to EU funding, however, is conditioned on domestic reforms and openness to market forces as well as to the implementation of technical standards and soft measures such as aligning/simplifying border crossing procedures, railway reforms, information systems, road safety and maintenance schemes, unbundling and third-party access, etc… The promotion of these measures/reforms lie at the core of the Berlin process.

But its ambition of "putting fundamentals first", then, is ambiguous. Unlike China, for instance, the EU is interested in how investment projects are realised -not only in terms of output, but also in terms of outcome. The Connectivity Agenda, in other words, is not only about connecting and developing energy and transport networks, it is also (and perhaps above all) about modernising public administrations and domestic processes. That ambiguity (whether the "fundamentals" are the connectivity infrastructure themselves or the transformation of domestic processes through the implementation of these connectivity projects) complicates any achievement on the EU's side, since the expected reforms may take years to be implemented and EU grants must be complemented by other sources (they usually account for 40-50% of mature projects). In the light of this very demanding process, experts so far have noted that "countries in the region have promised more than they can (or intend to) deliver"[26], and that the overall implementation of soft measures remains weak. Since the beginning of the Berlin process, very few projects have therefore been able to spring up concretely, and it is noteworthy that this will probably remain the case as the process ends. That means that the connectivity agenda, to date, has fallen short of both producing highly visible outputs (in terms of materialising concrete projects) and achieving major progress in broader outcomes (in terms of transforming domestic processes).

Moreover, the EU is not the only actor in the region to promote connectivity and investments in infrastructures. China has been increasingly active in the framework of its "One Belt, One Road" millennial project (OBOR) through its so-called "16+1 initiative". It set up a €10 billion investment that could raise up €50 billion to finance infrastructure and production capacity projects in Central, Eastern and Southern Europe[27]. China, furthermore, gave new impetus to its relations with some WB6 countries, especially Serbia. The relations between the two countries were updated from strategic partnership in 2009 to comprehensive strategic partnership in 2016 and China, to date, has invested $1bn, mostly in the form of loans, to finance the building of transport infrastructure and energy projects in the country[28]. For instance, it financed the construction of the Sino-Serbian Friendship Bridge across the Danube in Belgrade (completed in 2014), acquired key metallurgic assets in Smederevo, and is about to contribute to the construction of a high-speed railway between Belgrade-Budapest. In Montenegro, China is upgrading a 10km segment of railway leading to the port of Bar and has signed a contract to construct a highway connecting the country to Albania. In Macedonia, it is involved in the construction of two motorways. In Albania, it agreed to finance a segment

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[26] Hackaj, Ardian, et al. January 2017. *Monitoring the Berlin Process: From Paris to Trieste*. Tirana: Botimet., p.25-26

[27] Reuters. 6.11.2016. China launches $11 billion fund for CEE. http://www.reuters.com/article/us-china-eastern-europe-fund-idUSKBN13105N

[28] Tonchev, Plamen. February 2017. China's Road: into the Western Balkans. *EUISS Brief Issues*. 2017(3). http://www.iss.europa.eu/uploads/media/Brief_3_China_s_Silk_Road.pdf

of highway in the direction of Macedonia, thus linking the Ionian Sea and the Bulgarian part of the Black Sea coast and acquired Tirana's international airport. Further projects include the modernisation of the motorway from Bar to Serbia, the construction of a highway in Bosnia-Herzegovina, investments in coal-thermal power plants in Stanari and Tuzla, the preparation of a feasibility study regarding the modernisation of Macedonia's railways so as to connect the China-owned city port of Piraeus to Belgrade (through Serbia and Macedonia). These investments, not being premised on political conditionality, are particularly attractive to leaders interested in speeding up the modernisation of the infrastructures of their country. Their impact, in contrast to EU-funded projects, is observable in a relatively short time. However, although the European Commission and the Chinese governments agreed on enhancing synergies between the OBOR and the EU's Connectivity Agenda platforms[29], the two connectivity schemes are not by default mutually reinforcing. All in all, five years of OBOR investments (with greater investments to come) have questioned, if not dwarfed, the EU's upper-hand in financing WB6 connectivity. China's progress in advancing OBOR projects in the region should not be underestimated. Unlike Russia, the involvement of which in financing projects lacks commitment and consistency, China institutionalised its "16+1 initiative". It set up a Secretariat, a research fund, relies on national coordinators Western Balkans administrations and organises regular Summits at the highest level.

2.3.3. People-to-people connectivity

Summit after summit, the Berlin process has gradually extended its focus onto people-to-people connectivity -with concrete results. First, the creation of the Western Balkans Civil Society Forum (CSF), organised every year as a side-event to official Berlin Process Summits, provides new opportunities for civil society representatives from the regions to exchange ideas, voice their concerns and formulate concrete recommendations to decision-makers. The initiative's goal, also supported by the European Parliament, is to strengthen the regional mobilisation of civil society and facilitate its reaching out to policy processes. To that end, the CSF seeks to foster responsible partnerships between civil society representatives and WB6 governments in advancing the process of transformation. Despite its loose structure and functioning (reflecting the difficulty to synthesise the energies of a multifaceted civil society), the initiative has been successful in enhancing the profile of civil society among decision-makers and further opening up policy processes to inputs from civil society.

The potential of this approach is wide-reaching, as demonstrated by the creation of RYCO, one of the flagship projects of the Berlin process, albeit initiated outside the framework of the CSF. The prioritisation of youth issues in civil society discussions and the partnership established between national youth organisations and governments have been key in enabling this regional office to see the light of the day. Still, many challenges await the newly established RYCO. Its success (and "real additional" contribution to reconciliation), ultimately, will depend on its capacity to foster intra-regional mobility across ethnic lines (e.g. young Albanians going to Serbia rather than to Kosovo) and on the number of youngsters ready to participate in its programmes.

Another aspect of the people-to-people connectivity brought to the fore by the Berlin process has been the strengthening of the role of experts. In Vienna, for instance, a "Declaration on Bilateral Issues" was signed by the Foreign Ministers of WB6 countries and attached to the

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[29] Wang, Xieshu et al. March 2017. One Belt One Road and the Reconfiguration of China-EU Relations. *Document de Travail du CEPN*. 2017/04. https://cepn.univ-paris13.fr/wp-content/uploads/2017/03/DT-CEPN-2017-04.pdf; EBRD. July 2016. China and South-Eastern Europe: Infrastructure, trade and investment links. www.ebrd.com/documents/comms.../see-china-investments.pdf;

2015 Summit Final Declaration. The document features a commitment to resolve all open questions in a spirit of good neighbourliness and to refrain from blocking, or encouraging others to block, the progress of neighbours on their respective EU paths. Drafted by the Balkans in Europe Policy Advisory Group (BiEPAG), a network of experts, it was an integral part of policy brief "Removing Obstacles to EU Accession: Bilateral Disputes in the Western Balkans"[30]. The declaration constitutes one of the new few elements informing the EU's acquis in enlargement matters. It draws on unfortunate experiences in the region (Slovenia blocking Croatia, Greece blocking Macedonia, etc…), while, however, failing to commit WB6 neighbours (i.e. EU Member States) to apply the same principle to their respective relations with WB6 countries. Since their asymmetric power remains untouched, the effect of such a declaration -as well as its prescriptive power- cannot be as exhaustive as it would be necessary.

Another initiative launched in the framework of the Berlin process has been the Reflection Forum on the Western Balkans, a pan-European gathering of experts, analysts and researchers focusing on EU enlargement and European questions in the Western Balkans. The Reflection Forum, organised every year in the run-up to Berlin process Summits, builds on a wide network of EU and WB6 think-tanks uniting energies in pursuing an on-going reflection on European politics and EU enlargement across the Western Balkans and the EU. It offers an interactive and forward-looking platform for the exchange of ideas on the constructing of Europe in the Western Balkans, open to national EU and WB6 sensibilities. This initiative, although very welcome in the context of integration and enlargement fatigue and growing heterogeneity, is yet to gain more extensive recognition and participation from EU and WB6 operational experts.

In the past few years, finally, business connectivity has gained particular momentum under the auspices of the Berlin process. The item has climbed the agenda of Berlin Summits step by step, until reaching one of the top priorities of the Italian host in 2017. The idea here is to "anchor the WB6 economic structure -industrial production and services- to the EU one, not only through unhinged market exchanges [i.e. establishment of a more integrated regional market], but by regular networking and establishment of sustainable business relationship"[31]. To achieve that goal, business fora have been organised as side-events to annual Berlin process Summits, and cooperation between WB6 chambers of commerce has been furthered. In 2015, most notably, the Western Balkans Chamber Investment Forum, a permanent regional platform assembling WB8 chambers of commerce (WB6+Slovenia and Coratia), was established in the framework of the Berlin Process, making significant contributions to the efforts to normalize relations in the region and stimulate regional economic cooperation. Practical, its objective is increase the involvement of business communities in implementing regional infrastructure projects, especially in relation to the realisation of the EU's connectivity agenda. The initiative, applauded by EU and WB6 stakeholders, is working on building up a common e-platform for the exchange of information and data, creating a joint register of members to facilitate the assessment of the solvency of all companies in the region; encouraging SME cooperation, establishing a regional school for human resources

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[30] Balkans in Europe Policy Advisory Group. 2015. Rmoving Obstacles to EU Accession: Bilateral Disputes in the Western Balkans. *BiEPAG Policy Brief*. http://www.punetejashtme.gov.al/files/userfiles/Policy_brief_-_Bilateral_Disputes_study.pdf
[31] Hackaj, Ardian, et al. January 2017. *Monitoring the Berlin Process: From Paris to Trieste*. Tirana: Botimet, p.29

development and, based on the initiative of Croatian colleagues, setting up a regional innovation centre to connect companies, science and research institutions at one place[32].

A similar more recent initiative, at the bilateral level, has been establishment in November 2016 of the Tirana-based Serbia-Albania Chamber of Commerce. Its aim is to bring Serbian and Albanian business communities closer, to provide for efficient communication and cooperation among companies and to assist them in exploiting the largely unused potential of growth in serbo-albanian trade, investment and economic relations.

3. What now? Reflecting on the EU's post-Berlin enlargement policy challenges

The Berlin process has been launched as a mini-lateral initiative supplementing the EU's more technical approach towards enlargement. It epitomises a "change as addition"[33] in Holsti's terminology. The Berlin process, however, has not been conceived of with the idea that it should extend beyond 2018. Its particular format and weak institutionalisation enable greater flexibility, but leaves the question of continuity and consistency open. Also, in the absence of structured steering and reporting mechanisms, the Berlin process operates very much on the basis of the voluntarily engagement of participating governments, whereas the EU's enlargement strategy fosters technocratic processes and the use of conditionality. The Berlin process, in that respect, notably differs from the EU's methodology. And yet, an external assessment of its achievements, whether actual or perceived, suggests that the Berlin process, despite important shortcomings, has had an added value.

That assessment leads to the following questions: What next? What lessons can the EU's enlargement strategy / methodology draw from the Berlin process experience? What avenues for "dialectical change", if any, has it opened beyond the "change as addition" already affecting the EU's approach towards the Western Balkans? Or more specifically, on which elements introduced by the Berlin process, could the EU's approach build on, in its attempt at improving its enlargement policy approach?

3.1. Resisting the siren call for returning to the "business as usual" approach

3.1.1. A return to "business as usual" would hardly be justifiable

The Berlin process has been initially planned to end in 2018. The temptation could arise to end the process accordingly, just as it started, with a ceremony celebrating the "mission accomplished". Political leaders would praise the "real additional progress" made within the past 4 years, the "new momentum" given to enlargement, and claim that "it's now time for the European Union to take over". The EU would thereby resume its "business as usual" approach in enlargement matters -the approach it has pursued for 2 decades now -with mixed results.

Alternatively, the Berlin process could continue to be seen as a supplementing initiative adding value to the EU's approach. Instead of ending it in 2018, political leaders could accordingly decide to extend it, or to merge it with another (probably larger) regional initiative (e.g. the Brdo-Brijuni process) or to leave it as it is. The Berlin process would retain its distinctive features and operate in support of the EU's approach. It would not be conducive

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[32] B92. 9.9.2016. "Region is in a Crisis – but Business always finds ways.
http://www.b92.net/eng/insight/tvshows.php?yyyy=2016&mm=09&nav_id=99157
[33] Holsti K. 1998. The problem of change in international relations theory. Working Paper n°26. Institute of International Relations, the University of British Columbia

to further, more fundamental dialectical or transformative changes in the EU's overall approach towards the Western Balkans, but just continue to back the current EU approach. At best, the Berlin process would then operate in parallel to the EU's "business as usual" approach; at worst, in joining the plethora of regional initiatives already in place in the region, the Berlin process would lose its specificity and be diluted in the EU's "business as usual" mainstream. According to leading experts, the Western Balkans already host more than 70 regional initiatives -but their number is no sign of effectiveness.

In both cases, the siren call would lead the EU and WB6 to resume their "business as usual" relationship (which they have maintain in the past 2 decades). The temptation is real: path dependencies are commonly seen as a factor constraining change and a number of veto players (in the EU and WB6) would not necessarily welcome a review of the "business as usual" approach they are accustomed to. The approach remains indeed widely accepted among institutional stakeholders at the policy level. Political strongmen, in the Western Balkans, have been eager to develop language elements that conceal their autocratic tendencies, lure the EU in supporting their domination and thereby consolidate their external legitimacy, while hindering reforms that would constrain their power. They have adapted ingeniously their rule to the EU's "business as usual" approach and benefit from slow progress, most notably in sustaining political transformation. EU leaders, meanwhile, refrain from questioning the "business as usual" approach either because they have lost interest in enlargement, or for fear of acknowledging shortcomings that would question the very idea of enlargement in their electorate. Resuming "business as usual" in enlargement matters, against this backdrop, may well be the preferred option of key stakeholders at the policy level. Despite mixed results.

As a matter of fact, looking back at twenty years of enlargement policy does not bode particularly well for its future. Twenty years after the 1997 Regional Approach, which contained in essence most of the elements developed by the Summits of Zagreb and Thessaloniki, the region faces enduring, if not growing, challenges. The situation remains "fragile", according to the European Council of March 2017, despite the two-decade long intensive and systematic engagement of the EU in the region. Economically, the region is not catching up with the EU[34]. Twenty years ago, the average GDP per capita of Western Balkan states was about 40 to 60% of the average GDP per capita of Central and Eastern European states. Today, it remains at the exact same level, despite massive financial assistance. In Kosovo, for instance, the poverty rate is about 30%, the unemployment rate 33% and youth unemployment reaches almost 60 %. Throughout the region, crumbling industrial production, soaring (youth) unemployment, large trade deficits, sizeable external debts and bad demographics weigh rather heavily on the still –not-functioning– market economies in the Balkans, putting a damper on the (recently upgraded) EU economic model for the region[35].

Likewise, the EU's approach in the past twenty years has not been able to stop the democratic backsliding in the region. The EU's approach in this area, guided by stability concerns prevailing over democratic governance, has been instrumental in building seemingly democratic institutions, but much less effective in altering effectively authoritarian rules and

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[34] Stanisic, Nenad. 2016. Income Convergence in the Process of the Western Balkan States' Accession to the European Union. *Economic Horizons*. 18(1).

[35] Stratulat, Corina. 13.7.2016. To be or not to be an EU member state – A question for the Balkan aspirants as well? *EPC Commentary*.
http://www.epc.eu/documents/uploads/pub_6835_to_be_or_not_to_be_an_eu_member_state.pdf

practices[36]. In the absence of pre-existing preferential fit, conditionality, for instance, has remained relatively ineffective in inducing compliance and behavioural change (rule-implementation). Overall, indexes of democratic governance (Freedom House, Reporters without Borders, Bertelsmann Transformation) concur in evidencing at best stagnation at worst dramatic deterioration in civil and political liberties in the Western Balkans. This clearly challenges the self-conception of the EU as normative power. Unfortunately, the new concept of "resilience" advanced in the EU's Global Strategy, being a repackage of its focus on stability, falls short of re-balancing the basis upon which the EU's distinctive claim for normative power rests. Fifteen to twenty years after the end of the wars, stability remains the overarching concern of the EU in the region -a concern that resonates well with local politicians more interested in securing their power than democratising their country.

More generally, the recipe used by the EU in the Western Balkans, built around the notion of conditionality, follows up on its positive experience in Central and Eastern Europe. But the conditions that apply in the region are very different -in terms of historical predispositions towards stateness and above all in terms of post-conflict transformation. In other words, what worked in Central and Eastern Europe for various reasons is not necessarily due to work in the Western Balkans[37]. In that respect, the logic of 'strict but fair' that has come to dominate the EU's approach to enlargement might be well-intended in view of past lessons and ongoing Balkan realities. However, it has also often allowed the process to fall hostage to specific bilateral disputes and the vagaries of domestic politics in some member states, without lending a vigorously helping hand next to the firm hand consistently shown to the Balkans[38].

Taking stock of fifteen or twenty years of European integration in the region is a sobering exercise. Progress, if any, has not been as quick, as broad and as deep as expected. And popular support for EU membership dropped accordingly in the region. In Serbia, for instance, it fell from 70% in 2006 to 47% in 2016. Given its track record in the region, why should the EU seek to apply the same, unchanged approach it has used for 20 years? What would justify a return to "business as usual" after the end of the Berlin process?

3.1.2. A return to "business usual" would at best be illusory

The business as usual approach, despite major flaws, has not been ineffective. Croatia joined the EU in 2013 and its economic and political transformation, as fragile and incomplete as it is, is an important achievement. Also, one could that the situation in the Western Balkans would be much worse without the engagement of the EU in the region. But the EU's approach is no panacea, and a return to it is simply illusory. Systemic changes in the EU's political and institutional environment, which have accelerated in the past few years, render the idea of a "return" to a previous approach barely possible[39].

First of all, rising unpredictability of the enlargement process conveyed by the gradual re-nationalisation of policy process have weakened the central authority of the Commission,

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[36] Dolenec, Danijela. 2013. *Democratic Institutions and Authoritarian Rule in Southeast Europe*. Colchester: ECPR Press. Elbasani, Arolda. 2013. *European Integration and Transformation in the Western Balkans*. London, New York: Routledge. Kmezic, Marko et al. 2013. *Stagnation and Drift in the Western Balkans*. Brussels: Peter Lang.
[37] Dolenec, Danijela. 2013. *Democratic Institutions and Authoritarian Rule in Southeast Europe*. Colchester: ECPR Press.
[38] Stratulat, Corina. 13.7.2016. To be or not to be an EU member state – A question for the Balkan aspirants as well? *EPC Commentary*.
[39] Marciacq, Florent. 2015. EU Enlargement in troubled times? Adapting to new realities and drawing lessons from democratisation failures. *ÖGfE policy Brief* (39).

which used to operate most of the "business as usual" approach. At the institutional level, mechanisms to steer and restrain the enlargement process have been introduced at all stages in several member states[40]. In France and Austria, national referendums are now posited as "constitutional requirements" for the ratification of future accession treaties[41]. In Germany, the Bundestag, pursuant the 2009 Federal Act on EU Cooperation, decisively influences the Council's decisions when it comes to reaching enlargement milestones, e.g. granting candidate status or opening negotiations. The Bundestag already used its prerogatives in several instances, e.g. it did not follow the recommendations of the Commission in 2011 and 2012 to grant Serbia and Albania the status of EU candidate. Meanwhile, at the EU level, intergovernmental institutions have (re)gained decisive power on enlargement matters, at the expenses of Community actors. The Council, for instance, commonly disregards the Commission's recommendations and withhold any automaticity (not only on the opening of accession negotiations with Macedonia). The Commission, the assessments of which key member states (e.g. Germany, France) deem biased and too positive, has seen its authority accordingly contested[42]. Side-lined, it no longer occupies a position of leadership in enlargement matters (as confirmed by the inception of the Berlin process).

Secondly, with the renationalisation of the EU's enlargement policy, the domestic politics of key Member States of the EU has become an important factor in the pursuit of the process. Yet, the heterogeneity of national interests and preferred approaches further amplifies the unpredictability of the collective endeavour of enlargement. Whereas Germany, the most influential capital in that area, has been pushing for a tough line on conditionality (like the Netherlands, Finland and Sweden), also in an attempt to defuse Euro-sceptic sentiments at home, Poland supports a softening of the conditionality process (together with Hungary and Italy)[43]. Also important is the general increase of popular opposition to enlargement in most EU Member States (51% on average) and the expression of a perceived trade-off between deepening and widening European integration in public opinions (with a very preference for the former over the latter). How could the "business as usual" approach still have a chance to work in a context characterised by high volatility in public opinions and heterogenous preferences regarding enlargement, i.e. with less credible accession incentives?

Finally, it should be kept in mind that the EU the WB6 countries may eventually join will not look like the EU that promised them European perspectives in 2003. Key changes in the EU's integration dynamic are at work, which will necessarily impact on the EU's external governance and enlargement policy. Brexit and the challenge of differentiated integration are among the most obvious examples, even though their implications for the enlargement policy have not been seriously appreciated so far. With Brexit, first of all, the WB6 lose one of the Member States of the EU that was, until recently, most actively promoting enlargement. For the years to come, they shall now instead expect a European Union spending more energy on disintegration matters (negotiating Brexit) and differentiated integration, than on furthering enlargement. These new challenges will require new responses, rather than "business as usual".

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[40] Balfour R & Stratulat C. 2015. EU Member States and Enlargement Towards the Balkans. *EPC Issue Paper* (79).

[41] Art. 49 TEU states provides that accession treaties "shall be submitted for ratification by all the contracting States in accordance with their respective constitutional requirements".

[42] EU member states usually use their diplomatic representations to get a better grasp of WB politics, while some parliaments carry out their own assessment missions (e.g. Germany, Denmark, Sweden and the UK).

[43] Balfour R. & Stratulat C. 2015. Op. cit.

The fact that the 2018 Berlin process Summit will be hosted by Great Britain illustrates the risk of overlooking the seriousness of these challenges. Promised by A. Merkel to the UK before Brexit, the idea of having a Member State leaving the EU hosting a Summit precisely meant to reenergise EU enlargement raises eyebrows throughout the EU and the WB6. Bewilderment is legitimate, as it seems that in entrusting the UK to host the Summit in 2018, the Berlin process responds to outdated commitments, rather than adapting to new realities in a reflected, consistent and forward-looking manner. More dramatically, it seems to many observers that having the UK praising European integration at the 2018 Summit despite Brexit sends a confusing signal to would-be member states. By de-stigmatising non-membership without offering a coherent vision of what differentiated integration could imply for countries with European perspectives, this decision to disregard the implication of Brexit carries the risk of at best weakening the EU's attempt at reaffirming its commitment to enlargement, or at worst to reinforce the illusory position of the proponents of the status quo and "business as usual" approach in the EU and WB6.

3.2. Building on the Berlin process to initiate a dialectical shift in the EU's approach to enlargement

As explained above, calling for returning to "business as usual" after the Berlin process ends would be barely justifiable and at best illusory. Twenty years of enlargement policy have not produced results that would augur well for the future and the EU currently undergoes major systemic changes that will necessarily impact on its external governance, not always in expected ways. But the EU's enlargement policy is in no dead-end. On the contrary, it could greatly benefit from the new avenues opened by the Berlin process, provided it becomes amenable to "dialectical changes", in Holsti's terminology, and not only to "change as addition".

3.2.1. Solidarity rather than competition: regionalising the EU's enlargement approach

The EU's approach towards the Western Balkans has been shaped at the 2000 Zagreb Summit mainly based on the views of Germany, France, Sweden and Spain. It prescribes an individualised approach differing from the approach pursued in Central and Eastern European states, which culminated in 2004 with the grouped accession of 10 new Member States. The Zagreb "regatta" approach relies on the assumption that by assessing and rewarding individually the progress of would-be Member States, the EU would stimulate constructive competition among them and help identifying best-practices.

However, in a region marred by post-conflict traumas and ethnopolitics, competition has not proved very constructive so far. It seems instead to have consolidated dividing lines and widen the gap between frontrunners (e.g. Croatia) and laggards (Kosovo, Bosnia-Herzegovina). Very few nationals in the region feel united by the prospect of all becoming EU citizens and many actually see their neighbours' accession as potentially detrimental to their country. This is particularly the case in Kosovo with regards to Serbia, but more generally also, throughout the region, where the EU's mantra of "do it for yourself, not anyone else" has been well internalised.

Considering the accession process as an individual endeavour may have been well-intended to further reforms, local ownership and even constructive competition. But while emphasising the individual gains that prospective Member States expect to yield as they join the EU (in terms of political stability and economic development, but also in terms of status and recognition), the "regatta" approach falls short of emphasising the collective utility of the

integration project. While focusing on competition, i.e. the maximisation of individual interests, it neglects collective identify formation, cooperation, solidarity and trust -European values that are conducive to reconciliation and positive peace and proved especially needed in fragile, economically-vulnerable, post-conflict contexts. No wonder that popular support for more regional cooperation in the Western Balkans is much higher (around 80% on average) than support for EU membership.

As a result, instead of organising themselves to lobby more effectively (i.e. collectively) for faster accession, WB6 leaders have spent considerable energy on advancing individual (rather than collective) positions and maximising relative (instead of absolute) gains. Within this opportunity structure, bilateral disputes hold a prominent place. The accession of Slovenia in 2004 and Croatia in 2013 has demonstrated to other Western Balkan states that the accession process can also be used to increase one's asymmetric power over the neighbours. Therefore, despite all the regional initiatives launched in the past decade, there is still little regional (as opposed to national) ownership of the European integration project throughout the Western Balkans.

Through its systematic emphasis on regional cooperation, however, the Berlin process opens avenues for re-framing the EU's approach towards the Western Balkans in a more collective way. Recognising that many of the key challenges the WB6 face have a regional dimension is a first step. But to be truly effective (and consistent), the EU's approach should respond to this need for more regional approaches by offering less country-specific enlargement frameworks. In simple terms, it should work at further regionalising its enlargement policy, grouping accession prospects and regionalising parts of its conditionality approach.

Regionalising the EU's enlargement policy would aim at increasing the regional ownership of the European integration project in the Western Balkans. It would imply supporting the empowerment of regional institutions in the enlargement relationship the EU maintains with WB6 countries by considering these regional institutions (already existing or to be established) as key partners in a series of policy-areas, the governance of which is eventually due to be communautaried. Regionalising the enlargement policy would increase regional social learning and impact on WB6 cost-benefit calculations by transforming their pursuit of individual, relatively-assessed gains into an emphasis on collective gains assessed in absolute terms. It would, furthermore, lead WB6 to coordinate their lobbying capacities so as to support more effectively the European perspectives of the region and thereby refrain WB6 leaders from engaging in utility manipulations (e.g. through the use of bilateral disputes).

Grouping accession prospects means that all WB6 should expect to join the EU at the same date -an historical event that would be a milestone in the region's reconciliation process. The grouped accession would imply giving solidarity precedence over individualised merit-based progress and induce frontrunners to help and support laggards, instead of blocking them. That would be best conducive to focus WB6 leaders on maximising absolute rather than relative gains and experience the collective value of the European project. Frontrunners, of course, would be reluctant to see their accession prospect depend on their neighbours' progress, but shortening the horizon of accession could be an effective incentive for them too, especially in times of growing uncertainty (see below). The grouping of accession would furthermore help overcoming the stalemate of Kosovo's non-recognition by 5 EU Member States. Blocking the signature or ratification of Kosovo's Accession Treaty would halt the finalisation of the accession process of the 5 neighbouring states and therefore put the 5 EU non-recognisers under tremendous pressure. Likewise, the consequent unanimous recognition, whether implicit or explicit, of Kosovo by all EU Member States would in turn further induce Serbia

to recognise Kosovo, especially if accession were at hand. The same logic would apply to the naming issue between Greece and Macedonia.

Finally, regionalising parts of the EU's conditionality approach means that certain conditions would only be considered as "fulfilled" if met by all WB6 countries. These conditions should relate to policy-areas (or chapters of the acquis) at least partly covered by those newly empowered regional governance institutions (e.g. four freedoms, transport policy, energy, economic and monetary policy, Trans-European networks, regional policy, justice, freedom and security, judiciary and fundamental rights, environment, etc…), but not only. Foreign security and defence policy as well as "other issues", such as normalisation of relations between Belgrade and Pristina, could be approached with more regionalised conditionality tools. Domestic issues (in Bosnia-Herzegovina or Macedonia), bilateral disputes (e.g. Serbia/Kosovo, Macedonia/Greece) and bilateral relations with non-EU countries (e.g. Russia), after all, often have regional implications -they remain "domestic" or "bilateral" only in name. A more inclusive approach towards them, using regional conditionality tools, would merely acknowledge the specificity of post-Yugoslav contexts.

3.2.2. Membership is no prerequisite for participation: bringing accession closer in time

Accession has been conceived of as a one-off event celebrating decades of ex-ante conditionality-driven progress. It is, in other words, granted as an award for successful transformation based on a series of positive evaluations validating the fulfilment of a large set of pre-defined criteria. The scope of these criteria, however, has significantly changed over time, and conditions for membership, as a result, are like a moving target. The growth of the EU's acquis communautaire, in particular, imposes transformational costs on WB6 applicants that are much heavier than twenty years ago, as Central and Eastern European countries joined the EU. This trend is not likely to be reversed in the future, which means that (unless accession is grouped) transformation will be even costlier for countries currently facing the most difficult challenges.

Moreover, in the past few years, the mechanism enabling the validation of the fulfilment of EU preconditions has become even more technical and profoundly complex, resulting in rising uncertainty in terms of outcome. In 2006, the "renewed consensus" introduced strict conditionality assessments throughout the negotiation process. The opening and closing of negotiation chapters are now subject to the preliminary fulfilment of opening and closing benchmarks. This compartmentalisation of conditionality has enabled the EU to multiply its opportunities to sanction (more than reward) WB6 countries. Furthermore, in 2011-2012, the EU adopted a "new approach", prioritising chapters 23 and 24 in the accession negotiations[44]. Frontloading these chapters as the first to be opened and setting interim rather than closing benchmarks is intended to help WB6 countries developing a solid track record and avoiding the post-accession activation of accession treaty safeguard measures or cooperation and verification mechanisms (CVM)[45]. It certainly is a well-intended measure -and a necessary one.

However, in practice, these "renewed consensus" and "new approach" amendments to the EU's conditionality mechanism, advanced by Germany in the first place, have contributed to strengthen the role of veto-players at the intergovernmental level and rendered the whole access process stricter and more technical. Instead of bringing accession actually closer to

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[44] Chaps 23 and 24 deal with judiciary and fundamental rights, and justice, freedom and security.
[45] Safeguard measures have been invoked against Croatia in 2013; CVMs are in place since 2006 to review the progress of Bulgaria and Romania in the fields of judicial reform, corruption and organised crime.

WB6 citizens, these technicalities have segmented the accession process. They give the illusion of movement, while keeping accession prospects as distant as possible. For WB6 countries unlikely to join the EU in the next 15 or 20 years, this certainly is an issue, since the EU's transformational power decreases with the weakening of its credibility in offering comprehensible accession perspectives.

The Berlin process opens, in this respect, interesting avenues. First, it equally involves all WB6 countries, regardless of the status of their relationship with the EU. That includes those that have not opened accession negotiations yet. The result, as explained in the previous sections, is an intensification of EU-WB6 as well as regional interactions conducive to more socialisation. The Berlin process, in that sense, not only keep WB6 administrations busy -it advances the time-demanding development of mutual understandings in the region. Building on this practice, the EU's enlargement approach should allow wider participation of WB6 countries in EU processes -and not only after validation of accession preconditions. The EU, more specifically could work at opening accession talks with all WB6 countries, starting with chapters 23 and 24, which WB6 citizens commonly view as having priority. This measure would convey a strong political signal and increase the involvement of WB6 administrations in EU affairs. Member States, by contrast, would not have much to lose, since they would retain their power to block the conclusion of accession negotiations. Early pre-accession participation in EU deliberation processes, whether active or passive, would likewise help blurring the image of the EU as being a private club reserved to actual (i.e. not future) members. In foreign and security policy matters, for instance, the EU expects systematic alignment with its positions from WB6 states, but falls short of involving them in its coordination processes. More generally, the EU is keener at conducting political monologues with its future member states than promoting inclusive political dialogue.

Of course, blurring the divide between membership and non-membership by increasing pre-accession participation in EU processes and deliberations would imply that EU Member States increasingly rely on ex-post (and not only ex-ante) conditionality. Ex-post conditionality would allow WB6 countries that are not ready to join the EU to yet be involved in the functioning of the EU. It would keep their administrations busy, foster socialisation, and actually bring the EU closer to the region.

Negative effects could be compensated by building on, rather than merely enduring, key challenges in the EU's integration dynamics. Brexit and differentiated integration prospects, here, could be seen as an opportunity to rethink the concept of EU membership by detaching it from the notion participation and thus opening avenues for pre-accession participation in EU processes. The organisation of 2018 Berlin process Summit in London, if framed in such a way, could here exemplify the celebration of active participation in EU affairs (regardless of Brexit) over passive membership as driver of EU enlargement policy.

Viewing membership as an ex-post participatory process, initiated already in pre-accession phases, rather than a one-off event granting a blank check to ex-ante deserving members, moreover, would enable prospective EU and acceding Member States to be better prepared to post-accession challenges. Existing instruments should be developed with this purpose. In the absence of further control mechanisms, the rising differentiation in EU integration, which substantive pre-accession participation in EU process would entail, could weaken the cohesion of the integration project. To mitigate this risk, post-accession conditionality tools (cooperation and verification mechanisms) should be developed. But not only. they should ideally be complemented by more functional post-membership conditionality tools, applicable to all Member States. After all, the EU's inability to effectively address rule of law challenges

in incumbent Member States (e.g. Poland or Hungary) impacts on its ability to promote reforms strengthening the rule of law in the Western Balkans. Likewise, although equal in rights, incumbent Member States should not be allowed to abuse their prerogatives to secure an asymmetric power and block neighbouring countries for individual (as opposed to collectively shared) motives.

3.2.3. A political battle rather than a technical process: fighting for enlargement

Enlargement has long been considered as driven by a technical process of legal approximation and behavioural alignment, guided by élites relying on the permissive consensus of their constituencies, and accordingly sanctioned by relatively predictable political decisions. This has changed: enlargement has become more unpredictable, less accepted by EU (and even WB6) citizens, less eagerly promoted by élites and more driven by national interests or intergovernmental institutions. In a word, key aspects of the EU's enlargement policy have become a more politicised, although the enlargement policy framework remains operated on a day-to-day basis as a technical "business as usual" process.

The implications of this gradual disjuncture between an increasingly politicised policy process and a more technical "business as usual" policy framework are important: first of all, countries successfully undergoing the technical process prescribed by the Commission cannot be guaranteed to become Member States on the sole basis of their track record. To avoid being blocked, they shall also invest in building up political support for their accession in the EU and would here certainly benefit from organising themselves as a group lobbying for collective accession.

Secondly, this disjuncture exposes the very question of enlargement to the severe criticism of Eurosceptical political parties, while hindering the development of a political counter-narrative presenting enlargement as a political fight. In the EU, enlargement debates have been shaped and dominated by Eurosceptics since the advent of the so-called enlargement fatigue. In the Western Balkans, it is advanced by political élites both committed to ethnopolitics and European integration -the former being seen as a political battle, the latter as a technical process. This twofold commitment, paradoxical though it is, is hardly questionable, unless enlargement starts being projected as a political, potentially divisive question, and the EU as a political object, against which Eurosceptics do not have the monopoly on critical thinking.

The Berlin process here again, opens avenues for embracing politicisation as a new reality and fighting for enlargement as political battle. The very inception of the Berlin process carries the seeds of this idea: the process was launched by Germany, also in an attempt to counter other Member States' growing reluctance towards enlargement and the design of the Berlin process, more than that of the EU's approach, reflects the growing role of national, political interests (e.g. in the organisation of Berlin process summits) in enlargement matters. Moreover, the Berlin process has emphasised the role of civil society actors as partners in the conduct of political and economic transformation. Its Civil Society Forum, pan-European expert Reflection Forum and Western Balkan Chambers Investment Forum have stimulated the non-partisan mobilisation of citizens on a large spectrum of issues and encouraged their (criticism-laden) interactions with policy processes.

Embracing politicisation as a new reality in enlargement matters would first imply to cease considering and presenting the EU and its policy as a quasi-sacral object and accepting that European integration becomes a polarising topic in WB6 politics. Constructive cleavages

could easily emerge on European core principles (e.g. on reforms pertaining to the rule of law, judiciary independence, etc…), if the EU were not as reluctant to interfere in domestic politics through "blame and shame", or if it were more assertive in its critical assessments. They would create room on the political chessboard for political parties holding more pro-European views, while putting under pressure those only committed to European integration rhetorically. Constructive cleavages would, finally, help rebalancing the relationship between the executive and the legislative powers in would-be Member States by empowering pro-European opposition parties. After all, the academic literature has repeatedly shown that European integration mechanically tends to strengthen the executive over the legislative power, opposition parties and civil society, putting democratic, parliamentary and participative processes under strain. This in in particular due to the fact that laws emanating from the EU are commonly passed under accelerated parliamentary procedures with little or no deliberation and consultation)[46]. Empowering parliamentarians, opposition parties and civil society actors then boils down to reducing the domestic imbalances created by the EU's dominantly intergovernmental approach.

Treating European integration as a potentially divisive process and the EU as a political object would not only give new impetus to the European project; it would also bring European (EU and WB6) citizens closer. Constructive cleavages about the future of European integration and EU politics, which concerns both EU and WB6 citizens, could help overcoming national cleavages by uniting different national communities in a transnational reflection on the construction of Europe. Interestingly, this transnationalisation of national and European politics, which is key to the formation of collective identities, can benefit from the rise of Eurosceptical parties, provided the response advanced by political communities goes beyond the defence of the status quo. What is need here is an alternative idea of European integration, which mobilises citizens along political lines relatively immune to ethnopolitics.

A good example is provided by "bilateral issues" in the Western Balkans, which in fact, barely are "bilateral". They often have regional and European implications, but not only. Most of them, in essence, can be considered as challenging the post-modern, value-based foundation, upon which the EU seeks to establish itself. Bilateral issues, in that sense, reproduce modern (nation-based) or pre-modern (territorial) patterns of thinking, the persistence of which should be a matter of transnational concern to European (both EU and WB6) citizens. Political mobilisation around Kosovo-Serbia, Greece-Macedonia, Kosovo-Montenegro disputes as well as other "bilateral issues" should accordingly extend well beyond the national communities directly affected. It should be seen as a part of the political battle of constructing Europe.

Embracing politicisation as a new reality in enlargement matters, finally, implies rebalancing the logic of European integration by giving more weight to civil society in EU-WB6 relations. WB6 governments cannot be the only partners upon which the EU relies for the legitimisation of its political interference (e.g. when it recommends reforms or influences policy outcomes). Since trust in WB6 politicians is dramatically low in the region and is not increasing[47], the EU should make sure of the adequacy of its action by engaging more directly with citizens. It should, in particular, respond to citizens' expectations that may be addressed to the EU

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[46] See Börzel T.A. & Sprungk C. 2007. Undermining Democratic Governance in the MS? The Europeanization of National Decision-making', in Holzhacker R. & Albaeck E. (eds.). *Democratic Governance and European Integration, Linking Societal and State Processes of Democracy*, Cheltenham: Edward Elgar Publishing.

[47] See the results of the 2016 PASOS project poll (www. pasos.org). For instance, in Macedonia, more than 75% of the respondents declared that they do not trust political parties. See also Golubović N. et al. 2015. Trust in Political Institutions in Western Balkan Countries. *Law and Politics*. 13(1).

against their governments, e.g. regarding the weakening of democratic institutions and check and balances, in a more supple, assertive and risk-acceptant way. The restraint the EU demonstrates as social unrest rumbles throughout the region, which contrasts with its friendliness towards WB6 strongmen, conveys the signal that European integration remains an élite-driven project falling short of addressing citizens' concerns over social policies, the rule of law or democracy. Here, the EU would need to go beyond improving its communication strategy, e.g. through public diplomacy. What it would need is a more visible engagement at the grassroot level, e.g. through techniques drawing from guerrilla diplomacy[48] (i.e. ears to the ground, eyes on the horizon), the systematic inclusion of civil society representatives in all "structured dialogues", the institutionalisation of civil society participation in negotiation processes as well as more support to NGOs, think tanks and business associations operating transnationally in the region or promoting regional integration.

The need to rely more exhaustively on civil society actors does not only stem from concerns over the legitimacy of EU political interference. It is also a simple matter of long-term effectiveness (i.e. in ensuring the sustainability of change). The literature shows that conditionality is less fruitful in political contexts where civil society is weak, since infringements or dubious behaviours will more easily go undetected and unpursued. Post-accession studies, in particular, indicate that CVM reports have been most effective when civil society actors, including independent media, could use them to pressure their governments from below[49]. Therefore, to have a lock-in effect, EU conditionality needs to empower civil society actors as early as possible in the accession process and to facilitate broad societal mobilisation[50]. That implies, for instance, adapting the formulations of the Commission's annual reports (too diplomatic to have any wider impact on public opinions), so that these can be used to increase the domestic leverage of civil society actors.

Fighting a political battle, finally, requires more enthusiasm than operating a technical process. And enthusiasm comes with inspiration. Unfortunately, the power of attraction the EU exerts towards WB6 citizens (and the brain drain it fuels) derives less from its capacity to inspire young people than from the absence of perspectives they perceive in their country of origin, despite two decades of EU engagement. By launching RYCO, the Berlin process made a first step towards re-inspiring people towards in the region. But more will be needed to revive the inspirational power of the European project, e.g. establishing an EU heavily-funded European University with several campuses in the region; subsidising an InterRail Pass allowing WB6 youngsters to travel throughout the EU for a limited time; etc…

4. Conclusion:

The Berlin process epitomises a "change as addition" in the EU's approach towards WB6 countries. Its purpose, defined in 2014, is to maintain the momentum of reforms in the region and deliver "additional real progress" in terms of enlargement. Three years after its inception, the initiative has seen its scope extending from investing in infrastructure projects to encouraging mobility and civil society mobilisation. Although its scope clearly (and intentionally) overlaps with the EU's enlargement policy, the Berlin process relies on key differences in its format, logic and functioning, which precisely constitute a distinctive asset.

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[48] Copeland, Daryl. 2009. *Guerrilla Diplomacy*. Boulder: Lynne Rienner
[49] Dimitrova A. & Buzogany A. 2014. Post-Accession Policy-Making in Bulgaria and Romania: Can Non-state Actors Use EU Rules to Promote Better Governance?. *Journal of Common Market Studies* 52 (1).
[50] Dimitrova A. 2015. The Effectiveness and Limitations of Political Integration in Central and Eastern European States: Lessons from Bulgaria and Romania. *MAXCAP Working Paper* (10).

Although it is too early to draw conclusions on its eventual success, preliminary observations, one year before its programmed end, are rather positive. Against the backdrop of the Juncker Declaration, Brexit and growing geopolitical challenges, the Berlin process signals that the EU remains a strategic player in the region, and that interest in enlargement has not completely faded away. More substantively, a major achievement of the Berlin process has been its contribution to boost up the interest of WB6 and EU stakeholders for regional cooperation, whether through its contribution to the Connectivity Agenda, RYCO, the establishment of the Western Balkan Chambers Investment Forum or its support for the Civil Society Forum or pan-European Expert Reflection Forum.

But are these achievements commensurate with the challenges the EU faces in the region? In infrastructure connectivity, the ambition of the Berlin process of "putting fundamentals first" seem somehow ambiguous. Unlike China, which advances its own Connectivity Agenda through its billion-funded "One Belt, One Road" millennial project, the EU chases two rabbits: on the one hand, it seeks to remedy the infrastructure gap in the region by enhancing transport and energy connectivity through the co-funding of infrastructure projects. On the other hand, it uses investment projects as means to develop administrative capacities and advance rule-based processes -a task that necessarily complicates the implementation of projects in countries lacking capacities. Likewise, the various initiatives seeking to empower civil society actors, while building bridges with governmental actors, have fallen short of receiving the consideration they deserve. The final "Declaration on Bilateral Issues", advocated by BiEPAG experts, for instance, fails to commit EU Member States in the Balkan peninsula to restrain from blocking their WB6 neighbours for national reasons.

However, the achievements of the Berlin process, promising as they are, have not been a game-changer to date. To come closer to reaching its goal of delivering "additional real progress", plans have been made to add more of the same. On 31 May 2017 the German Minister of Foreign Affairs, Sigmar Gabriel, announced a "Berlin plus" agenda featuring the creation of special funds for start-up business, vocational training and IT-infrastructure development and the formation of a fund for infrastructure and technology to which EU member states, EFTA and the European Economic Area members could contribute as donors. Given the scope of the challenges the region and the EU faces in enlargement matters, it is unlikely that this Berlin plus process will change the degrading political and socio-economic landscape of the Western Balkans in the near future.

But the Berlin process may not end up as an initiative that proved disappointing in relation to the expectations it aroused. If the "change as addition" it initiated grows and transforms the EU's enlargement policy, i.e. if the Berlin process is a first step towards a renewed enlargement policy, its contribution will be historical and actually lead to "additional real progress" in advancing the EU's panting policy towards WB6 would-be Member States.

To navigate in this direction and make the Berlin process a milestone in the EU's enlargement policy, the siren call of resuming "business as usual" after the Berlin process possibly ends in 2018 needs to be resisted. No "mission accomplished"; no retreat from key EU Member States. Whether it simply ends or becomes one more regional initiatives is unlikely to make any difference, if the EU's approach as it has been practiced for two decades takes over, without dialectal change. In fact, returning to the EU's "business as usual" approach would be barely justifiable and at best illusory. Twenty years of enlargement policy have not produced results that would augur well for the future and the EU currently undergoes major systemic changes that will necessarily impact on its external governance, not always in expected ways.

As a matter of fact, rather than being a temporary brace for the EU's enlargement policy, the Berlin process can be seen as opening new avenues, and its achievements as worth building on them. First, its emphasis on regional cooperation could pave the way for developing a regionalised approach more amenable to collective identify formation, cooperation, solidarity and trust than the "regatta" approach followed by the EU. In fragile, economically-vulnerable, post-conflict contexts, constructive competition cannot be the leitmotiv guiding the EU in the development of its differentiated relations with WB6 countries. Regional cooperation should instead be made the cornerstone of EU-WB6 relations, including in enlargement. That means, more specifically, offering less country-specific enlargement frameworks, i.e. further regionalising the EU's enlargement policy, grouping accession prospects and regionalising parts of the EU's conditionality approach.

Secondly, instead of bringing accession actually closer to WB6 citizens, technical improvements in the EU's conditionality approach have segmented the accession process. They give the illusion of movement, while keeping accession prospects as distant as possible. In the same time, the development of the EU's acquis imposes transformational costs on WB6 applicants that grow commensurately. Unless the EU makes accession prospects more tangible and closer in time, its credibility will continue to erode -as will its influence. Building on the Berlin process, the EU's approach should allow wider participation of WB6 countries in EU processes -and not only after validation of accession preconditions. Keeping WB6 leaders busy is important, but even more important is to blur the divide between membership and non-membership through pre-accession participation. To mitigate the risks that may arise from a more differentiated pattern of vertical integration, post-accession conditionality tools as well as post-membership conditionality tools should be further developed and applied with consistency on a set of core values identified as defining European identity.

Finally, reluctance to consider enlargement as a politicised issue-area has led to a detrimental disjuncture in the EU's approach towards WB6 countries. Whereas its policy framework still reflects the traditional design of a process guided by élites relying on the permissive consensus of their constituencies, and accordingly sanctioned by relatively predictable political decisions, in practice, enlargement has become (more) unpredictable, less accepted by EU (and even WB6) citizens, less eagerly promoted by élites and more driven by national interests or intergovernmental institutions. The challenge, which the Berlin process, in its design and achievements, can help to overcome is to embrace the politicisation of enlargement as a new reality and fight for enlargement as political battle rather than ticking the boxes of a technical process. European integration could and should be a source of constructive cleavages in WB6 politics - beyond the simplistic Europhile vs. Eurosceptical debate. Transnational mobilisation along polarising lines, which treat the EU as political object rather than an omniscient deity are necessary to divert WB6 (and EU) citizens from ethnopolitics and further togetherness. The role of civil society and transnational networks is essential here, as is the capacity of the EU to recover its power to inspire.