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Connecting dots in the Western Balkans

By Jelica Minić

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Introduction

Since its launch in 2014, connectivity has been one of the driving initiatives of the Berlin Process. Following the EU-Western Balkans Sofia Summit, **the Connectivity Agenda¹ and the Multi-Annual Action Plan for Regional Economic Area (MAP REA),²** the two key leverages of the Berlin Process of crucial importance for the economic development of the Western Balkans, **were shifted to the enlargement process.** They were incorporated in the 6 February 2018 EC Communication *A credible enlargement perspective for and enhanced EU engagement with the Western Balkans³* (as four of six Flagship Initiatives) and the 17 May 2018 *Sofia Declaration of the EU-Western Balkans Summit⁴* (as four of six Priority Agenda items): a) addressing socio-economic development with

special focus on youth; b) increasing connectivity; c) guiding digital agenda and d) supporting reconciliation and good neighbourly relations. Thus, Berlin Process's achievements in these specific areas became a kind of an "action plan" for the enlargement strategy clarifying priorities and related policy measures to get them achieved. This proves **once more that the Berlin Process is a much needed inter-governmental initiative that has to continue in the future and provide support to the on-going EU accession process with the countries of the Western Balkans.**

¹ European Commission, "Connectivity Agenda Co-Financing of Investment Projects in the Western Balkans," 2018, <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/connectivity-agenda-2018-sofia-summit.pdf>.

² Regional Cooperation Council, "Multi-Annual Action Plan for a Regional Economic Area in the Western Balkans Six," <https://www.rcc.int/docs/383/multi-annual-action-plan-for-a-regional-economic-area-in-the-western-balkans-six>.

³ European Commission, "A Credible Enlargement Perspective for and Enhanced EU Engagement with the Western Balkans," February 6, 2018, https://ec.europa.eu/commission/sites/beta-political/files/communication-credible-enlargement-perspective-western-balkans_en.pdf.

⁴ EU-Western Balkans Summit, "Sofia Declaration, 17 May 2018," May 17, 2018, https://www.consilium.europa.eu/media/34776/sofia-declaration_en.pdf.

Connecting dots in the Western Balkans

The Connectivity Agenda and MAP REA are two interconnected tracks of the Berlin Process that fulfil its key mission to intensify regional cooperation in the Western Balkans and get it closer to the EU. They are supposed (1) to provide better coordinated development of transport, energy and digital infrastructure but also to implement reforms following EU policies in related sectors and (2) to further liberalise trade; harmonise investment space within the region and with the EU; contribute to labour market advancement through greater regional mobility based on mutual recognition of professional qualifications and diplomas; and implement a Digital Agenda facilitating people-to-people communication by eliminating roaming charges, increasing cyber security and joining the EU programme for IT solutions.

A plethora of regional organisations and

European institutions are involved to achieve these goals. Among others, the ones responsible for the Connectivity Agenda are the Energy Community Secretariat (EnCS), South East European Transport Observatory (SEETO)/Transport Community, European Commission's Directorate General for Neighbourhood Policy and Accession Negotiations (DG NEAR) and other related DGs with support of the Western Balkan Investment Framework (WBIF) as the main donor coordination body. On top of these, there are other institutions such as the Regional Cooperation Council (RCC), Central European Free Trade Agreement 2006 (CEFTA), South East European Investment Committee (SEEIC) and Western Balkan Chamber Investment Forum (WB CIF), with support of various EU agencies and bodies in the area of research and education and digital integration that sustain the implementation of the MAP REA.

Connectivity Agenda

The progress report for the Connectivity Agenda prepared for the 17 May 2018 Sofia Summit, which was updated for the 10 July 2018 London Western Balkan Summit of the Berlin Process, provides a detailed overview of all 31 projects approved. It reveals the status of the 20 projects (approved in the period 2015-2017) as well as the list of additional 11 projects approved in Sofia, with amounts of grants and loans and a list of financial institutions supporting each of them.⁵ It becomes obvious from the report that **the total investment value of these 31 approved projects at the Berlin Process summits 2015-2018 is 2.4 billion EUR with a contribution of 700.7 million EUR of grants.**⁶

Improving connectivity within the Western Balkans, as well as between the Western Balkans and the European

Union, as a key factor for regional growth and jobs, requires also implementation of technical standards and reform measures (e.g.: aligning/simplifying border crossing procedures, railway reforms, information systems, road safety and maintenance schemes, unbundling and third-party access). The reform process has been progressing faster in some areas (i.e. railway transport), unlike the infrastructure construction which is a several years lasting procedure from application approval to completion of works.

The situation on the ground, however, shows that in some cases, **projects are lagging behind because Western Balkan countries do not have sufficient capacities** to prepare the necessary documentation fast enough. This prolongs the necessary procedure for implementation of these projects, thus, increasingly shadowing the visibility of the results the Berlin Process is producing in this area. However, there are also **other concerns related to this that can be associated to the EU.** ▶

⁵ Connectivity Agenda, op.cit. p.7 and pp.34-35

⁶ Western Balkans Investment Framework, "Connectivity Agenda," accessed June 6, 2019, <https://www.wbif.eu/sectors/connectivity-agenda>.

► **First**, there is an institutional vacuum regarding the structure of key organisations supposed to prepare, coordinate and monitor progress in the implementation of the Connectivity Agenda. On the 31st December 2018, after 14 years of successful work, the SEETO Secretariat was closed. The agreement on the headquarters of the Transport Community Treaty (TCT)⁷ Permanent Secretariat, supposed to be in Belgrade, was signed on 30 January 2019. However, the successor of the SEETO Secretariat has not yet become operational leaving a void in the most important tangible activity initiated and backed by the Berlin Process – development of regional infrastructure in transport and energy, and since 2018 digital infrastructure and its integration into the related Trans-European Networks. It took more than a year to get the agreement on the Transport Community Secretariat, and supposedly it would take one more to get it operational. It is legitimate to ask whether a gradual transformation of a successful regional organisation could have been the better

choice than its closure in order to be transformed. In addition, what is going to happen with the human capital and regional expertise that has been created and nurtured all these years of SEETO's existence?

Second, the implementation of the Energy Community Treaty rules and the respect of its authority (explicitly backed by DG NEAR) is also cause for concern. On 26 March 2019, the Energy Community Secretariat announced that it was officially opening a dispute settlement procedure on the planned Federal guarantee for a EUR 614 million loan from the China Eximbank to build the Tuzla 7 coal power plant in Bosnia and Herzegovina. The BiH was warned that the procedure would potentially lead to delays in the EU accession process and temporary suspension of financing by EU banks.⁸

It is interesting to note that the infringement procedure followed a complaint submitted by two nongovernmental organisations, the Aarhus Resource Centre Sarajevo, and CEE Bankwatch Network, in September 2018, that

⁷ The South East Europe Transport Community has been established on 9 October 2017, following the signing of the Treaty. For more information see the Delegation of the European Union to the Republic of Serbia, "Agreement on Transport Community Permanent Secretariat Signed Today in Belgrade," January 30, 2019, <https://europa.rs/agreement-on-transport-community-permanent-secretariat-signed-today-in-belgrade/?lang=en>.

⁸ CEE Bankwatch Network, "Energy Community Opens Infringement Procedure against Bosnia-Herzegovina over Illegal Tuzla 7 State Aid," Bankwatch (blog), March 26, 2019, https://bankwatch.org/press_release/energy-community-opens-infringement-procedure-against-bosnia-herzegovina-over-illegal-tuzla-7-state-aid.

the guarantee would not be in line with EU State aid rules, which are binding under the Energy Community Treaty.⁹

This top of the iceberg warns that the bad situation in the Western Balkans can only become worse with the inflow of Chinese and US capital into the heavily subsidised coal-based electricity production. According to the civil society network Health and Environment Alliance's (HEAL) research, "... all coal power plants in the Western Balkans are more than 40 years old. 16 of them produce more SO₂, NO_x and particulate matter (PM) than all other 250 coal power plants in the EU together. An average coal power plant in the Western Balkans emits 20 times more sulphur dioxide and PM than the average European plant.

This leads to premature deaths of approximately 2000 people in the Western Balkans annually and some 2000 in the neighbouring EU Member States. Direct health costs can be measured in billions of euros. Sarajevo, Pristina, Skopje are regularly on the list of top 10 most polluted

cities globally".¹¹ The message is clear for Western Balkan authorities, for the Energy Community and for the EU that we are in the same boat.

In addition, the Energy Community Secretariat, on 19 April 2019, sent a Reasoned Opinion to Serbia for its failure to ensure unrestricted non-discriminatory third party access to the Horgoš interconnection point, thus infringing its obligation to ensure non-discriminatory third party access to the natural gas transmission system. The Reasoned Opinion is the second step in the dispute settlement procedure initiated by the Secretariat in July 2018.¹²

Obviously, WB6 economies have serious problems in the energy sector – production structure, sources of supply, regional balances/imbbalances, regional connectivity and integration into the Trans-European Networks, coordination of and with strategic partners, and respect of legally binding rules and procedures deriving from the Energy Community Treaty.

⁹ Ibid.

¹⁰ Janez Kopač, "The Burden of Coal at the Doorstep of the Energy Union," Euractiv.Com (blog), March 18, 2019, <https://www.euractiv.com/section/electricity/opinion/the-burden-of-coal-at-the-doorstep-of-the-energy-union/>.

¹¹ HEAL Alliance, "Chronic Coal Pollution - EU Action on the Western Balkans Will Improve Health and Economies across Europe," February 19, 2019, <https://www.env-health.org/wp-content/uploads/2019/02/Chronic-Coal-Pollution-report.pdf>.

¹² Energy Community, "Secretariat Proceeds with Infringement Case against Serbia for Failure to Ensure Third Party...", April 19, 2019, <https://www.energy-community.org/news/Energy-Community-News/2019/04/110.html>.

Multi-Annual Action Plan for Regional Economic Area

The MAP REA has been coordinated by the RCC in cooperation with CEFTA and with support of the European Commission (DG NEAR). It is expected that it will contribute to making the region more open to trade and investments; strengthen its research and innovation base and digitalise societies and businesses. It is stressed, in particular, that the MAP REA can also assist the region in meeting the economic criteria for EU membership.

The first MAP Annual Report was published on 3 July 2018, before the London Summit, highlighting the key developments at regional level and at the level of each economy.¹³ The first results of the MAP REA Stocktaking and Needs Assessment Report and the consultations held in the region's capitals showed variable progress per individual MAP component, with activities in the digital

area having satisfactory dynamics and realistic deliverables.

The first tangible results were presented at the third meeting of MAP REA Coordinators from Western Balkan Six, on 9 October 2018, held in Brussels. The additional protocol on trade facilitation was put in force along with the agreement to start negotiations on improving the trade dispute settlement mechanism; Regional Investment Reform Agenda (RIRA) was endorsed, defining joint priorities for capital markets development and major advancements in smart specialisation; Digital Agenda for the WB was launched and the first WB Digital Summit held; regional dialogue continued both intra-WB and WB-EU roaming reduction processes and strengthened cooperation between cyber security authorities was initiated; Negotiations on a Mutual Recognition of Professional Qualifications Agreement were launched and Principles on recognition of academic qualifications endorsed.¹⁴

However, at the meeting on 20 March

¹³ Regional Cooperation Council, "Annual Report on Implementation of the Multi-Annual Action Plan for a Regional Economic Area (MAP REA) in Western Balkan Six (WB6)," June 2018, <https://www.rcc.int/docs/436/annual-report-on-implementation-of-the-multi-annual-action-plan-for-a-regional-economic-area-map-rea-in-western-balkan-six-wb6>.

¹⁴ Regional Cooperation Council, "RCC Hosts the Third Meeting of MAP REA Coordinators from Western Balkan Six," October 9, 2018, <https://www.rcc.int/news/432/rcc-hosts-the-third-meeting-of-map-rea-coordinators-from-western-balkan-six-rnrn>.

2019, in Brussels,¹⁵ the box on the progress in the area of trade was missing, and achievements were listed in a different way than before (according to results). The **Digital Agenda** was positioned first, anticipating the signing of the Regional Roaming Agreement at the Belgrade Digital Summit, on 4 April 2019, in Belgrade. The two-stage price reduction will start by lowering roaming charges by 27 per cent on average across the whole region from 1 July 2019 and finish with scrapping roaming charges altogether from 1 July 2021. **The deal, that regulates the maximum price of calls, text messages and data transfers, was a precondition to conclude a similar arrangement with the EU in 2021.**

The second in order was **mobility**, with announcement that the Agreement on Mutual Recognition of Professional Qualifications for Doctors of Medicine, Dentists, Architects and Civil Engineers

would be signed in Poznan by WB6 Prime Ministers. However, Serbian obstruction of the RYCO Board meeting¹⁷ in Pristina as an indirect consequence of the imposing of 100% taxes on Serbian goods indicates that mutual obstructions in different regional organisations could become a regular practice.

Finally, the third, **investments** - preparation of WB6 Investment Policy Reform Action Plans (IRAPs) was finalised and adoption completed early 2019. The level of implementation (expected signing of agreements) obviously dictated the order of priority items. It also relates to the disappearance of **trade** from the list, as trade flows in the CEFTA region were seriously disrupted by the introduction of 100% taxes by Kosovo Government for goods from Serbia and BIH on 21 November 2018.¹⁸ Albania also announced that a change in the bilateral trade regime with Kosovo¹⁹ would start in June 2019, ►

¹⁵ Regional Cooperation Council, "WB6 Meet to Review Implementation Progress of Multi-Annual Action Plan for Regional Economic Area," March 20, 2019, <https://www.rcc.int/news/498/turdui-our-task-is-to-translate-political-will-and-commitments-into-concrete-actions-and-results>.

¹⁶ European Western Balkans, "Digitalization a Major Step in Regional Cooperation," *European Western Balkans*. April 4, 2019, <https://europeanwesternbalkans.com/2019/04/04/digitalization-major-step-regional-cooperation/>.

¹⁷ Dejana Vukadinović, "Removal of Serbia's RYCO Board Member: Bad Message for Regional Cooperation?," *European Western Balkans* (blog), March 18, 2019, <https://europeanwesternbalkans.com/2019/03/18/removal-serbias-ryco-board-member-bad-message-regional-cooperation/>.

¹⁸ N1, "Kosovo raises import tariffs on goods from Serbia to 100 pct," N1 Srbija, November 21, 2018, <http://rs.n1.info.com/English/NEWS/a437677/Pristina-increases-import-tariffs-for-goods-from-Serbia.html>.

¹⁹ Georgi Gotev, "Kosovo's Trade War with Serbia Prompts Tirana to Push for Albanian Unification," *Euractiv*. Com (blog), November 27, 2018, <https://www.euractiv.com/section/enlargement/news/kosovos-trade-war-with-serbia-prompts-tirana-to-push-for-albanian-unification/>.

► making four of six signatories to the CEFTA 2006 Agreement (willingly or unwillingly) involved in violating important regional agreements as well as Stabilisation and Association Agreements' contractual obligations. This completely blocked CEFTA's activities announced in the First MAP Annual Report, among which advancement in negotiations on the trade dispute settlement mechanism was envisaged.

Besides political constraints, CEFTA is seriously understaffed and due to the lack of consensus among regional stakeholders in selecting an expert team, which has lasted for a rather long period, and of the stronger EC mediation/pressure to finalise the process, this regional organisation is unable to act appropriately even if the ideal political conditions would be provided instantaneously.

All of that said, the achievements in the implementation of the MAP REA in different areas cannot be ignored – good cooperation of chambers of commerce; connecting capital markets in the region

and initiating improvement of legislation focusing primarily on the protection of investors; several successful projects in tourism (joint regional offer of specific routes for adventurous and cultural tourism); successful work in providing mutual recognition of qualifications and diplomas; advancement in developing the Digital Agenda; mapping and connecting R&D etc. However, bilateral disputes and confrontations at the regional scene could seriously jeopardise the results achieved so far and prevent further progress in launching new and upgrading existing common projects and policies implemented by the already well-established structures of cooperation in the Western Balkans and with the EU.

Conclusion

The Berlin Process launched a number of highly important initiatives for the Western Balkans and helped at interconnecting existing and creating new structures and mechanisms for their realisation. It gave a new impetus to regional cooperation and made it possible to absorb their achievements into the enlargement process (*A Credible Enlargement Perspective and Sofia Declaration of the EU-Western Balkans Summit*). It introduced new dynamics at the regional scene and involved a number of important EU member countries in addressing social and economic problems of the Western Balkans and supporting its faster sectoral integration into the EU (energy, transport, digital...). However, there are some issues on both sides of the process that should be mentioned.

In both aspects of connecting the Western Balkans – Connectivity Agenda and MAP REA – it is obvious that the development of **regional cooperation fundamentally depends on the condition of bilateral relations** in the region. In the 20 years

of development of a complex regional architecture covering many areas of cooperation, periodical crises and oscillations occurred, but were overcome successfully through the joint efforts of the wider South East European region or with help of the EU.

There is a danger that the **regional scene may become an arena for bilateral confrontations** involving other actors outside the region who may have diverging interests and exploit the low resilience capacities in the Western Balkans to resist their influence.

Mutual barriers lifted in one area/regional organisation could have **a spillover effect** on the others (CEFTA and RYCO examples described above).

The **fragility of regional structures** should be kept in mind if new structures or initiatives are expected to be sustainable, including the Berlin Process, but the enlargement process as well. Firm support of all stakeholders is needed for regional

cooperation to bring stability, prosperity and European future to the societies in the region.

There is **shared responsibility** for the success and failures of all initiatives analysed in this paper – Western Balkan countries, regional initiatives, international financial institutions, international organisations, but the EU, its member states and the European Commission in particular, as they have a say in all processes and inter-relations.

When mature project ideas developed in regional organisations are taken over by renowned international agencies (OECD, World Bank etc.) as implementing partners due to their analytical capacities, the existing regional expertise should be engaged and upgraded and convening capacity of regional organisations used in the implementation phase. The vacuum appearing after SEETO's closure is a good

illustration of the **indispensable role of regional actors.**

Finally, the **think-tank community and civil society organisations** proved that they can play an important role in reconsidering policies related to the public good, like environment, health, quality of energy supply etc., even in the areas where considerable expertise is needed. That is why the Berlin Process format, which included civil society from the very beginning, was very appropriate, even if some additional streamlining of the Civil Society Forum would be advisable.

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Information about SEE Think Net

The SEE Think Net Network was established in mid-march 2018 as the first regional network composed of civil society organisations that aim to monitor the topics related to the Berlin Process. The Network encompasses think tanks, civil society organisations and individuals from the 6 Western Balkan countries plus Croatia and Slovenia. Besides the Institute for Democracy “Societas Civilis” (IDSCS) which will coordinate the Network, the SEE Think Net Network includes the Network of the European Movement in Serbia (NEMinS), Open Society Foundation for Albania and its affiliate, the EU Policy Hub, Adnan Ćerimagić, Politikon Network from Montenegro, Kosovar Centre for Security Studies, the Institute for Development and International Relations (IRMO) from Croatia and the Centre for European Perspective (CEP) from Slovenia. The goal of the SEE Think Net Network is to produce significant policy inputs and provide policy recommendations on topics that derive from the Berlin Process. As such, its activities are devised in order to closely monitor the Berlin process and the policy areas the process encompasses.

As part of Regional cooperation in the Western Balkans The Berlin Process and Visegrad Group in comparison project, in December 2018, the SEE Think Network received financial support from the International Visegrad Fund. The network therefore broadened its scope of activities in the Visegrad region through cooperation with the following think tanks: the Centre for Eastern Studies from Poland (OSW), Institute for Foreign Affairs and Trade from Hungary (IFAT), the Research Centre of the Slovak Foreign Policy Association (SFPA) from Slovakia, and EUROPEUM Institute for European Policy (EUROPEUM) from the Czech Republic.

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Information about the International Visegrad Fund

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