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Regional Cooperation Initiatives in the Western Balkans

Improving Countries' Preparedness for Staged Accession to the European Union

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Summary

This study examines the impact that regional cooperation initiatives have on Western Balkan (WB) countries' preparedness for EU membership. By following the EU negotiating structure, the paper highlights key regional initiatives with the potential to enhance performance across each cluster while also evaluating the impact these initiatives have had to date. The research findings revealed that the trade-related initiatives had a moderately positive effect in bringing the WB closer to the EU single market, thus contributing to overall better readiness in economic clusters. To a lesser extent, initiatives aimed at greening the region and integrating it into the EU's energy and transport networks also provided essential support for WB countries' harmonisation with rules and practices applied in the EU, although effective implementation is still missing. However, regional initiatives have proven to be very limited in supporting reforms in fundamental reform areas (such as rule of law and democracy), as well as in building good neighbourly relations in the region. In that regard, this study finds that the Staged Accession model has the potential to compensate for deficiencies in the current EU's approach. By providing institutional and financial incentives for WB countries on a merit basis, the Model could enhance the political will for the fulfilment of commitments undertaken within the frameworks of regional initiatives, improving WB countries' performances and thus bringing them closer to EU membership.

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I. Introduction

From the beginning of their European integration processes, Western Balkan (WB) countries have been expected, in addition to their individual internal reforms, to engage in regional cooperation. Building good neighbourly relations has been perceived as a stepping stone which can facilitate the overall transformation of this post-conflict region and bring it closer to the EU. However, more than 20 years after the Thessaloniki Summit, which officially endorsed the European perspective of the WB, these countries are still distant from achieving EU membership, while some countries' relations remain under strain. In that regard, the European Policy Centre (CEP) from Belgrade, together with the Centre for European Public Policies (CEPS) from Brussels, proposed an innovative Staged Accession model aimed at overcoming the enlargement impasse by providing tangible and predictable pre-accession benefits for acceding countries.¹

This paper examines the correlation between the Model and key regional initiatives in the WB. Keeping in mind that regional cooperation remains a necessary precondition for advancing in the EU accession process, the research question is how can the regional initiatives support the Staged Accession model in reinvigorating the EU enlargement policy and accelerating the Western Balkans' accession processes? In that regard, this paper explores the impact of various regional initiatives on WB countries' preparedness for EU membership and, thus, their ability to reap the benefits proposed under the Staged Accession model. Utilising the existing clustering system as a framework, this paper explores the influence of various regional initiatives on WB countries' EU membership preparedness, by making a clear link between pinpointed initiatives and specific negotiating clusters and chapters (See Table 1). Concurrently, the paper also examines how concrete incentives offered by the Staged Accession model can facilitate reform processes and enhance the political will for the fulfilment of commitments undertaken within the frameworks of regional initiatives. Against this backdrop, the study builds upon CEP's prior research, with a key reference to the paper that analysed the relationship and compatibility between the Staged Accession model and regional initiatives.² However, whereas the previous paper focused on the Berlin Process to underscore its alignment with the Model, this study expands its scope to a broader array of regional initiatives, offering a deeper assessment of their role in enlargement process.

The underlying thesis is that the Staged Accession model and regional initiatives in the WB possess mutually reinforcing incentives that can positively impact the final goal of EU accession. Specifically, the effective implementation of commitments undertaken within the frameworks of regional initiatives can enhance countries' EU acquis compliance in various EU policy sectors and overall preparedness for membership. Improved membership preparedness will further help (potential) candidates gain access to the institutional and financial benefits of the Staged Accession model, all the way to membership. At the same time, the incentives offered through the Staged Accession model can support progress in those regional initiatives that have so far failed to produce the expected transformative effects in the WB.

1 Both original and revised Template 2.0 for Staged Accession to the EU, together with 24 issue papers that addressed the Model's legal feasibility, economic, financial, and institutional implications, as well as other important aspects of the Model, can be found at: <https://cep.org.rs/en/the-initiative-for-a-staged-accession-to-the-eu/>.

2 Sava Mitrović, "Unlocking the Regional Initiatives' Full Potential with the Staged Accession Model to the EU", European Policy Centre, Issue paper, June 2023, Available at: <https://cep.org.rs/wp-content/uploads/2024/11/Unlocking-the-Regional-Initiatives-full-potential-with-the-SAM.pdf>.

Table 1: Analysed regional initiatives grouped according to the cluster framework³

CLUSTERS	1 Fundamentals	2+3 Internal market + Competitiveness and inclusive growth	4 Green agenda and sustainable connectivity	6 External relations	Good neighbourly relations
REGIONAL INITIATIVES	Regional Cooperation Council (RCC) Regional Anti-Corruption Initiative (RAI) Regional School of Public Administration (ReSPA)	CEFTA Common Regional Market (CRM) Open Balkan	Transport Community Energy Community European Common Aviation Area (ECAA) Green Agenda for the Western Balkans (GAWB)	Western Balkans QUAD	Stabilisation and Association Process Sarajevo Declaration Process WB Missing Persons Group

II. Regional cooperation (un)successfully boosting performance in fundamental reform areas – Cluster 1

Since the inception of the enlargement policy toward Eastern Europe, the aim of the enlargement process has been to transform former socialist countries into modern, liberal democracies. This goal was formulated through the first accession criteria established at the European Council meeting held in Copenhagen in 1993, which requires that the candidate country develops stable institutions that guarantee democracy, rule of law and respect for human and minority rights.⁴ Together with administrative criteria established at the Madrid Summit, which emphasise the need for a reformed administration capable of implementing the EU acquis,⁵ political criteria from Copenhagen form the core of what is currently the Negotiating Cluster 1 – Fundamentals. Drawing from experience in previous enlargement cycles, fundamental values have gained increased significance in the Western Balkans' accession process, by introducing the imbalance clause that allows the EU to halt a country's further progress if the rule of law reforms are not delivered.⁶ Moreover, the 2020 revised enlargement methodology endeavoured to put an even stronger focus on fundamental reforms, highlighting that negotiations on these will be opened first and closed last, while the progress in this cluster will determine the overall accession process.⁷ In that regard, the EU has strongly supported all initiatives aimed at enhancing candidates' preparedness in fundamental reform areas, ranging from judiciary cooperation, anti-corruption initiatives, public administration reform and others.

³ This research did not identify any regional initiatives primarily focused on the issues covered by Cluster 5 – Resources, agriculture, and cohesion.

⁴ European Council in Copenhagen, "Conclusions of the Presidency", 21–22 June 1993, Available at: <https://www.consilium.europa.eu/media/21225/72921.pdf>.

⁵ Madrid European Council, "Presidency Conclusions", 15–16 December 1995, Available at: https://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/00400-c.en5.htm.

⁶ European Western Balkans, "New enlargement methodology: It will work only if used properly", 11 February 2020, Available at: <https://europeanwesternbalkans.com/2020/02/11/new-enlargement-methodology-it-will-work-only-if-used-properly/>.

⁷ European Commission, "Enhancing the accession process - A credible EU perspective for the Western Balkans", 5 February 2020, Available at: https://neighbourhood-enlargement.ec.europa.eu/document/download/ef0547a9-c063-4225-b1b4-93ff9027d0c0_en?filename=enlargement-methodology_en.pdf.

Advancing judicial efficiency and combating corruption in the Western Balkans

In order to transform the post-conflict area of the WB into a stable region that guarantees freedom, security and justice to all its citizens, the EU has proposed and supported numerous initiatives, with these efforts being largely consolidated in nowadays roof regional organisation – **Region Cooperation Council (RCC)**.⁸ Already in the Preamble of the Joint Declaration that established the RCC, it is acknowledged that regional cooperation aims, among other objectives, to further facilitate and support the European integration of the Southeast Europe (SEE) countries through cooperation with EU institutions and member states.⁹ In that regard, the Secretary General of the RCC “cooperates closely with all institutions of the EU and its Member States in order to support the EU integration process of SEE and to contribute to the complementariness of regional cooperation activities with the EU integration process”.¹⁰ Furthermore, through regional cooperation built upon three key pillars – security, the rule of law and good governance – RCC’s mission is to support WB countries in their internal reforms by sharing the best European practices. Thus, regarding the fundamental cluster, the RCC offers an important framework for cooperation in justice and home affairs with the aim of building a more secure region with efficient and transparent governance based on EU standards and values.

With regard to a crucial and highly challenging negotiating chapter 23 – Judiciary and Fundamental Rights, where four out of the six countries are still less than moderately prepared,¹¹ noticeable endeavours have been made by the RCC, although with very modest success. For instance, by establishing the SEE Judicial Training Institutions (JTI) Network, the RCC has enabled common regional activities in the field of training and seminars for judges and prosecutors aimed at improving their efficiency and competencies, which is a prerequisite for an independent judiciary aligned with the highest EU standards.¹² In addition, the RCC established the WB Working Group on Justice (WGJ) back in 2014, intended to gather high representatives of ministries of justice from the region twice a year to discuss and exchange best practices.¹³ However, available data indicates that SEE JTI Network held its last meeting in September 2020,¹⁴ while the last WB WGJ was organised in October of that year.¹⁵ This illustrates that, despite the existing framework for regional judicial cooperation, available mechanisms for boosting the reforms are highly underutilised. In other words, although instruments for cooperation across several fundamental sub-areas have been established within the RCC’s framework, the extent of their usage as technical support in WB6 internal reforms will continue to depend on their respective political will.

8 Regional Cooperation Council, a successor of the Stability Pact for Southeastern Europe, represents an inclusive, umbrella organisation which guides, monitors and supports cooperation in Southeast Europe. RCC covers a broad field of cooperation, ranging from economic and social development, through energy and infrastructure, all the way to security and judicial cooperation, and many other relevant areas. See more at: Regional Cooperation Council, Statute of the Regional Cooperation Council, Available at: <https://www.rcc.int/pages/95/statute>.

9 Regional Cooperation Council, “Joint Declaration On the Establishment of the Regional Co-operation Council”, Available at: <https://www.rcc.int/docs/17/declaration-on-rcc-establishment-its-participants-and-statute>.

10 Regional Cooperation Council, Statute of the Regional Cooperation Council, art. 5, para. 16 (i).

11 European Commission, “Commission adopts 2024 Enlargement Package”, 30 October 2024, Available at: https://neighbourhood-enlargement.ec.europa.eu/news/commission-adopts-2024-enlargement-package-2024-10-30_en.

12 Regional Cooperation Council, South East Europe Judicial Training Institutions Network, Available at: https://www.rcc.int/working_groups/32/see-judicial-training-institutions-network.

13 “WB WGJ is assisting in the implementation of the RCC’s South Est Europe 2020 Strategy, particularly in the area of justice under the Governance for Growth Pillar of the Strategy. It consists of high-level representatives (directors and assistant ministers) of ministries of justice from the region who are actively involved in RCC’s planning and evaluating activities in the area of justice and participate in most of the other activities in justice dimension organised by RCC.” See more at: https://www.rcc.int/working_groups/41/western-balkans-working-group-on-justice.

14 Regional Cooperation Council, “4th Meeting of the South East European Judicial Training Institutions Network”, Available at: <https://www.rcc.int/swp/events/162/4th-meeting-of-the-south-east-european-judicial-training-institutions-network>.

15 Regional Cooperation Council, “Western Balkans Working Group on Justice meets for the 13th time”, Available at: <https://www.rcc.int/events/1390/western-balkans-working-group-on-justice-meets-for-the-13th-time>.

Fighting against corruption represents another fundamental subarea within Chapter 23 where the EU has supported regional cooperation in order to promote collaboration among WB countries in tackling their common challenges. Within the framework of the former Stability Pact, the **Regional Anti-Corruption Initiative (RAI)** has been established to assist in anti-corruption endeavours by facilitating the exchange of knowledge and best practices across the SEE region.¹⁶ Since 2007, the Initiative has been dedicated to empowering the fight against corruption through targeted projects covering various aspects of anti-corruption mechanisms. From strengthening the capacity of anti-corruption institutions through improving asset seizure measures all the way to enhancing whistleblowing policies and culture, these projects have targeted very specific reform areas with a common goal of preventing corruption cases in the region. Nonetheless, despite meaningful regional projects that provided a platform for collaboratively seeking effective anti-corruption solutions, none of the WB countries have yet attained a moderate level of preparation in this subarea.¹⁷ In a nutshell, while RAI provides a valuable platform for exchanging best practices, increasing domestic efforts in the fight against corruption remains crucial if WB countries are genuinely committed to EU membership.

Regional enablers for reforming public administration

Another regional organisation that deals with a fundamental subarea within Cluster 1 is the **Regional School of Public Administration (ReSPA)**, established in 2010 as a regional hub aimed to support the creation of transparent, accountable and professional public administration that efficiently provides public services.¹⁸ By focusing its activities on three public administration reform (PAR) areas – policy development and coordination, human resources management and professional development, and service delivery – ReSPA has created a network of governments and civil society organisations through which best reform solutions are jointly generated. Furthermore, ReSPA organises numerous capacity-building activities, such as seasonal schools, conferences, and regional workshops, to empower civil servants across the region with the most relevant knowledge and skills. In that regard, more than four hundred networking and capacity-building activities have already been conducted, through which over eight thousand civil servants from the WB have had an opportunity to improve their expertise.¹⁹ It can be concluded that under the framework of ReSPA, domestic efforts towards empowered and modernised public administration are backed by joint EU-WB endeavours, through which WB administrations are gradually reaching the necessary level of preparedness.

Yet, considering that PAR needs to follow broader socio-economic progress, as WB countries advance towards EU accession, their administrations will face increasing challenges to align with the highest EU standards. In the meantime, EU-backed regional initiatives will continue to hold significance within this reform process, whether they are intergovernmental, like ReSPA, or civil society-organised, like the **WeBER** initiative.²⁰ Having in mind that one of the key purposes of public administration in a democratic society is to deliver high-quality services to citizens and businesses, an inclusive PAR process that involves CSOs and social partners is a necessary precondition for reaching that goal. Furthermore, independent monitoring and reporting of ongoing reforms coming from regional governmental and non-governmental initiatives hold the potential to enhance the Commission's capacity to effectively follow and assess candidates' progress in not only public administration but also other fundamental reform areas.

¹⁶ Regional Anti-corruption Initiative, "About us", Available at: <https://rai-see.org/who-we-are/about-us/>.

¹⁷ European Commission, "Commission adopts 2024 Enlargement Package", Op. cit.

¹⁸ Regional School of Public Administration, "Who we are", Available at: <https://www.respaweb.eu/9/pages/5/who-we-are>.

¹⁹ Regional School of Public Administration, "Facts and Figures", Available at: <https://www.respaweb.eu/14/pages/54/facts-and-figures>.

²⁰ Western Balkan Enablers for Reforming Public Administrations – WeBER 3.0 is the largest civil society-led initiative for monitoring public administration reform in the Western Balkans. See more at: <https://www.par-monitor.org/about-weber/>.

III. Through regional economic integration towards participation in the EU single market – Clusters 2 & 3

From the moment countries transitioning from centrally planned economies stepped onto their EU path, the economic criteria – in previous enlargement cycles taken for granted – became indispensable for advancing towards membership. Having a functioning market economy, along with the capacity to cope with competition and market forces within the EU's internal market, emerged as one of the three principal criteria that all candidates needed to fulfil before entering the EU. In that regard, supporting market-oriented reforms and fostering economic cooperation within the region to which the EU was planning to enlarge was the strategy effectively deployed by the Union ahead of the 2004 enlargement. The economic integration of the Central and Eastern European countries, formalised through the Central European Free Trade Agreement (CEFTA), proved to be a good stepping stone for their progress towards EU membership and readiness to face the challenges of participating in the EU market. Therefore, building upon the already existing Agreement, the EU has embraced a similar approach for the WB, strongly advocating for regional economic integration.

Free movement of goods and services on the road to EU membership

By amending the Central European Free Trade Agreement in 2006, WB countries, together with Moldova, launched their own form of regional economic integration, colloquially known as **CEFTA 2006**. Convinced that it would help the region preserve stability, improve economic performance of the countries, and gradually prepare them for membership, the EU has endorsed it and provided essential support for this arrangement. Already in the Agreement's preamble, it is explicitly stated that the aim of contracting parties is to accede to the EU. Moreover, CEFTA was established, not only to enable free trade in the region but also to improve WB countries' readiness for EU membership.²¹ As a result, intra-regional trade in goods has experienced significant growth,²² while the Commission's reports show that most of the WB countries have reached the highest levels of preparedness for membership precisely in trade-related areas, in comparison with other clusters.²³ Namely, with the exception of BiH, which is still at the early stage of preparation, all other countries have already reached or are close to reaching moderate preparation levels in the area of the free movement of goods – the first and essential chapter of the Internal market cluster.²⁴

In addition to trade in goods, CEFTA parties also agreed to gradually and progressively liberalise their trade in services, particularly emphasising that this development will unfold in the context of European integration – negotiating chapter 3.²⁵ Furthermore, countries signed Additional Protocol 6 on trade in services in 2019, establishing a binding commitment for each contracting party to extend the most-favoured-nation treatment to all CEFTA parties.²⁶ At the same time, the preservation of a special status given to service suppliers from the EU through Stabilisation and Asso-

21 CEFTA, "Agreement on amendment of and accession to the Central European Free Trade Agreement", Available at: <https://cefta.int/wp-content/uploads/2016/05/CEFTAMAINTEXT2006.pdf>

22 Nina Vujanović, "CEFTA: Trade and Growth Patterns Fifteen Years since Establishment", The Vienna Institute for International Economic Studies, Research Report 466, April 2023, Available at: <https://wiiw.ac.at/cefta-trade-and-growth-patterns-fifteen-years-since-establishment-dlp-6508.pdf>

23 For a detailed overview of each country's membership preparedness, see the national issue papers which address the potential application of the Staged Accession Model in all WB countries: <https://cep.org.rs/en/the-initiative-for-a-staged-accession-to-the-eu/>

24 According to the European Commission 2023 country reports, Montenegro, Serbia and North Macedonia are moderately prepared, while Albania and Kosovo are in between some and moderate levels of preparation. See more at: https://ec.europa.eu/commission/presscorner/detail/en/IP_23_5633.

25 CEFTA, "Agreement on amendment of and accession to the Central European Free Trade Agreement", Op. cit., art. 27.

26 CEFTA, "Additional Protocol 6 on trade in services to the Agreement on amendment of and accession to the Central European Free Trade Agreement", art. 3, Available at: <https://cefta.int/wp-content/uploads/2022/06/Additional-Protocol-6-on-Trade-in-Services-.pdf>.

ciation Agreements, or domestic legislation adopted during the association/accession process,²⁷ reflects the effort of CEFTA arrangements to serve as not only a mechanism for regional economic integration but also as a bridge towards integration into EU market. For instance, under CEFTA's framework, a parcel delivery services initiative has been undertaken to make not only intraregional delivery of packages cheaper, faster and easier but also to support WB countries' harmonisation with EU *acquis* on services, thus facilitating WB businesses' access to the EU market and vice versa.²⁸ However, considering that CEFTA's framework – through its main agreement, annexes and additional protocols – covers only the free movement of goods and, to some extent, trade in services, the necessity to boost regional cooperation and, potentially, candidate countries' readiness regarding remaining two EU economic freedoms has opened the space for new economic initiatives in the region.

Workers' regional mobility prior to Europe-wide mobility

Despite significant results achieved by CEFTA in the trade of goods and services, some WB countries recognised additional room for deepening economic integration in the region. The CEFTA blockage caused by Pristina's imposition of 100% tariffs on goods from Serbia and BiH, which coincided with certain EU member states' unwillingness to open accession talks with North Macedonia and Albania, motivated the leadership of Serbia, North Macedonia and Albania (WB3) to launch a new intraregional economic initiative in 2019. By calling for the establishment of a "Mini-Schengen" in the Western Balkans, three leaders sent a message that the existing level of economic integration needed to be upgraded. Since its inception, this initiative, which would in 2020 evolve into the **"Open Balkan"**, has been grounded in the principles of the EU's four freedoms and thus represented a way of preparation for participation in the EU single market. Nevertheless, despite several very significant agreements signed under its framework,²⁹ the Open Balkan initiative, burdened by various obstacles of a political and technical nature, has so far failed to produce substantial economic results or transformative effects that would bring WB3 closer to the EU.

The Agreement on Free Access to the Labour Market, signed at the Open Balkan summit in Tirana in December 2021, stands out as the greatest and perhaps the only significant achievement of this initiative. This agreement holds the promise of establishing a joint labour market in the region based on the EU single market experience. Specifically, Albania, Serbia and North Macedonia committed to granting their citizens the right to freely move, reside and work within the territory of all three countries,³⁰ without obtaining a residence or work permit prescribed for other foreign citizens.³¹ Still, the implementation of the Agreement took much longer than anticipated. However, after two politically turbulent years for the Open Balkan initiative, marked by Edi Rama's messages in July 2023 that "Open Balkan has fulfilled its mission and it is time to focus on the Berlin Process," the initiative was revived once again at the beginning of 2024. On 23 January, in Skopje, the WB3 signed implementing protocols to the Agreement. This indicated that the Open Balkan trio had not abandoned the project of facilitating the free movement of over 10 million workers throughout the region.³²

²⁷ Ibid, art 3 (3).

²⁸ See more: CEFTA, "Electronic Commerce: Roadmap for dialogue on regulatory issues", June 2020, Available from: <https://cefta.int/wp-content/uploads/2021/01/Roadmap-for-regulatory-dialogue-on-electronic-commerce.pdf>.

²⁹ For agreements and documents signed under the Open Balkan initiative, see: <https://en.pks.rs/open-balkan-section/signed-agreements>.

³⁰ "Agreement on conditions for free access to the labour market in the Western Balkans", art. 1 and art 3 (2), Official Gazette of Republic of Serbia, 27/2021-37, Available at: <https://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/mu/skupstina/zakon/2021/27/2/reg>.

³¹ To exercise these rights, citizens are required to apply for the "Open Balkan ID number" – a unique registration number generated by respective national eGovernment portals that gives Open Balkan citizens the right to equal access to the labour market of other Open Balkan countries alongside domestic citizens.

³² Gecić Law, "Open Balkan Initiative: Protocols Signed to Establish a Free Labor Market", 23 January 2024, Available at: <https://gecilaw.com/open-balkan-protokols/>.

Finally, on 5 March 2024, the three countries implemented what they had committed to back in December 2021. Since that day, citizens of Albania, North Macedonia and Serbia have been enabled to acquire their Open Balkan ID number and subsequently submit a request for free access to the labour market of the other two countries through their respective eGovernment portal.³³ Without the need to visit counters of several government agencies and pay administrative fees for the residence or work permit prescribed for other foreign citizens, the citizens of the Open Balkan trio now possess a privileged status that significantly facilitates their movement across their countries' borders. However, the fact that the Open Balkan countries' workers still need to go through the application procedure and that free access to the labour market lasts for only two years after getting approval, leads to the conclusion that, despite simplifying the workers' movement, Open Balkan is still far from a single labour market that exists in the EU. Nevertheless, although limited to just three WB countries, this achievement should not be underestimated. Its contribution stems from the fact that by improving the workers' mobility, countries are not only helping their economies but also narrowing the ethnic distance between their citizens, consequently enhancing region's stability as an important prerequisite for its integration into the EU.

In general, by strengthening economic ties between participating countries, Open Balkan definitely holds the potential to improve investment and employment opportunities across the region. Moreover, in some respects, it can serve as a training field for future full-fledged participation in the EU single market. When foreign investors know they can rely not only on domestic workers but also on those from the other two countries, they will be more inclined to initiate economic activities in the region. This can be particularly important for Serbia as the largest WB economy that attracts the majority of FDI in the region³⁴ and, therefore, requires a substantial influx of foreign labour force. Considering this, it is reasonable to believe that the largest proportion of Open Balkan workers could choose to find a job in Serbia, especially due to the slightly higher average salary in this country compared to the other two.³⁵ This may be especially true for ethnic Macedonians, who, due to close cultural ties and minimal language barriers, could easily choose to live and work in Serbia. In any case, while the economic implications of labour market integration are to be assessed in the following years, at this point, it can be said that the Open Balkan trio has partially achieved one of the four EU freedoms, representing a key added value of this initiative vis-à-vis CEFTA and other economic initiatives. Although this presents only a small part of a complex market-related acquis that needs to be adopted, if it is followed by harmonisation with the rest of EU acquis related to freedom of movement for workers, Open Balkan can indeed serve as a good preparation for challenges that these countries will face once they become EU member states.

Beyond trade: regional investment, digital area, industrial and innovation area

Within the framework of the Berlin Process – the most significant high-level platform for regional cooperation backed by the EU and its member states – six WB leaders agreed to establish the **Common Regional Market (CRM)**, designating it as “a stepping stone towards EU Single Market”.³⁶ As the deepest and most comprehensive economic initiative in the region, the CRM has the potential to truly transform WB economies and gradually integrate them into the EU single market. The importance of the CRM was also recognised by the European Commission's New growth plan for the WB, which sees it as “a mechanism for making progress in the accession negotiations” and

33 Albania: https://e-albania.al/eAlbaniaServices/UseService.aspx?service_code=15486; North Macedonia: <https://uslugi.gov.mk/https://uslugi.gov.mk/service/otvoren-balkan-5603>; Serbia: <https://euprava.gov.rs/openbalkan>.

34 Tanjug, “Mali: Serbia attracting record-high FDI inflows”, 22 April 2024, Available at: <https://www.tanjug.rs/english/economy/84776/mali-serbia-attracting-record-high-fdi-inflows/vest>.

35 According to official data, the average net salary in January 2025 amounted to approximately 917 euros in Serbia, compared to 840 euros in Albania and 700 euros in North Macedonia.

36 Regional Cooperation Council, “Declaration on Common Regional Market”, Regional Cooperation Council, 9 November 2020, Available at: <https://www.rcc.int/docs/544/declaration-on-common-regional-market>.

emphasises that integration in the EU single market “goes hand in hand with building a Common Regional Market”.³⁷ In that regard, the Commission was clear in pointing out that WB partners’ full commitment to the implementation of the CRM Action Plan is a necessary precondition for sectoral integration into the EU market. All things considered, it is important to delve deeper into how the CRM can enhance the WB’s overall preparedness for EU membership by identifying and analysing the negotiation chapters where it has the potential to produce the most substantial changes. Building upon the free trade area already partially established through CEFTA, the CRM aims to deepen integration not only in trade but also in investment, digital, industrial, and innovation sectors. The highly ambitious Action Plan for 2020–2024 envisaged a long list of measures aimed at helping WB countries establish the four EU freedoms, align investment policies with the EU standards and practices, and fully integrate into the EU industrial supply chains, digital and innovation area.³⁸ In that regard, the creation of the CRM is conceived as the process of not only regional economic integration but also setting conditions for joining different aspects of the EU single market. Yet, more than four years after the adoption of the first CRM Action Plan, despite several concrete achievements, WB’s preparedness for EU membership in market-related areas has not significantly improved, with the majority of goals only partially met. Accordingly, WB leaders agreed upon the second CRM Action Plan for 2025–2028 to accelerate the implementation tempo, foster socio-economic convergence between the region and the EU, and prepare the WB for joining the EU single market.³⁹ By further facilitating the intraregional trade of goods and services and improving the business environment modelled after best EU practices, CRM 2.0 envisages a set of highly ambitious reform steps towards removing remaining obstacles for WB’s full integration into the EU market.

Nevertheless, under the CRM framework, WB countries have already made strides in a few areas that have the potential to both boost economic performance in the region and align it more closely with EU standards and practices. Implementation of trade facilitation measures, such as the establishment of Green Lanes across the region, has already resulted in a significant reduction in waiting time at border crossings, thus accelerating the transit of goods both within the region and to the EU.⁴⁰ Another important achievement of CRM occurred in the digital area, with the successful creation of a roaming-free region in 2021 and the ongoing, though still modest reduction of roaming charges between the WB and the EU,⁴¹ which could be seen as an interim step towards WB integration in the EU ‘roam like at home’ area. These two accomplishments stand out as the most tangible and – for both businesses and citizens – the most noticeable benefits of the CRM, which brought people and economies from the region closer together.

The CRM also strives to boost free movement of people within the region, with a few notable achievements already made. At the Berlin Process summits in November 2022 and October 2023, WB leaders signed four regional mobility agreements, aimed at establishing common rules and procedures for the recognition of higher education qualifications, recognising qualifications for certain groups of professions, and providing freedom of movement with IDs only.⁴² While the ratification process took significantly longer than initially anticipated, the latest report showed that

37 European Commission, “New growth plan for the Western Balkans”, COM (2023) 691, Brussels, 8 November 2023, Available at: https://neighbourhood-enlargement.ec.europa.eu/document/download/8f5dbe63-e951-4180-9c32-298cae022d03_en?file-name=COM_2023_691_New%20Growth%20Plan%20Western%20Balkans.pdf.

38 Regional Cooperation Council, “Common Regional Market Action Plan”, 9 November 2020, Available at: <https://www.rcc.int/docs/543/common-regional-market-action-plan>.

39 Regional Cooperation Council, “Common Regional Market Action Plan 2025-2028”, 14 October 2024, Available at: <https://www.rcc.int/pubs/189/common-regional-market-action-plan-2025-2028>.

40 Regional Cooperation Council, “Common Regional Market Report on Implementation for 2022”, May 2023, Available at: <https://www.rcc.int/pubs/157/common-regional-market-report-on-implementation-for-2022>.

41 Regional Cooperation Council, “Roaming”, Available at: https://www.rcc.int/priority_areas/53/roaming.

42 Regional Cooperation Council, “Mobility Agreements – travel, study, work”, Available at: <https://www.rcc.int/campaigns/17/mobility-agreements--travel-study-work>.

all WB economies have ratified the three mobility agreements,⁴³ though the issue of Kosovo's citizens traveling to BiH remains open. However, contrary to the mobility model achieved within the Open Balkan framework, which facilitated the movement of workers of all profiles, the CRM agreements target only certain shortage professions, such as doctors, nurses, or architects, and partially facilitate the movement of highly educated people by simplifying recognition of their respective qualifications.

Overall, it can be concluded that the CRM and "Open Balkan" are partially overlapping but also, to the greatest extent, two very compatible initiatives. For example, although workers from the Open Balkan trio can formally seek employment in the participating countries in a simplified manner, there is no guarantee that their diplomas or certificates will be recognised by the other two. In this regard, agreements signed within the CRM/Berlin Process framework are particularly important in abolishing remaining barriers and ensuring that the full potential of regional mobility can be unleashed. Additionally, by removing non-tariff barriers in regional trade through mutual acceptance of reports issued by authorised laboratories and relocating phytosanitary controls outside of border crossings,⁴⁴ the Open Balkan initiative is actually supplementing the CRM's efforts to accelerate regional transit of goods, partially achieved through the establishment of Green Lanes. However, despite their mutually supporting aspects, the CRM has several comparative advantages over the "Open Balkan", which marginalises the latter and makes the former more important for the region's EU integration process. The main CRM's advantage relies on the fact that the CRM Action Plan is unequivocally based on EU market rules and regulations. Additionally, political support for the CRM, coming primarily from Germany, ensures the inclusivity of this initiative which, since its inception, has gathered the whole region. At the same time, technical assistance provided by the European Commission, RCC and CEFTA Secretariat, helps this initiative to remain compatible with the EU accession process. By placing the CRM as a second pillar of its New Growth Plan for the WB, the Commission has unequivocally highlighted that this initiative, together with the Green Agenda and Digital and Innovation Agenda, represents the key regional initiative that should assist the WB in the adoption and implementation of EU rules and standards.

IV. Greener Western Balkans integrated into EU energy and transport networks – Cluster 4

Sectoral policy integration ahead of EU membership has been part of the enlargement policy since the early years after the WB gained its European perspective, gaining wide recognition among EU and WB stakeholders as an approach that stands to enhance the enlargement process. Introduced in several different forms, the idea of gradual sectoral integration of (potential) candidates has been implemented as a complementary aspect of EU integration in support of the reform process in the WB countries, providing them with concrete benefits from early integration into the EU policy sectors. In that regard, through signing multilateral agreements with applicant countries, the EU instigated the establishment of several regional organisations aimed at extending the EU internal market rules and principles to the region. These initiatives were not only a mode of WB intra-regional integration but also directed towards deepening the connection between the EU and WB and integrating the region into the EU's energy market and transport networks. In line with the EU's objective to integrate the WB into the single market even before EU membership, initiatives such as the Energy and Transport Community, together with the European Common Aviation Area and Green Agenda for the WB, are designed to enhance candidates' preparedness in

43 Regional Cooperation Council, "Common Regional Market Action Plan 2021-2024: Main achievements & results", 12 June 2024, Available at: <https://www.rcc.int/pubs/187/common-regional-market-action-plan-2021-2024-main-achievements-and-results-factsheet>.

44 "Memorandum of Understanding on Cooperation on Facilitation of Imports, Exports and Movement of Goods in the Western Balkans", 29 July 2021, Available at: https://en-api.pks.rs/storage/assets/Memorandum_of_Understanding_on_Trade_Facilitation.pdf.

green, energy and connectivity areas, bring them closer to the EU market, and make them ready for full-fledged participation in the future.

Western Balkans as a part of trans-European transport networks

With the aim of progressive integration of regional transport markets into the EU transport market, WB6 and the Union established the **Transport Community** in the field of road, rail, inland waterway and maritime transport.⁴⁵ This form of integration is intended to be realised through the implementation of the relevant EU acquis and of regional connectivity projects, as two complementary approaches that should reflect on countries' preparedness in chapters 14 – Transport Policy and 21 – Trans-European Networks. Regarding the former, the WB6 agreed not only to harmonise their legal framework on transport and associated matters with the current EU legislation but also to strictly follow its evolvement and ensure their laws remain aligned with the acquis over time. Consequently, the WB and the EU agreed upon a very detailed Annex on applicable rules, which has been revised twice so far to reflect the development of transport-related EU acquis. However, the latest Transport Community's Progress Report shows that, on a regional average,⁴⁶ almost 71% of the relevant acquis has still not been transposed into national legislations, while only 13,4% can be considered as fully transposed.⁴⁷ Taking that into account, it is clear that there is still a lot of work ahead for the national authorities to make integration into the EU transport system legally feasible and, afterwards, practically achievable.

Another way that the Transport Community contributes to WB integration into the EU transport market is through the support and development of connectivity projects. These projects serve a dual purpose by enhancing the connectivity within the region, but also by linking it with the EU in a sustainable and efficient way. The establishment of Green Lanes for faster road transport across the WB, with the participation of Greece as a neighbouring EU member state, exemplifies this WB-EU connection. Additionally, Italy also reached an agreement with Albania and Montenegro on establishing Blue Lanes aimed at facilitating maritime transportation between them.⁴⁸ Moreover, it should be noted that these countries' active exchange of pre-arrival information on goods is also an important step towards more integrated and facilitated WB-EU transport operations.⁴⁹ On top of that, to ensure faster movement of goods and people throughout the region, initiatives for establishing joint border controls in both road and railway traffic were launched under the framework of the Transport Community. However, despite numerous ongoing negotiations or even those agreements that have already been reached, there are only a few border checkpoints that truly serve as functional one-stop controls, which is why this particular initiative can be assessed as only partially fulfilled.⁵⁰ Overall, it can be concluded that regional cooperation remains a key precondition for accelerating transit across the region and making it better connected with the rest of Europe, though much work on revitalising infrastructure and harmonising regulations to operationalise agreed arrangements still needs to be done on the national level.

45 Transport Community, "Treaty establishing the Transport Community", article 1, Official Journal of the European Union, L 278/3, 27 October 2017, Available at: <https://www.transport-community.org/wp-content/uploads/2022/10/treaty-en.pdf>.

46 In this regard, Serbia stands out as the only country that transposed the majority of relevant EU legislation, with 27% of acquis considered fully and 37% partially transposed. This is reflected in the Commission's report as well, which assessed Serbia's level of preparation in Transport policy as "good".

47 Transport Community, "Action Plans and the EU Acquis Progress Report 2023", October 2023, p. 150, Available at: <https://www.transport-community.org/wp-content/uploads/2023/12/Action-Plans-and-EU-Acquis-Progress-Report-2023-WEB.pdf>.

48 Transport Community, "Action Plans and the EU Acquis Progress Report", November 2022, p. 37, Available at: <https://www.transport-community.org/wp-content/uploads/2022/11/Action-Plans-Progress-Report-1.pdf>.

49 Ibid., p. 38.

50 The border crossing point between North Macedonia and Serbia, "Tabanovce-Preševo", stands out as the best example of well-functioning joint border control that significantly reduced waiting times at this heavily trafficked point on the Pan-European Strategic Corridor X.

European Common Aviation Area (ECAA) is another specialised treaty-based initiative with the goal of sectoral integration of WB partners in the EU's internal aviation area prior to accession. Based on EU law, the ECAA initiative represents an attempt to extend EU standards and rules in civil aviation to the region and, by ensuring their uniform application, guarantee safe and secure air travel across the continent. Furthermore, it is anticipated that the integration of WB6 into the aviation market of 500 million people from EU27, Norway and Iceland, holds the potential to not only bring substantial benefits to regional air industries but also positively reflect on other related sectors, thus significantly increasing connectivity in Europe. Indeed, since the ECAA's establishment, there has been a threefold increase in the number of direct flight connections between the EU's and the WB's cities, with passenger numbers more than doubling, leading to what the European Commission describes as "unprecedented levels of connectivity".⁵¹ Concerning requirements that WB6 need to fulfil in the air-transport subarea of Chapter 14, a good level of alignment with the EU acquis has been noted so far in the cases of North Macedonia, Serbia, and recently Montenegro, while other countries still encounter either technical or significant practical obstacles in preparing their aviation sector for EU membership criteria. Nevertheless, even though none of the WB countries have reached the advanced level of preparedness yet, a key benefit of the ECAA is that the WB's aviation industries have the opportunity to be progressively integrated into the EU's aviation market well ahead of membership, allowing citizens in the region to enjoy the same safety standards as those in the EU.

Towards the pan-European energy market

The **Energy Community** for Southeast Europe was founded by the Treaty signed between the EU and (potential) candidate countries in 2005, with the goal of establishing an integrated pan-European market in natural gas and electricity based on EU rules and principles.⁵² With the potential of evolving into a broader common market that would include the widest range of energy products and carriers, the Energy Community provides crucial support to the energy-related reforms in the region, by assisting applicant countries to follow the ongoing (r)evolution in the EU's energy sector and progressively harmonise with relevant regulatory frameworks. In that regard, the Energy Community Secretariat has a very important and responsible role in reviewing the progress made by the countries in transposing and implementing the EU energy acquis. More than just tracking countries' progress, the Energy Community's monitoring systems can also identify violations of energy laws, allowing for the introduction of appropriate measures to ensure that countries' activities remain in line with their legal commitments. Overall, with its ambitious founding treaty and powerful governing bodies, the Energy Community indeed possesses the potential to boost candidate countries' performance in several interconnected areas, primarily Chapter 15 – Energy, but also other chapters of Cluster 4 that deal with trans-European energy networks and related environmental topics.

Nowadays, nearly two decades after the establishment of the Energy Community, energy-related chapters are among those in which WB countries demonstrate the highest level of preparedness. For example, in the case of Montenegro as a front-runner in the EU accession process, Energy is among the nine chapters where this country has already reached a good level of preparation for EU membership. The Energy chapter is also among the best-rated in Albania, while Serbia and North Macedonia are moderately prepared in this area, although still being highly dependent

51 European Commission, ECAA, Available at: https://transport.ec.europa.eu/transport-modes/air/international-aviation/status-aviation-relations-country/ecaa_en.

52 "The Energy Community Treaty", Preamble, Official Journal of the European Union, L 198/18, 20 July 2006, Available at: [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:22006A0720\(01\)](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:22006A0720(01)).

on coal-fired power plants.⁵³ The Energy Community's 2023 report revealed that, beyond simply transposing the EU acquis into national legislation, the WB and the Eastern Trio (Ukraine, Moldova, Georgia) achieved an average implementation rate of 53%, with Serbia and Montenegro leading the way at over 60% implementation.⁵⁴ However, the overall implementation performance declined by 2% in 2024, with all WB countries and Ukraine recording worse scores than the previous year.⁵⁵ Despite the inconsistencies in implementing the energy acquis, the Energy Community provides a framework for candidate countries joint progression towards decarbonised energy markets integrated into broader European energy networks aimed at improving the continent's energy security in a climate-neutral manner. However, for this scenario to be realised, national-level commitments must be fulfilled, while regional cooperation through both the Energy Community and other regional initiatives remains essential to ensure that outcomes have wider economic and political effects.

Making the region climate-neutral

At the same Berlin Process Summit where WB leaders agreed to establish the Common Regional Market, they also acknowledged the importance of the European Green Deal (EGD) and committed to transposing its elements in all interrelated priority sectors formulated through the **Green Agenda for the Western Balkans (GAWB)**.⁵⁶ Sofia Declaration on the GAWB, accompanied by the Commission's Guidelines for the Implementation, is intended to be used as a roadmap for WB's transition towards climate-neutral, resource-efficient, and competitive economies. Structured around five pillars, the GAWB envisages actions to decarbonise the region and establish circular economies and sustainable agriculture while conserving the region's ecosystems and biodiversity.⁵⁷ Closely interconnected and wide-ranging, these five areas of action are meant to serve as WB preparation for EU membership, primarily in Chapter 27 – Environment and Climate Change and other chapters of Cluster 4. Furthermore, given that the GAWB is, in fact, a cross-cutting initiative, by fully implementing commitments undertaken at the Berlin Process Summit in Sofia, WB6 would also empower their agricultural sector and rural areas, making their economic development sustainable and aligned with EU environmental standards.

In the first two years of the GAWB Action Plan implementation, there were several noteworthy achievements in specific areas. For example, all WB countries, with the exemption of North Macedonia, slightly increased the usage of renewable energy sources by December 2022, thus reaching the prescribed 2020 renewable energy targets or coming close to them.⁵⁸ In addition, small advances were made regarding sustainable mobility, with ongoing electrification of rail networks and increased availability of alternative fuels throughout the region.⁵⁹ Nevertheless, the vast majority of other accomplishments are more of a formal or legal nature, with almost no concrete and tangible results. In other words, although WB countries have made good progress in harmonising with the EU food quality and safety policy, developed biodiversity strategies or circular economy

53 As regards "back-benchers," BiH remained at an early stage of preparation in the area of energy with no progress in 2024, while Kosovo reached some level of preparedness, which mostly reflects these countries' general low level of readiness for EU membership.

54 Energy Community Secretariat, "Annual Implementation Report 2023", 1 November 2023, p. 8, Available at: <https://www.energy-community.org/implementation/report.html>.

55 Ibid.

56 Regional Cooperation Council, "Sofia Declaration on the Green Agenda for the Western Balkans", Available at: <https://www.rcc.int/files/user/docs/196c92cf0534f629d43c460079809b20.pdf>.

57 For a detailed overview of the GAWB and WB's state of play in five pillars of action, check out CEP Insight "The Green Agenda for the Western Balkans: A dead letter or a genuine opportunity?", Available at: <https://cep.org.rs/wp-content/uploads/2022/12/The-Green-Agenda-for-the-Western-Balkans.pdf>.

58 Regional Cooperation Council, "Green Agenda for the Western Balkans Action Plan – Implementation Report 2022", 20 October 2023, pp. 26–27, Available at: <https://www.rcc.int/pubs/162/green-agenda-for-the-western-balkans-action-plan-implementation-report-2022#:~:text=The%20Green%20Agenda%20for%20the,%2C%20sustainable%20transport%2C%20circular%20economy%2C>.

59 Ibid., pp. 46–48.

roadmaps, the lack of effective implementation in all of the Green Agenda's areas undermines the achievements of this initiative.

Overall, it can be said the GAWB has so far failed to produce substantial transformative effects in the region. The Commission's latest assessments of the WB' preparedness in the environmental chapter show no improvement in any of the countries since 2020, when the GAWB was launched, highlighting that commitments at the highest political level have yet to be implemented in practice. Namely, four candidate countries that were somewhat prepared in Chapter 27 back in 2020 remained at the same level in 2023, usually making only limited progress over the years,⁶⁰ while the assessments for BiH and Kosovo are even worse. Altogether, it can be concluded that the GAWB, except for being an excellent roadmap for the green transition of the region, cannot transform it without strong domestic political will, but also robust financial and expert assistance that can come from the EU. Keeping in mind that climate change and environmental issues span across national borders, regional and broader European cooperation remains crucial for making the continent climate-neutral in the upcoming years.

V. Resolved intra-regional disputes as a precondition for full alignment with the EU's foreign policy – Chapter 31 & good neighbourly relations

The post-conflict WB region, still burdened with numerous open disputes, represents a very fragile area exposed to the malignant influence of third, non-EU actors. Due to unresolved issues arising from the past, usually very differently perceived by not only governments but also the people across the region, WB countries are seeking support for their positions from different external powers. Whether Russia and China, in the case of Serbia, Türkiye, in the case of Muslim communities in the region, Israel, in the case of BiH's entity of Republika Srpska, and very often the USA in the case of most regional actors, WB political elites choose to rely on non-EU powers, even when that means going against EU foreign policy positions. At the expense of aligning with EU foreign policy, some Western Balkan actors choose to open space for the influence of third powers, seeing it as a zero-sum game against their neighbours with whom they still have unresolved issues. With this in mind, solving intra-regional disputes through regional cooperation and bilateral negotiations, politically supported and financially incentivised by the EU and member states, can be a key precondition for reaching the goal of WB6's full alignment with the EU's Common Foreign and Security Policy (CFSP).

The interplay between regional relations and harmonisation with the EU's foreign policy

Although formally separated, the issues of alignment with the CFSP (Chapter 31) and regional relations are highly interdependent. This means that those countries that suffer from significant open disputes with their neighbours will be more likely to deviate from the EU's positions and seek backing from external actors. Serbia, a country with the highest number of unresolved issues with the neighbours, has a lowest alignment rate. Additionally, due to longstanding internal disagreements, compounded by open issues of significant regional dimension, BiH has struggled to achieve interethnic consensus on aligning with the EU's CFSP and continues to face challenges in implementing it. As for Kosovo, whose unilateral declaration of independence is opposed by Serbia and consequently unrecognised by BiH due to Republika Srpska's opposition, its current government policy led to partial diplomatic alienation from both the EU and the USA.

⁶⁰ An exception worth mentioning is Serbia, which, according to the 2024 Commission's report, made "good" progress last year, although its preparedness in Chapter 27 remained at the "some level".

On the other hand, it should be emphasised that not all WB countries are suffering from a lack of alignment with the CFSP, as NATO members in the region are formally fully harmonised with it. Namely, Albania, Montenegro and North Macedonia have already reached a good level of preparedness in Cluster 6, with all three of them being fully aligned with the CFSP.⁶¹ Considering this, three WB NATO members, together with Kosovo, launched an informal **WB QUAD** initiative aimed at facilitating their full alignment with the CFSP, albeit without any concrete agreements signed.⁶² Moreover, after the initial meeting organised in Skopje in March 2023, no subsequent gatherings have been held in this format, indicating that the first meeting served more as a political promotion of these countries' full alignment with EU and USA sanctions against Russia. However, neither their foreign policy alignment should be taken for granted. Unresolved disputes with neighbouring EU member states, such as the one between North Macedonia and Bulgaria or the potential one between Montenegro and Croatia, followed by blockages and further delays in the enlargement process, could easily result in frustration for countries that have been dreaming of EU membership for decades, making them more prone to populist and anti-European forces.

When it comes to Serbia, its alignment rate with the EU's foreign policy declarations and measures varies around 50%, with practically the same aligning pattern since the start of the war in Ukraine back in 2014. Since then, Serbia has been reluctant to adopt any restrictive measures against the Russian Federation, perceived as Serbia's key ally in its efforts to prevent Kosovo's membership in the United Nations. The same non-aligning model exists regarding China, another ally of Serbia's in its dialogue with Pristina and an important economic partner that provides an alternative source of loans and investments. Over many years, Serbia's government has sought to deepen a "strategic partnership" and avoided aligning with the EU's decisions directed against China's interests. Different perceptions of the Yugoslavian war legacy and an absence of a true regional dialogue on issues stemming from past conflicts have led Serbia to undermine its relationships with neighbouring countries and partners from the EU. As a result, Serbia opposed the UN Srebrenica Resolution in which it sought support from Russia, Belarus, China, as well as several other non-democratic countries.⁶³ All things considered, it can be concluded that Serbia's foreign policy remains burdened with unresolved territorial and other issues from the past, preventing its full harmonisation with the CFSP.

BiH has also had a very low alignment rate with the CFSP for years, mostly because of the internal disagreements within its three-member Presidency responsible for conducting the country's foreign policy. Although its alignment significantly improved in 2023, BiH still struggles to effectively implement the adopted restrictive measures due to a lack of internal capacities, but also the political will of the Serbian member of the Presidency and leaders of the Republika Srpska entity.⁶⁴ Despite lacking formal competencies in foreign policy, the two entities of BiH often view the country's international and regional relations very differently, which consequently hinders the formulation and implementation of a consistent foreign policy. What one entity, or often one ethnic group in BiH, sees as illegal "foreign interference", another can view as legitimate international support of their interests. Overall, BiH exemplifies how the legacy of the past shapes differing perspectives on national interests among its constituent peoples, complicating relations with neighbours and undermining the country's strategic direction toward the EU.

61 Yet, all WB countries, with the exception of Serbia, have bilateral immunity agreements with the USA, granting US citizens exemptions from the jurisdiction of the International Criminal Court and thus undermining the integrity of the Rome Statute.

62 European Western Balkans, "Four Western Balkan countries launched '100% Alignment with CFSP' platform", 29 March 2023, Available at: <https://europeanwesternbalkans.com/2023/03/29/four-western-balkan-countries-launched-100-alignment-with-cfsp-platform/>.

63 United Nations, "UN / Srebrenica Resolution Vote", 23 May 2024, Available at: <https://media.un.org/unifeed/en/asset/d321/d3210898>.

64 European Commission, "Bosnia and Herzegovina 2023 Report", 8 November 2023, p. 130, Available at: https://neighbourhood-enlargement.ec.europa.eu/system/files/2023-11/SWD_2023_691%20Bosnia%20and%20Herzegovina%20report.pdf.

In the context of its unresolved status, Kosovo has been prone to implementing unilateral measures that oppose the EU's official positions and further jeopardise its relations with Belgrade. Although Kosovo does not have candidate status and the Commission does not assess its preparedness in Chapter 31, in recent times, it has faced frequent criticism from both Washington and Brussels regarding its foreign policy. More than eleven years after the Belgrade-Pristina Brussels agreement was signed and subsequently ratified by Kosovo's parliament, Pristina is still refusing to establish the Association/Community of Serb majority municipalities (CSM) despite numerous calls from the EU and USA officials.⁶⁵ Due to its reluctance to establish the CSM and other unilateral actions that heightened tensions in the Serb-majority north, Pristina became subject to EU restrictive measures, including the suspension of high-level visits and a reduction of financial cooperation.⁶⁶ In the context of suspended contacts with EU officials and limited cooperation with the USA, Kosovo's leaders turned to its other key ally, Türkiye, which currently holds the rotating command of the NATO forces in Kosovo (KFOR) and with whom Pristina signed a Military Agreement in January 2024.⁶⁷ Following a similar pattern as the government in Belgrade, instead of searching for compromise solutions in the EU-facilitated dialogue, Pristina has sought support from external powers in its unilateral moves, which has undermined the normalisation process and, ultimately, its EU accession process.

EU's endeavours to build good neighbourly relations in the region

Since the inception of the **Stabilisation and Association Process (SAP)** in June 1999, the EU has sought to promote cooperation in the WB region, aiming to establish good neighbourly relations, which have become an essential element of the SAP and a precondition for WB's EU integration process. In practice, the EU's efforts to foster good neighbourly relations in the region have been implemented through various initiatives and financially supported programmes. The **Sarajevo Declaration Process**, together with the **Regional Housing Programme (RHP)**, aimed at finding sustainable solutions for refugees and displaced persons in the region, represent an important example of an EU-supported initiative through which significant steps towards regional reconciliation were made. Namely, since December 2023, with extensive financial support from the EU as the largest donor, the RHP has managed to provide durable homes to 11301 most vulnerable families, thus helping the region in dealing with the legacy of the past conflicts.⁶⁸ Overall, while significant challenges remain in addressing the social and economic integration of these families, the achievements of the Sarajevo Process and the RHP are among the most notable, underscoring the importance of EU-supported regional cooperation.

Another example of a regional cooperation mechanism aimed at solving open issues related to war legacy is the **WB Missing Persons Group (MPG)**. Established at the Berlin Process Summit in 2018 under the auspices of the International Commission on Missing Persons, the MPG functions as a group of national institutions responsible for addressing the issue of people who went missing during the wars in the former Yugoslavia. With the active participation of families of the missing gathered in the Regional Coordination Network, the MPG strives to facilitate cooperation at all levels and increase their effectiveness in accounting for missing persons.⁶⁹ In that regard, the establishment of the unified Regional Database of active missing persons' cases stands out as

65 Kosovo Online, "Stano: The CSM is a priority insisted upon by the EU and the US", 24 January 2024, Available at: <https://www.kosovo-online.com/en/news/politics/stano-csm-priority-insisted-upon-eu-and-us-24-1-2024>.

66 Balkan Insight, "EU Announces Measures Against Kosovo Over Unrest in North", 15 June 2023, Available at: <https://balkaninsight.com/2023/06/14/eu-announces-measures-against-kosovo-over-unrest-in-north/>.

67 Daily Sabah, "President Erdoğan receives Kosovo PM Kurti", 31 May 2024, Available at: <https://www.dailysabah.com/politics/diplomacy/president-erdogan-receives-kosovo-pm-kurti>.

68 Regional Housing Programme Fund, Annual Report 2023, April 2024, Available at: <https://regionalhousingprogramme.org/wp-content/uploads/publications/annual-report/2023/#pdfflip-PDFF/1/>.

69 International Commission on Missing Persons, "Missing Persons Group enhances efforts to account for the remaining missing persons", 16 May 2024, Available at: <https://icmp.int/press-releases/missing-persons-group-enhances-efforts-to-account-for-the-remaining-missing-persons/>.

a very important achievement of this initiative.⁷⁰ Additionally, the latest report indicates that the excavations and the DNA matching conducted in 2023 led to the identification of 55 missing persons.⁷¹ However, although approximately 75% of missing people have been accounted for since the 1990s, the unresolved fate of over 11,000 individuals and ongoing mutual accusations among the involved parties continue to hinder the process and strain regional relations.

The region's most challenging open issue is still related to the long-lasting **Belgrade-Pristina normalisation process** conducted through the EU-facilitated dialogue. Launched fourteen years ago following the UN General Assembly Resolution,⁷² the Dialogue has so far failed to produce conditions for comprehensive and sustainable normalisation. Nevertheless, there are several notable achievements by the two parties that should not be overlooked. In this regard, ensuring free movement of people through integrated boundary management and mutual recognition of IDs and license plates stand out as key achievements of the normalisation process. In addition, through the Dialogue, Belgrade and Pristina reached and implemented several important agreements on issues such as registers, customs seals, and telecommunications, which have normalised certain aspects of daily life for both societies.⁷³ Although this format, with the EU's proactive role, has helped both parties find solutions to many open issues, Pristina's refusal to establish the CSM, along with unilateral actions on both sides, has undermined the achievements of the Dialogue as well as the EU's credibility as a mediator.

Table 2: Key chapters and subareas supported through regional initiatives⁷⁴

Cluster Initiative	1 Fundamentals	2 Internal market	3 Competitiveness and inclusive growth	4 Green agenda and sustainable connectivity	5 Resources, agriculture and cohesion	6 External relations
RCC	Chapters 23, 24					
RAI	Chapter 23 (fight against corruption), 24		Chapter 29			
ReSPA	Public administration reform					
CEFTA	Economic criteria, chapter 5	Chapters 1, 3, 7, 28	Chapter 29		Chapters 11, 12	
CRM	Economic criteria	Chapters 1, 2, 3, 4	Chapters 20, 25, 26, 29			
Open Balkan	Economic criteria, chapter 24	Chapters 1, 2				
Energy Community				Chapters 15, 21, 27		
Transport Community				Chapters 14, 27		
ECAA				Chapter 14		
GAWB				Chapters 14, 15, 27	Chapters 11, 12	

70 Database available at: https://oic.icmp.int/index.php?w=reg_lista_pub_ter_in&l=en&x=search&ime=&ime_oca=&prezime=&teritorija_nestanka=&btn_search=yes&page=9#search_results.

71 International Commission on Missing Persons, Annual Report 2023, Available at: https://icmp.int/wp-content/uploads/2024/06/240415_ICMP_ANNUAL_REPORT_2023_DIGITAL-1.pdf.

72 General Assembly United Nations General Assembly, Resolution 64/298, 9 September 2010, Available at: https://unmik.unmissions.org/sites/default/files/old_dnn/GA64298.pdf.

73 For a detailed overview of signed agreements and their implementation status, find more information at: <https://normalizacija.rs/?lang=en>.

74 The chapters that are most significantly supported by the corresponding regional initiative are highlighted. While the research did not identify any regional initiatives primarily focused on the issues covered by Cluster 5 – Resources, agriculture, and cohesion, the fourth pillar of the GAWB (Sustainable food systems and rural areas) largely covers Chapter 11, as well as, to a lesser extent, some topics of Chapter 12, particularly food safety and animal welfare standards.

VI. United in purpose: the common spirit, values, and goals of the Staged Accession model and regional initiatives

After providing an overview of key regional initiatives and their impact on the WB's accession process, it can be stated that, despite notable accomplishments achieved through several initiatives, most of them have failed to provide substantial transformative effects in the region and make countries significantly more prepared for EU membership. Despite the potential for early integration of the Western Balkans into certain aspects of the EU single market offered by several initiatives, these incentives have proven insufficient to serve as a game changer in the enlargement process. In that context, the Model of Staged Accession appears as a proposal aimed at improving the current EU approach towards the region by focusing on reforms across all areas and offering extensive benefits of a financial and institutional nature.

The Staged Accession model offers a framework through which advancement in the level of preparedness would be directly awarded. Once a candidate country reaches at least a moderate preparation level across all clusters, a substantial increase in available funds, together with enhanced participation in the work of EU institutions, will facilitate and boost its remaining reforms. In other words, the Staged Accession does not entail the creation of shortcuts. It means giving a substantial motive to candidate countries to strive to achieve the EU's fundamental values, knowing that they will be awarded within a reasonable time frame. Once the benefits of Stage I are unlocked for the country, a multiplying spill-over effect will be created across other reform areas. In contrast to regional initiatives that are mostly established on a sectoral principle and provide certain benefits for implementation of the EU *acquis* in selected policy areas, the Model is horizontal in its nature, meaning that candidates must increase their performance across the whole set of clusters to gain access to proposed benefits.⁷⁵ Although the Model recognises the value that the sectoral approach operationalised through regional cooperation brought to the enlargement process, it also rightly points out that regional initiatives are not capable of boosting political will in some sensitive yet very important areas of reform, particularly in the Fundamental cluster.

While several regional initiatives addressing topics related to Cluster 1 have created a framework for cooperation and the sharing of good practices in fundamental areas, they have proven insufficient to fully transform the judiciary, institutions, and public administration in the WB to meet the highest EU standards. Only Montenegro,⁷⁶ and recently Albania, have achieved a moderate level of preparedness in all constituent chapters of the Fundamental cluster, while North Macedonia, although at this level on average, still faces serious deficiencies related to the functioning of the judicial system and the fight against corruption (See Table 3). As for BiH and Kosovo, both of them are still in early preparation stages regarding Fundamentals in general, while Serbia also lags behind in judiciary and fundamental rights chapter. In that regard, the Staged Accession model is designed to encourage political elites in the region to engage in demanding reforms, by offering concrete and tangible benefits to the countries. To enjoy these benefits, candidates need to attain at least an *average* moderate preparation in all six clusters, with a stricter regime applied to Cluster 1, where all included chapters and subareas individually need to achieve the required preparedness level. On the other hand, strengthened by the Model, existing regional cooperation mechanisms, along

⁷⁵ Milena Mihajlović, Steven Blockmans, Strahinja Subotić and Michael Emerson, "Template 2.0 for Staged Accession to the EU", European Policy Centre (CEP) and Centre for European Policy Studies (CEPS), August 2023, p. 5, Available at: <https://cdn.ceps.eu/wp-content/uploads/2023/08/Template-2.0-for-Staged-Accession-to-the-EU.pdf>.

⁷⁶ Montenegro's progress in the rule of law area resulted in receiving the positive Interim Benchmark Assessment Report (IBAR) in June 2024, paving the way for the accelerated closure of negotiation chapters with the country.

with potential new ones, can generate spillover effects of best practices across the region and foster positive competition among Western Balkan governments to achieve higher levels of membership preparedness. Nevertheless, despite being guided by shared goals and values, regional initiatives alone will fall short of driving reforms in the Fundamental area without the incentives provided by the Model, which are intended to serve as strong motivators for candidate countries. When it comes to regional initiatives aimed at supporting performance in the market-related and green agenda areas, it may be argued that these cooperation mechanisms have produced much better results so far. As calculations presented in Table 3 show, Montenegro and Serbia have already achieved moderate preparation in Clusters 2, 3, and 4, while North Macedonia needs to improve its performance in only one chapter within Cluster 2 to be considered moderately prepared in each of these three clusters. Once any of these countries achieves the necessary level of preparedness to enter Stage I – with regional cooperation mechanisms certainly playing an important supportive role – the overall significance of the Staged Accession Model will further increase and become more visible. For example, by obtaining the right to participate in the Economic and Financial Affairs Council configuration (ECOFIN), relevant ministers of candidate countries would have the opportunity to actively contribute to the EU's economic policy-making process. In this way, well-prepared countries will earn the chance to raise their voice about certain important topics and lobby for their countries' interests during the accession process, while the rest of the candidates will consequently be even more inspired to complete their homework and join the front-runners. Moreover, additional funds granted to those who reach Stage I would facilitate their further reform process, especially in areas that require a significant amount of infrastructure investments, such as Cluster 4, i.e. Chapter 27, in particular. Overall, regional cooperation has already contributed to WB's progress in transport, energy, and several market-related areas, while institutional inclusion and financial support proposed by the Model would serve to facilitate and speed up remaining reforms.

Table 3: WB countries' level of preparedness for EU membership across six clusters clusters from 1 (early stage of preparation) to 5 (well advanced stage) ⁷⁷

Cluster	1 Fundamentals ⁷⁸	2 Internal market	3 Competitive-ness and inclusive growth	4 Green agenda and sustainable connectivity	5 Resources, agriculture and cohesion	6 External relations
Country						
Albania	3.20	2.61	2.94	2.38	2.40	4
BiH	1.67	1.94	1.50	1.63	1.20	2
Kosovo ⁷⁹	1.86	2.39	2.19	1.50	1.63	1
Montenegro	3.14	3.17	3.19	3.25	2.60	4
North Macedonia	3.14 ⁸⁰	2.89	3.38	3	2.80	4
Serbia	2.93	3.22	3.50	3.13	2.60	3
Western Balkans	2.66	2.70	2.78	2.48	2.21	3

at least "moderate" (3) membership preparedness in the cluster on average

at least "moderate" (3) membership preparedness in the Cluster 1 on average, but not in each chapter and subarea individually

⁷⁷ This table represents the quantification of the European Commission's qualitative assessments of WB countries preparedness in the 2024 reports. The quantification scale went from 1 to 5 in terms of preparedness level for all clusters on average, following the Commission qualitative assessments (1 = Early stage of preparation; 2 = Some level of preparation; 3 = Moderately prepared; 4 = Good level of preparation; and 5 = Well advanced stage of preparation).

⁷⁸ Due to a different type of preparedness assessment in the functioning of democratic institutions, this fundamental subarea is excluded from the calculation.

⁷⁹ In the case of Kosovo, there is no assessment in two chapters: Chapter 33 – financial and budgetary provisions (Cluster 5) and Chapter 31 – foreign, security and defence policy (Cluster 6).

⁸⁰ Although North Macedonia reached the moderate level of preparedness in Cluster 1 on average, it is still in between some and moderate preparation level in Chapter 23 – Judiciary and fundamental rights, why according to the Model, it is still not ready for reaping the benefits of Stage I. To illustrate, for a candidate to unlock Stage 1 benefits, in addition to all clusters reaching a minimum average rating of 3, in Cluster 1 each chapter and sub-area must see at least the same level of preparedness.

less than “moderate” (3) membership preparedness in the cluster on average

At first glance, the cluster dealing with external relations represents the area with the highest average preparedness in the region. Indeed, this is the only cluster in which three countries have already reached the good preparation level required for entering Stage II, while Serbia is formally moderately prepared, which would qualify it for entering Stage I. Nevertheless, as previous analysis has shown, there are still several serious open disputes in the region that prevent countries from fully aligning with the CFSP. So far, due to the lack of concrete and tangible benefits, EU-supported initiatives have not led to complete resolution of intra-regional disputes, leaving space for external actors to take advantage of this. However, considering that the Staged Accession model makes the EU accession perspective achievable in the medium term perspective, with benefits that can be obtained in the pre-accession stages, political will for resolving existing disputes in the WB would be notably strengthened. Although none of the regional initiatives can make political elites in Serbia and Republika Srpska stop relying on non-EU actors in their foreign policy and become fully aligned with the CFSP, the resolution of open issues, incentivised by applying the Model, could create a precondition for this to happen. Furthermore, only a credible EU accession perspective, enhanced with early benefits, can motivate governments in Belgrade and Pristina to stick to their commitments and refrain from unilateral actions that destabilise the region, thus creating preconditions for reaching a final, comprehensive normalisation agreement. Only after issues stemming from the war legacy are resolved and the final Belgrade-Pristina agreement is reached and fully implemented will it be possible to alleviate the influence of third powers and achieve full alignment with the CFSP across the region.

VII. Conclusion

Regional cooperation initiatives are designed with a twofold purpose. On the one hand, they intend to build good neighbourly relations in the region by solving open disputes and enhancing mutual cooperation among WB6. On the other hand, many of these initiatives are established to gradually integrate candidate countries into various aspects of the EU in the early stages of the accession process by supporting EU-related reforms on a sectoral basis. Through both of its purposes, regional initiatives possess the potential to substantially enhance the WB countries' preparedness for EU membership in various negotiating chapters and areas.⁸¹ By building a greener WB that is deeply integrated into the EU's energy and transport networks with the accelerated movement of people, goods, services, and capital, regional initiatives seek to reshape the regional landscape, thereby bringing significant benefits to citizens and businesses. At the same time, this will not be possible without dealing with the legacy of the past and conducting crucial reforms in the rule of law, democracy, and other fundamental areas. However, although several initiatives resulted in improved performances and more integrated WB, both internally and with the EU, regional initiatives could not create essential transformative effects on fundamental areas nor solve the most complex regional disputes.

In light of the limitations of the EU's approach towards the WB, the Staged Accession model builds a mechanism capable of addressing its shortcomings. On the one hand, the Model offers tangible benefits, but these can only be attained once all chapters and subareas within the Fundamental Cluster reach at least a moderate level of preparedness. On the other hand, the Model incorporates easily applicable reversibility mechanism, which means that in cases of prolonged stagnation or backsliding, the candidate country would lose the previously granted benefits. This twofold design of the Model aims to incentivise WB countries to undertake crucial reform steps and resolve all

⁸¹ In support of this claim, it should be noticed that exactly those chapters and areas where the majority of regional initiatives have been launched represent fields of the highest preparedness, while all WB countries underperform in Cluster 5, where any notable cooperation initiative is missing.

open issues, while simultaneously guaranteeing the sustainability of reforms and good neighbourly relations through reversibility option. Furthermore, by providing all candidate countries with the opportunity to engage in EU institutions even before becoming members, the Model paves the way for collective representation of the WB's interests, thereby improving communication and fostering mutual trust among the countries. In this regard, the Model has not only the potential to encourage reforms in areas where regional initiatives have fall shorten, but it can also further enhance existing regional cooperation. To conclude, with the support of the Model, both politically challenging and financially demanding reforms would be more readily implemented, while the goals of regional initiatives would finally be attained.

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