Democracy and EU enlargement in the Western Balkans: Can there be one without the other?

Author: **Nikola Burazer**, European Western Balkans

Introduction

There has been much debate about the state of democracy in the world in recent years. While there have been improvements in the levels of democracy in certain parts of the world, global trends have largely been negative. Not only that international indexes which measure levels of democracy have shown steady global decline in the state of democracy in the world in recent years[1], but also that democracy in threatened in some countries of the "global West"[2]. Even inside the European Union, some of its member states have suffered sharp declines in the state of democracy, a finding that correlates well with the actual state of play in EU politics, where there have been clashes around the rule of law in these countries and about the nature of core "European values".

As a region covered by the EU enlargement process and with declared prospects for EU membership of the countries it is comprised of, the Western Balkans finds itself in a special position. The region has an authoritarian past and has been steadily moving towards liberal democracy in the last three decades, largely due to the EU accession process and the democratisation it entailed. However, having in mind the aforementioned problems with democracy in the EU itself and the negative global trends which undoubtedly have an effect on the region as well, this process of democratisation is now severely threatened. The strengthening of the influence of other global non-democratic players in the region, as well as the EU's own questionable actions, have also played a part.

---

[1] For example, the Swedish V-Dem Institute asseses that the percentage of world population which lives in autocracies has increased from 48% in 2010 to 68% in 2020. See more at https://www.v-dem.net/media/filer_public/74/8c/748c68ad-f224-4cd7-87f9-8794add5c60f/dr_2021_updated.pdf

[2] Freedom House assesses that even the United States of America lost 11 points in the last 10 years. See more at https://freedomhouse.org/report/freedom-world/2021/democracy-under-siege

Western Balkan countries mostly find themselves lower than all EU member states according to international measurements of democracy. According to the Index of Democracy of the Economist Intelligence Unit for 2020, all Western Balkans countries[3] are ranked below the lowest ranked EU member state – Romania, out of which Serbia and Albania are classified as flawed democracies, while North Macedonia, Montenegro and Bosnia and Herzegovina are classified as hybrid regimes.[4] Freedom House classifies all Western Balkan countries as "partly free" after Serbia got demoted into this category in 2019. They are joined in this category by Hungary as the lowest-ranked EU member state, while all other EU member states are classified as "free".[5]

This data shows that the Western Balkans remains far from EU democratic standards and that the process of democratisation of countries of the region has been inferior to the ones in other parts of post-communist Europe which did join the European Union in previous decades. The evident decline in some EU member states in recent years blurs this picture, but the overall picture still shows clear differences. But what is the exact relation between democratisation and EU integration and what does the state of democracy in Western Balkan countries mean for their EU perspective? Also, what are the trends in recent years and are their positive signals in the region as well?

Democracy and European integration

Democracy is certainly one of the prerequisites for EU membership. According to the Copenhagen criteria for membership in the European Union, laid out at the EU Summit in Copenhagen in 1993, "membership requires that the candidate country has achieved stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities".[6] These have often been referred to as political Copenhagen criteria.

Indeed, the EU institutions have operationalized these criteria through the EU accession negotiation process, reforming it gradually since the 1990s to put even more emphasis on rule of law and human rights. Currently, within the negotiating frameworks of Montenegro and Serbia, the topics of rule of law, human rights and protection of minorities find themselves within Chapter 23: Judiciary and human rights of the accession negotiation process. Democracy as such, however, is not covered by any negotiating chapters, and issues such as elections, work of the parliament, governance and civil society are covered by the European Commission reports on the candidate countries but are not part of the negotiation process. The revised methodology, adopted in March 2020, will now put the functioning of democratic institutions within the first "Fundamentals" cluster of chapters, likely putting much more focus on the issue of democracy than was previously the case.[7]

---

3   Kosovo is not covered by this report

4   Democracy Index 2020 In sickness and in health?

5   Freedom in the World 2021: Democracy under Siege, available at https://freedomhouse.org/report/freedom-world/2021/democracy-under-siege

6   Conclusions of the Presidency, European Council in Copenhagen 21-22 June 1993, available at https://www.consilium.europa.eu/media/21225/72921.pdf

7   Enhancing the accession process – A credible EU perspective for the Western Balkans, available at https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/enlargement-methodology_en.pdf

However, democratisation of the Western Balkans did not go hand in hand with the EU accession process as might have been expected. Problems with democratic institutions and rule of law have kept plaguing the region throughout the last decade and in same cases, the state of democracy has deteriorated in parallel with progress in the EU accession process. Several political crises have even prompted EU's response and brought attempts at mediation and finding a compromise. This is increasingly becoming a problem for the EU as well, in which there is a lot less political will for enlargement than was the case before. Having non-democratic governments and serious problems with the rule of law is hardly a good sign for the region's EU membership prospects.

The European Commission assessed within its 2018 Western Balkans Strategy that the enlargement process represents a "powerful tool to promote democracy, the rule of law and the respect for fundamental rights", but that the countries "show clear elements of state capture, including links with organised crime and corruption at all levels of government and administration, as well as a strong entanglement of public and private interests".[8] The adoption of the revised enlargement methodology, which came after the controversy with the lack of opening accession negotiations with North Macedonia and Albania in 2019, can also be seen as a reaction to slow progress in rule of law reforms across the region, but especially in the two "frontrunners" – Montenegro and Serbia.

However, there are strong arguments that the EU itself has been complicit in this democratic decline in the region. According to the "stabilitocracy" argument, the European Union and its member states have favoured stability over democracy in the last decade in the Western Balkans, rewarding or being lenient towards governments with undemocratic tendencies if they acted in the EU's own interests. Famous examples of such arguments are the support coming from key EU member states to North Macedonia and Serbia during the 2015 refugee crisis, as well as the logic of rewarding Serbia for engaging in the dialogue with Kosovo despite evident democratic decline occurring during the same period. The case of Montenegro, which has made progress in EU accession and joined NATO despite authoritarian tendencies which have been documented by international organizations, could also be seen as a part of the same trend, as Montenegro has fully aligned with EU's foreign policy and had been considered to be under Russian threat, making geopolitical concerns more prominent than the issue of democracy.

It appears, however, that democratic decline no longer goes hand in hand with EU integration as was the case before. The two frontrunners in the Western Balkans when it comes to the EU accession process – Montenegro and Serbia – have seen their progress significantly slow down in recent years. Montenegro has managed to open all of its negotiating chapters by June 2020, but has managed to close only 3 chapters after 9 years of accession negotiations. Serbia opened only 18 and closed 2 of its negotiating chapters, but has failed to open a single new chapter since December 2019, largely due to problems with rule of law and democracy. It is interesting that the two frontrunners currently find themselves last among Western Balkan countries when it comes to media freedom according to the World Press Freedom Index of Reporters Without Borders[9], and that both have been demoted by Freedom House from "unconsolidated democracies" into "transitional or hybrid regimes" in 2020.[10] This represents a strong argument that democratic backsliding is no longer tolerated by the EU and its member states, but the lack of progress in EU accession of other countries in the region, some of which actually made progress according to EU's own assessments, leaves this question not fully answered.

---

8   A credible enlargement perspective for and enhanced EU engagement with the Western
        Balkans, available at https://ec.europa.eu/info/sites/default/files/communication-credible-enlargement-perspective-western-balkans_en.pdf

9   2021 World Press Freedom Index, available at https://rsf.org/en/ranking

10   Nations in Transit 2020: Dropping the Democratic Facade, available at https://freedomhouse.org/report/nations-transit/2020/dropping-democratic-facade

The trends regarding democracy, however, are not that clear, and while there are certainly important examples of democratic backsliding, there are also some encouraging signs for democracy in the region. All of these developments need to be taken into account in order to provide a better assessment of the problems facing the region and perhaps guide future actions of the European Union within the accession process.

Recent developments: All doom and gloom?

There are certainly negative tendencies when it comes to the state of democracy in the region. As the European Commission itself assessed, there are elements of state capture throughout the Western Balkans and problems with elections, work of the parliament and media freedom have produced several political crises in which the EU itself needed to get involved.

Especially important are the problems with democratic institutions in Serbia and Montenegro, the two countries currently negotiating for EU membership. As Freedom House assessed when demoting the two countries in 2020, "years of increasing state capture, abuse of power, and strongman tactics employed by Aleksandar Vučić in Serbia and Milo Đukanović in Montenegro have tipped those countries over the edge - for the first time since 2003, they are no longer categorized as democracies".[11] As was mentioned before, the two countries also find themselves on the bottom among Western Balkans countries when it comes to media freedom.

Serbia is probably the most interesting example when it comes to democratic backsliding. Even though the country is best ranked among the Western Balkan countries according to different indexes such as the EUI' Index of Democracy, most international observers agree that the country witnessed significant deterioration of democracy and media freedom in recent years. For example, the Swedish V Dem Institute put Serbia among the top five countries in the world when it comes to autocratization since 2010, rating it as an "electoral autocracy" in 2020.[12] Freedom House put Serbia among the top three countries with the largest democratic decline since 2017 in the post-communist space, a place it shares with the other frontrunner, Montenegro.[13]

When it comes to media freedom in Serbia, according to Reporters Without Borders, once best-placed country in the region now finds itself in penultimate place behind Montenegro, having dropped 39 places on the list since 2014.[14] According to the Media Sustainability Index by IREX, in 2019 Serbia found itself last placed among European post-socialist countries, only above Azerbaijan, Uzbekistan and Turkmenistan in the wider post-socialist space.[15]

---

11   Ibid.

12   Autocratization Turns Viral: Democracy Report 2021, available at https://www.v-dem.net/media/filer_public/74/8c/748c68ad-f224-4cd7-87f9-8794add5c60f/dr_2021_updated.pdf

13   Nations in Transit 2021: The Antidemocratic Turn, available at https://freedomhouse.org/report/nations-transit/2021/antidemocratic-turn

14   2021 World Press Freedom Index

15   Media Sustainability Index 2019, available at https://www.mediasustainabilityindex.org/

This evident decline in Serbian democracy comes as a consequence of increasing authoritarian tendencies of President Aleksandar Vučić, as well as a political crisis which is ongoing since late 2018. A large part of the opposition first boycotted the work of the parliament and later the 2020 parliamentary and local elections, unsatisfied with electoral conditions. This resulted in a practically one-party national parliament, with no significant parliamentary opposition. Besides this fact, the quality of the 2020 election itself, labelled by some as the most controversial election in Serbia since the fall of Milošević, raised significant concerns and led the S&D group in the European Parliament to advocate for not opening new chapters with Serbia before the state of democracy is improved.[16] There is currently an ongoing process of an inter-party dialogue between government and opposition mediated by the European Parliament, aimed at finding a compromise on electoral conditions and allowing for opposition's participation in the upcoming elections.

However, the focus on Serbia and its globally famous authoritarian turn tends to disregard other developments in the region, some of which may be pointing out in a wholly different direction, at least temporarily.

First of all, the regime of Nikola Gruevski in North Macedonia, often labelled as a symbol of stabilitocracy, fell already in 2017. The new socialist-led government made progress in democratisation and media freedom and reached historical agreements with Greece and Bulgaria that should have unlocked the country's EU prospects. North Macedonia did join NATO and opened EU accession negotiations in 2020 after the name change agreement with Greece and the adoption of the revised enlargement methodology, but another dispute with Bulgaria prevented the process from going forward with the holding of a first inter-governmental conference. However, this stumbling block North Macedonia currently faces should not overshadow the progress the country made since 2017 and the positive signal it represented for democracy in the region.

One of the frontrunners with authoritarian tendencies, Montenegro, went through a regime change in late 2020 after 30 August elections for the first time since the establishment of the multi-party system. This tectonic shift in Montenegrin politics, however, did not go without controversy, as the new majority, which included both pro-Serbian and left-wing reformist parties, did not have neither stability nor unity since the formation of the new government. But despite the fact that the effects of these political changes are still unclear when it comes to democratisation, improving the rule of law and making progress in EU accession, the very nature of this peaceful regime change makes it a positive signal for democracy in the region.

Similar could be said for Kosovo, where the Vetëvendosje movement led by Albin Kurti won a sweeping victory in February 2021 parliamentary elections, brushing aside all mainstream political parties which have governed Kosovo since 1999. Such a convincing victory of the opposition does not automatically deserve to be labelled as a step forward in democratisation, but the very fact that the incumbents and well-established political parties might convincingly lose elections they oversee certainly represents a symptom of democratic maturity. As in the case of Montenegro, the effects on democratisation and the rule of law of this government change are yet to be seen, but developments are certainly quite different that those seen in Serbia, and to a lesser degree in Albania.

In some countries it is the local elections which came under the spotlight. In Bosnia and Herzegovina, incumbents and dominant political parties lost power in a significant number of local self-governments in both entities, including the major cities of Sarajevo and Banja Luka. And

---

16   S&Ds: The new Serbian parliament is a mockery of democracy, this has impact on the enlargement process, available at https://www.socialistsanddemocrats.eu/newsroom/sds-new-serbian-parliament-mockery-democracy-has-impact-enlargement-process

while these developments have not decisively improved democracy in Bosnia and Herzegovina at this point, they surely represent a demonstration of a possibility of political change in a political system known for its long-term stability.

Somewhere in between is Albania, about which conflicting conclusions could be made. On the one hand, the country made progress according to the EUI's Index of Democracy, being classified as a "flawed democracy" instead of a "hybrid regime".[17] V Dem Institute also reclassified Albania from an electoral autocracy to an electoral democracy in the last decade.[18] On the other hand, there are concerns about media freedom in Albania, and the political crisis which led to the opposition's boycott of 2019 local elections appears far from being resolved after the 2021 elections were again won by the incumbent Socialist Party.

The research of the Balkans in Europe Policy Advisory Group (BiEPAG) from January 2021 shows that the opinion of citizens about the possibility of a regime change through elections is highly dependent on recent experiences. According to the BiEPAG study, 80% of Montenegrins believe that the government could be replaced in elections, while the same could be said about 56% of citizens in Kosovo, 46% in North Macedonia, 43% in Serbia and Bosnia and Herzegovina and 38% in Albania.[19] The authors conclude that "changeability of the government is an important precondition for democratisation, but it must lead to the improvement of institutions' performance and their independence for it to have long-lasting positive effects."[20]

Conclusion: Where is democracy in the Western Balkans heading?

We have described some of the major trends when it comes to democracy in the Western Balkans. On the one hand, there are certainly long-term concerns about democracy and rule of law in the Western Balkans, especially in sensitive areas such as elections and media freedom. These facts are recognized by international observers, but also by the EU itself. On the other hand, recent developments are inconclusive. While there are clear authoritarian tendencies in Serbia, developments in other parts of the region may point in a different direction, at least for the time being. Whatever the outcome of these developments might be, they clearly demonstrate that democratic and peaceful changes of government are possible even in some countries which have never witness this before.

However, democratisation of the region will surely take much more than just government change. North Macedonia had several changes of government since independence and yet ended up with an authoritarian regime in power. Serbia, undoubtedly the most developed democracy in the region in the last two decades, now has a parliament without opposition and serious

---

17   Democracy Index 2020: In sickness and in health?

18   Autocratization Turns Viral: Democracy Report 2021

19   No longer voting for the devil you know? Why the Balkans' collective action problem might be easier to break than we think, available at https://biepag.eu/wp-content/uploads/2021/01/Elections-No-longer-voting-for-the-devil-you-know.pdf

20   Ibid.

problems with media freedom that question the very idea of Serbian democracy. Therefore, democratic development of the region will require much more substantial changes, which are not yet seen on the horizon.

The EU accession process is widely considered to be an efficient tool for democratisation, as stated within the 2018 Western Balkan Strategy. Indeed, the reforms that EU accession entails can significantly improve rule of law, media freedom and democracy, especially if the revised methodology puts the appropriate focus onto the issue of democratic institutions. In that sense, the European Union will still have a very important role to play in this regard, especially if enlargement in the region is indeed hastened as envisioned by the revised methodology.

On the other hand, this lack of clear EU perspective of the region is one of the major problems. Despite all the assurances by the European Commission and other EU institutions, the membership perspective of Western Balkan countries is still far from clear. The countries of the region are politically and economically very far away from the required standards and will have a hard time fulfilling all the necessary conditions even if the political will for membership is beyond doubt. Then there are the bilateral disputes, both internal and with neighbouring EU member states, which have proven time and again to be potential land mines on the road towards EU membership and which already did much damage to the process of enlargement. Finally, the political will for EU membership among Western Balkan countries appears to be much weaker than before, partially due to increasing economic influence of China and other geopolitical actors.

Third, one should not forget that not even EU membership is an insurance against democratic backsliding. As a matter of fact, EU member states such as Hungary and Poland are often quoted as one of the leaders when it comes to decline of democracy in Europe.[21] That is not only a reminder of the imperfectness of the EU accession process for democratisation, but also of a new complexity in EU's own understanding of democracy and rule of law, which has an effect on its leverage in the region.

The conclusion then could be that the problems with democracy in the Western Balkans are indeed severe, but are also parts of a larger trend that also has an effect on the EU itself. If the EU and its member states are serious about enlargement, they should tackle the problems with democracy in the Western Balkans as a matter of priority, precisely because of the problems that currently exist within the EU. On the other hand, expectations from the EU should not be too high in this regard. It appears that in the Western Balkans, just like inside the European Union, the societies themselves will need to show capacities for democratic changes, and if they are absent, not even EU membership will be able to fulfil the gap.

---

21   According to the Nations in Transit 2021 report by Freedom House, Hungary and Poland witnessed the most democratic backsliding among all post-socialist countries since 2017