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Assessment of the state of the European Union's enlargement process towards the Western Balkans; Factors conditioning the evolution of the European Union's enlargement process towards the Western Balkans

Abstract

The enlargement of the European Union towards the Western Balkans has faced significant slowdown in recent times, despite nominal support for enlargement from both the EU and the candidate countries of the region. This paper examines the factors contributing to the stagnation of the enlargement process, categorizing them into internal and external factors. Internally, the EU is facing what is dubbed “the enlargement fatigue” phenomenon, where the EU and its Member States are not fully committed and are less enthusiastic towards further EU enlargement. What further exacerbates the problem are the various internal crises the EU has faced in recent times: the 2008 financial and eurozone crisis, the migrant crisis, Brexit, and the recent COVID-19 crisis. Furthermore, the process of enlargement has become politicized in the sense that Member States use their status in the negotiation process for political leverage and gain. On the other side, externally, the region of the Western Balkans is home to foreign non-EU geopolitical influences of Russia, China, Turkey, and the Gulf states. However, more importantly, Western Balkan countries still have major problems with state capture, corruption, and the weak rule of law, which severely hamper their ascension processes. This study employs a comparative and descriptive approach, synthesizing primary EU documents and secondary academic sources to provide a comprehensive analysis of the evolving enlargement framework. The findings suggest that while EU engagement remains crucial, both the EU and Western Balkan states must undertake substantive reforms and commitments to break the current impasse and revitalize the accession process.

Keywords: Accession, Enlargement, European Union, Western Balkans

Introduction

Since its inception as the European Economic Community (EEC), the European Union (EU) has been enlarged a total of 7 times, from the initial 6 countries to today's 27 countries,



after the UK's exit from the EU in 2020. The first wave of enlargement came in 1973 when Denmark, Ireland, and the UK joined the EU. This was followed by the accession of Greece in 1981, and Spain and Portugal in 1986. In 1995, Austria, Finland, and Sweden joined the EU. In 2004, the so-called "Big Bang" occurred, where the EU grew by 10 members: Czechia, Cyprus, Estonia, Hungary, Malta, Latvia, Lithuania, Poland, Slovakia, and Slovenia. In 2007, Bulgaria and Romania joined the EU, while Croatia joined the EU in 2013, thus representing the last instance of EU enlargement. After Croatia's accession into the EU, the EU numbered 28 Member States, but this was relatively short-lived, due to the UK leaving the EU in 2020, thus representing the only instance where the EU lost a Member State. The enlargement of the EU is widely regarded as one of the EU's most successful, not just foreign policies, but policies overall. The EU is continuing this policy today, with the region of the Western Balkans being one of the next areas posed for European integration. The region of the Western Balkans encompasses 6 countries, which are in some way or another engaged in the process of joining the EU. These countries are Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia, and Serbia. As of this moment, January 2024, Albania, Montenegro, North Macedonia, and Serbia are candidate countries with ongoing accession negotiations, but Albania and North Macedonia still have not opened any negotiation Chapters, while Montenegro and Serbia have closed 3 and 2 Chapters, respectively (De Munter, 2023). Bosnia was granted candidate country status near the end of 2022, but the accession negotiations still have not been opened as of this moment. Lastly, Kosovo officially submitted its application for membership in 2022, but it has not yet received candidate country status. Since the first enlargement in 1973, on average every 6 to 7 years, the EU has increased its membership. Currently, the situation is not the same. The last time a country joined the EU was in 2013, when Croatia joined. It has been more than 10 years since then, which is the biggest gap in the EU's enlargement since the first enlargement of 1973. This paper seeks to explain this phenomenon. More concretely, this paper aims to answer the following research question: why has the process of EU enlargement towards the Western Balkans slowed down, with no apparent end in sight?

To answer the aforementioned question, the following hypothesis is brought forward. The reason why EU enlargement towards the region of the Western Balkans is progressing so slowly is due to two sets of factors: (1) factors internal to the EU and (2) factors external to the EU. Both inner and external factors, in some way or another, cause the process of EU enlargement to slow down. This research is relevant in the wake of the relatively recent progress towards EU enlargement due to both Albania and North Macedonia starting their accession talks and Bosnia acquiring candidate country status. This means that despite numerous setbacks, EU enlargement towards the Western Balkans is still an ongoing agenda, pursued by both the EU and the Western Balkan states.

The structure of this paper is as follows. First, a literature overview will be presented, followed by an explanation of the methodology. After that, an overview of the accession process will be presented, as well as how said process has evolved and been reformed throughout the years. Following this, the accession process will be examined in the context of the Western Balkans, highlighting specific characteristics and challenges that make the region's path to EU membership distinct. Finally, both inner and external factors, which negatively influence the EU's enlargement, will be presented and discussed.

Literature review

Although EU enlargement towards the Western Balkans has been a subject of various academic papers, existing research focuses either on specific countries or specific factors that influence enlargement. Emmert and Petrović (2014) give a general overview of how the process of EU accession is conducted and how it has evolved throughout the years, as well as a historical overview of EU enlargement up until Croatia's accession into the EU. Similarly, Butković and Samardžija (2014) provide an assessment of the EU's enlargement strategy towards the Western Balkans, considering Croatia's experience. Furthermore, in their respective works, Miščević and Mrak (2017), Čemalović (2020), Fallon (2020), and Matić Bošković and Kostić (2021) showcase how the overall EU accession process has been reformed and revised, and what the implications are for the Western Balkan countries. Hillion (2004) provides a detailed insight into the origins, evolution, and enforcement of the Copenhagen Criteria and how these Criteria have developed into a broader framework of conditionality guiding EU enlargement. Ker-Lindsay et al. (2017) examine how domestic political factors in Member States shape their positions on EU enlargement, more specifically towards the Western Balkans. Linked with the aforementioned are O'Brennan's (2013) and Sotiroski's (2016) analyses on how declining enthusiasm within Member States, also known as enlargement fatigue, has stalled the accession process of Western Balkan countries, leading to mutual mistrust and undermining the EU's transformative influence in the region. In a similar vein, Petrović and Tzifakis (2021) argue that despite the Commission's intent to advance the accession of the Western Balkans more decisively, Member States do not share the same sense of urgency with the Commission.

In terms of the analysis of specific countries and their EU accession processes, Davinić (2017), alongside providing an overview of the EU accession procedure, gives a general overview of the accession process of each of the 6 Western Balkan states. In her paper, Vachudova (2019) provides a thorough analysis of the rent-seeking behaviour of Western Balkans elites, which leads to the non-implementation of necessary reforms, which further deepens state capture, which in turn negatively impacts the accession processes of Western Balkans states. Gasmi and Prlja (2022) give an up-to-date historical overview of Montenegro's journey towards EU membership and Montenegro's challenges along the way. Regarding Serbia, Huszka (2018) analyses Serbia's accession reforms and concludes that Serbia has introduced various reforms, but these reforms often fall short of full implementation. In his paper, Koeth (2012) argues that both Bosnia and Herzegovina and Kosovo are similar in the sense that both are under international oversight, have limited sovereignty and weak institutions, and face an unwillingness of the Serbian minority to integrate into a common state. This all in turn impedes their EU accession progress. It is important to highlight the work of Panagiotou (2013), who demonstrates the negative impact the Greek financial crisis had on the economies and the subsequent accession process of Western Balkan states, and Bonomi (2020), who which showcases the negative impact the eurozone crisis had on the Western Balkans' accession process.

All of the aforementioned works and papers positively contribute to the academic literature regarding the accession process of Western Balkan states. However, these papers focus on a specific issue, whether it is a specific factor or a specific Western Balkan state. This means that there is a gap in the academic literature when it comes to providing a broader

perspective which combines all relevant factors, both within and outside the EU – factors that cause the process of EU enlargement towards the Western Balkans to slow down. This paper aims to fill that academic gap by providing a comprehensive and up-to-date analysis of EU enlargement towards the Western Balkans. This is done by combining and synthesising various internal and external factors that influence the process of enlargement. Through combining recent policy developments and available academic literature, this paper contributes to the discussion of enlargement towards the Western Balkans in a unique way. In other words, it provides a broad, all-encompassing, and up-to-date perspective of the slowdown of EU enlargement towards the Western Balkans.

Methodology

As stated earlier, the aim of this paper is to showcase and describe the main factors behind the slowdown of EU enlargement towards the Western Balkans, with no apparent end in sight. The research approaches this issue with a two-part hypothesis, which states that the process of enlargement has slowed down due to the interplay of internal EU factors and external factors. In order to answer the posed research question, this research employs a qualitative descriptive methodology. The research is descriptive in that it seeks to outline and describe the factors influencing the EU's enlargement. Examples of actions from both Member States and from the 6 Western Balkan countries are used to illustrate the broader enlargement trends.

Secondly, the research is of qualitative nature because it employs a method of content analysis. Content analysis was employed to identify and interpret recurring themes and causal relationships regarding enlargement fatigue, political resistance, state capture, foreign influence, economic shocks, etc. The data was collected from both primary and secondary sources. Primary sources include documents from the European Commission and the World Bank, treaties, and policy communications, while secondary sources include academic articles, policy papers, news articles, reports from NGOs, and online databases. To answer the posed research question and prove the stated hypothesis, a methodology of content analysis has been utilised in order to, through systematic analysis of both primary and secondary sources, extract patterns, themes, and causal explanations. This methodological approach is appropriate for answering the research question, as it allows for an in-depth understanding of all dimensions of enlargement. However, this research does not provide a comparison or specific details on the status of accession processes of different Western Balkan states. The primary contribution of this research is to provide a thematic overview of factors influencing the EU's enlargement towards the Western Balkans and its slowdown.

The EU Accession Framework

The Process of Becoming an EU Member State

The EU as we know it today was established on November 1st, 1993, when the Maastricht Treaty came into force. Before that, the EEC was established with the Treaty of Rome

in 1957. Between the Treaty of Rome and the Maastricht Treaty, there were many other treaties and decisions that further developed and deepened European integration. One of those was the decision to allow for enlargement of the EEC and later the EU. The first countries to join the EEC were Denmark, Ireland, and the UK in 1973. In order to become members of the EEC, these 3 countries had to fulfil certain obligations and parameters. This is something that has remained unchanged to this day. In other words, EU membership is conditional; a country must meet certain criteria to join the EU. The process of EU accession starts when a country, interested in EU membership, officially submits its application. This is followed by the European Commission's reasoned opinion, which is then presented to the Council of the European Union to decide whether the EU should grant the country candidate status (Emmert & Petrović, 2014, p. 1356). If the Council unanimously votes in favour of giving the aspiring country candidate status, the Commission takes the leading role in actual accession negotiations (Emmert & Petrović, 2014, p. 1357). The Treaty of Accession is the product of negotiations between the Commission and the candidate country. The Treaty of Accession contains details of the agreement between the Commission and the candidate country. It must be approved by the European Parliament, unanimously approved by the Council, and ratified by all Member States and the candidate country (Emmert & Petrović, 2014, pp. 1357–1358). Finally, the Council determines when the Treaty of Accession will come into force, thus setting the exact date for the candidate country's accession into the EU (Emmert & Petrović, 2014, p. 1358). As is evident, the process of EU accession is clear and straightforward.

Criteria for EU Membership

The criteria for EU membership are based on 3 pillars. The first one is the basic enlargement parameters as they were defined by Article 237 of the Treaty of Rome, today known as Article 49 of the Treaty of the European Union (TEU) (Emmert & Petrović, 2014, p. 1356). According to the TEU, in order for a country to join the EU, said country must respect and promote the following values and principles: human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities, pluralism, non-discrimination, tolerance, justice, solidarity, and equality between women and men (European Union (EU), 2012, p. 17–43). Secondly, for the purpose of integrating Central and Eastern European (CEE) countries into the EU, the Copenhagen Criteria were established in 1993. They consist of 3 categories of criteria a country must satisfy in order for it to join the EU. These criteria are: political (stable institutions guaranteeing democracy, the rule of law, human rights, and protection of minorities) economic (functioning market economy and the capacity to cope with competition and market forces in the EU) and administrative criteria (institutional capacity to effectively implement the *acquis* i.e. the adoption of the entire body of European legislation and its effective implementation through appropriate administrative and judicial structures) (Davinić, 2017, pp. 515–516; Sotiroski, 2016, p. 280). The Copenhagen Criteria are essential conditions that all candidate countries must meet to become fully-fledged Member States of the EU.

The Copenhagen Criteria are pretty self-explanatory, but the question arises as to what things like “stable institutions guaranteeing democracy” or “a functioning market economy”

actually mean in practice. How should candidate countries meet these criteria, and how does the Commission monitor their fulfilment? Moreover, no single tool is used to measure the fulfilment or completion of accession criteria, and they are difficult to measure with specific indicators, because they often require complex and subjective assessment (Nádasi & Trón, 2023, p. 58). The Commission usually assesses the progress of candidate countries through annual reports and evaluations, but the process is not always easy to express in numbers or metrics (Nádasi & Trón, 2023, p. 58). It is in these Commission documents, more specifically, yearly reports for each candidate country, where the general outline of the Copenhagen Criteria can be found.

In regard to the political criterion, the Commission assesses it based on 2 elements: democracy and the rule of law, and human rights and minority protection (Marktler, 2006, p. 349). Democracy and the rule of law represent a presence of free and fair elections, citizen participation in the legislative process, a functioning parliament and executive, and independent and functioning judiciary, clear separation of powers, fight against corruption and organised crime (Marktler, 2006, pp. 349–351; EC, 2023, pp. 18–27). On the other hand, human rights and minority protection consist of things such as protection and adherence to civil, political, economic, minority, gender, and asylum rights, protection against human trafficking, police abuse of minorities, disproportionately long pre-trial detentions, poor prison conditions, alongside guaranteed freedom of expression, religious freedom, and the right to privacy (Marktler, 2006, p. 352; EC, 2023, pp. 28–40).

When it comes to the economic criterion, there are 2 elements to it: the existence of a market economy and the ability for a candidate country to withstand competitive pressure and market forces within the Union. Firstly, the Commission defines “the existence of a market economy” as the presence of liberalised prices, trade, an enforceable legal system, and property rights (Marktler, 2006, p. 353). Additionally, macroeconomic stability, consensus about economic policy, privatisation, a well-developed financial sector, and the absence of any significant barriers to market entry and exit enhance the functioning and the efficiency of the market economy (Marktler, 2006, p. 353). Regarding the other element of the economic criterion, “the ability for a candidate country to withstand competitive pressure and market forces within the Union”, the Commission defines it as the existence of a market economy and a stable macroeconomic framework, which allows economic actors to make decisions in a climate of predictability (Marktler, 2006, p. 354). It also includes a sufficient amount of human and physical capital, including infrastructure, as well as the need for state enterprises to be restructured, as well as the need for all enterprises to invest in order to improve their efficiency (Marktler, 2006, p. 354).

Lastly, the administrative criterion indicates the ability of a candidate country to successfully adopt and implement the entire body of the EU’s rules and obligations, otherwise known as the *acquis communautaire*. As of this moment, the *acquis* consists of 35 chapters, divided into 6 clusters. To fulfil this criterion, throughout the screening process, the national law of a candidate country is compared with EU law; this comparison indicates legal parallels, deviations, gaps, and consequently, the need for additional legislation (Marktler, 2006, p. 354). It is important to highlight that the Member States and a candidate country do not renegotiate the *acquis*. They only discuss technical changes, such as the number of the new Member’s seats in the European Parliament or its voting rights in the Council

(Hillion, 2004, p. 9). Apart from these numerical changes and the setting up of transitional periods, it is very much a take-it-or-leave-it negotiation (Hillion, 2004, p. 9).

The third pillar of EU accession is direct negotiations between the Commission and the country aspiring to join the EU. The basic parameters of EU accession have remained largely the same throughout the years. However, this pillar is defined by the following notion: “when the law regarding a specific question provides only a basic framework, the discretionary powers of those who apply the law increase significantly” (Emmert & Petrović, 2014, p. 1354). In the case of EU enlargement, those who apply the law are the Council and the Commission, with the Commission being actively engaged in negotiation talks with the candidate country, whilst regularly reporting to the Council. Keeping that in mind, even though the basic parameters of EU accession have remained largely the same throughout the years, the process itself has significantly changed and evolved. In other words, the specific criteria regarding a specific country wanting to join the EU are defined through the negotiation process between the Commission and said candidate country. Effectively, this means that one country's accession process will differ from another country's accession process. The aforementioned is evident when comparing the accession of countries that joined the EU in 2004 with the accession of Bulgaria and Romania in 2006, and Croatia in 2013. For each of these accessions, stricter and expanded criteria were put into place. For example, the rule of law had not been the primary measure for assessing the progress of countries in accession negotiations, but that changed during the accession talks with Bulgaria and Romania, where it became the key issue (Matić Bošković & Kostić, 2021, pp. 38–40).

Western Balkans in the Enlargement Process

The EU's enlargement policy towards the Western Balkans follows a pattern similar to the CEE enlargement framework. However, it is specific, bearing in mind the development context of the region and the high relevance of stability and security (Butković & Samardžija, 2014, p. 93). The EU is aware of the issues that are specific to the Western Balkans and, as such, has put in place specific conditions. These specific conditions were defined in the Stabilisation and Accession Process (SAP) in 2000, with the main objective of helping the countries of the Western Balkans during the painful process of reconciliation and stabilisation after the Yugoslav Wars (Butković & Samardžija, 2014, p. 93; Davinić, 2017, p. 516). Specifically, the SAP further expanded the Copenhagen Criteria by adding the necessity of engagement in regional cooperation, the return of refugees, cooperation with the International Criminal Tribunal for the Former Yugoslavia (ICTY), and the settlement of disputes before entering the EU (Butković & Samardžija, 2014, p. 94). The SAP was designed in such a way that a country wanting to join the EU had to first comply with certain EU conditions before signing the Stabilisation and Accession Agreement (SAA). When a country fulfilled its initial obligations, it could formally submit its official application for membership to the Council (Butković & Samardžija, 2014, p. 93; Davinić, 2017, p. 516).

The next step in shaping the EU's enlargement policy towards the Western Balkans was the Thessaloniki European Council held in 2003. This was the first time that the Coun-

cil concluded that Western Balkans states would become integrated into the EU once the criteria for accession were met (Butković & Samardžija, 2014, p. 94). In terms of the process of accession itself, the Council introduced measures similar to those used for the accession of CEE countries. Furthermore, the EU's experience with the accession of 10 states in 2004, Bulgaria's and Romania's accession in 2006, and Croatia's accession in 2013 had a major influence on the EU's enlargement policy towards the Western Balkans. After the massive 2004 enlargement, the EU's conditionality was tightened due to concerns that candidate countries were unprepared (Butković & Samardžija, 2014, p. 94). In 2005, the Commission published its Enlargement Strategy, emphasizing the "three Cs": "consolidation of political commitments, strict but fair conditionality, and better communication" (Butković & Samardžija, 2014, p. 94). This Enlargement Strategy became a basis for the approach called "New Consensus on Enlargement", which became a basic framework for further development of the EU's enlargement strategies (Butković & Samardžija, p. 2014, p. 94). This approach was further expanded in 2006 when it introduced the concept of benchmarks. From this point on, a candidate country had to meet a benchmark set by the Commission in order to close a certain chapter and open another one.

A key takeaway from the 2004 enlargement and accession talks with Bulgaria and Romania was the importance of first addressing the fundamentals, such as the strengthening of democratic institutions, administrative and judicial reforms, and the fight against corruption (Davinić, 2017, p. 517). Furthermore, as stated earlier, during Bulgaria's and Romania's accession negotiations, the rule of law was recognised as the key element of the EU accession process of those 2 countries. This led the Commission to acknowledge in its 2011 Enlargement Strategy that the rule of law is one of the major challenges in the accession process. This resulted in the Commission establishing a new approach when it came to the rule of law. The approach was that, from now onwards, the rule of law will be at the heart of EU accession talks, with Chapters 23 and 24 being of utmost importance in the accession process (Butković & Samardžija, 2014, p. 95; Matić Bošković & Kostić, 2021, pp. 38–39). The adoption of this new approach was also influenced by the EU's experience with Croatia's accession process, which was ongoing at the time. In other words, issues related to the rule of law, meaning judiciary protection of fundamental rights, fight against corruption, and organized and public administration reform, would be tackled early on in the accession process (European Commission (EC), 2011, pp. 4–6).

A major evolution of the EU's enlargement policy towards the Western Balkans came in 2020, when the Commission published a Communication titled "Enhancing the Accession Process – A Credible EU Perspective for the Western Balkans." Although originally meant for Albania and North Macedonia, this revised methodology became the basis for the accession process of the Western Balkans as a whole, which is evident by the fact that both Montenegro and Serbia adopted this new methodology even though they were already engaged in negotiation talks (Matić Bošković & Kostić, 2021, p. 42; Fallon, 2020, p. 1). This revised methodology introduced 3 significant changes to the accession process. Firstly, it grouped up the existing 33 Chapters into 6 Clusters: (1) Fundamentals, (2) the Internal Market, (3) Competitiveness and Inclusive Growth, (4) Green Agenda and Sustainable Connectivity, (5) Resources, Agriculture and Cohesion and (6) External Relations (EC, 2020, p. 7). The first Cluster is the most important one, since it contains Chapters 23 and 24, and is designed to be the first Cluster to be opened and the last one to be definitively

closed. Furthermore, the negotiations regarding other Clusters cannot be opened until the opening benchmarks of the Fundamentals Cluster have been met (EC, 2020, pp. 2–3; Matić Bošković & Kostić, 2021, pp. 51–52; Fallon, 2020, p. 2). The second change introduced was that Member States would have greater involvement in the accession negotiation talks, specifically “via monitoring on the ground through their experts, through direct contributions to the annual reports and through sectoral expertise” (EC, 2020, p. 3). In other words, the Member States were enabled to increase their role in monitoring and reviewing candidate countries’ accession progress. Thirdly, the Communication introduced a new system of conditionality, which consists of positive and negative conditionality. Positive conditionality meant rewarding results arising from demanding reforms via a number of avenues for closer integration, including a gradual phasing-in of EU policies, programs, and the EU market, as well as increased funding (Fallon, 2020, p. 3). On the other hand, negative conditionality greatly expanded the Commission’s toolbox when addressing any serious or prolonged stagnation, or even backsliding, in reform implementation and meeting the requirements of the accession process on the part of candidate countries (Fallon, 2020, p. 3). There are two options the Commission can utilise if it believes they are necessary: suspending progress and reversing progress. The Commission can suspend progress by pausing negotiations in specific areas, pausing measures leading to closer integration, or pausing negotiations overall, or it can reverse progress by opening already-closed chapters, decreasing funding, or withdrawing some of the benefits of closer integration (Fallon, 2020, p. 3). This grants the Commission greater leverage against candidate countries should said countries experience any backsliding or stalling in the accession process. From everything presented so far, a conclusion can be drawn that the process of EU accession is constantly evolving. However, a question arises: why is it taking so long? Why haven’t the Western Balkan states joined the EU?

Factors Slowing Enlargement: Internal to the EU

From Enlargement Fatigue to Enlargement Resistance

The answer to the previous questions is complicated and multifaceted. There are multiple reasons why the EU enlargement towards the Western Balkans is progressing so slowly. In short, it is a combination of factors within the EU as well as factors outside the EU. Inside the EU, there is resistance to EU enlargement due to various reasons. The EU is tackling other problems and being distracted by them – problems such as Brexit and its fallout, the issue of migration, the economic recession stemming from COVID-19, and the rise of nationalist and populist tendencies within the Member States. In the meantime, factors outside the EU also negatively contribute to the EU’s enlargement. The involvement of other non-EU states, such as China, Russia, Turkey, and the Gulf states, the legacy and the ramifications of the Yugoslav wars, and the failures of candidate countries in meeting set EU conditions and criteria.

The EU is currently experiencing a phenomenon dubbed “enlargement fatigue.” Even though the term is mainly related to the accession of Western Balkan states, it predates their accession process. The term started to appear in the wake of the “Big Bang” enlargement,

where the EU grew by 10 states, which placed a great post-enlargement burden on the EU. This post-enlargement burden was in the form of whether the EU has the necessary capacity to properly integrate new Member States without jeopardising its political and policy objectives (Economides, 2020, p. 3). In other words, there were fears about whether the EU could operate efficiently and smoothly after the enlargement. As time went on, the issue of enlargement fatigue deepened and became more serious, further amplified by the various crises faced by the EU and its Member States: the 2007–2008 financial crisis, the eurozone crisis, the migrant crisis, Brexit, the rollback of democracy in some Member States, the rise of populist movements, terrorist attacks, the COVID-19 pandemic, climate change, and the recent war in Ukraine (O’Brennan, 2013, p. 38; Economides, 2020, pp. 1–5; Gasmi & Prlja, 2022, p. 26; Davinić, 2017, p. 514; Čemalović, 2020, p. 181). All of the aforementioned crises have led the EU to primarily focus on resolving its internal problems, which subsequently led to the decline in enthusiasm for enlargement and the slowing down of the process of EU enlargement in general.

Additionally, various instances of fragmentation and disintegration, as witnessed in the crisis of the eurozone, the migration crisis, and Brexit, which represents the most brutal form of disintegration, a break-up and dismemberment, took the focus off enlargement (Economides, 2020, p. 1). Furthermore, there is evidence that certain Member States have experienced “political backsliding and reform reticence, which reflects both a lack of political will and capacity, and a diminishing appetite for the pursuit of EU enlargement” (Economides, 2020, p. 1). As a result, the EU turned inwards and the accession process for the Western Balkan states seemed insurmountable and unending (Economides, 2020, p. 1). During the 2000s, the EU was worried about how the accession of new states would affect its governance and administration, whereas today, after many internal crises, this notion has transformed into questions of political governance, trust, equality, legitimacy, and identity. This subsequently led to the evolution of the enlargement fatigue into something much worse – enlargement resistance (Economides, 2020, pp. 1–3).

Enlargement resistance signifies that the EU, or rather its Member States, no longer only fear whether existing integration capacities can cope with further enlargement, but are hesitant, or in certain cases even opposed, to further EU enlargement. In the context of enlargement, integration capacities are defined as the ability of the EU to take in new members at a given moment or in a given period, without jeopardising the political and policy objectives established by the Treaties (EU, 2006). Notable examples of enlargement resistance include France blocking the opening of accession talks with Albania and North Macedonia, and Denmark and the Netherlands being against opening accession talks with Albania. Furthermore, in France, it became compulsory to hold a referendum on further enlargements, unless the endorsement is reached with a demanding 60% majority of the two houses of their parliament, which is another sign of enlargement fatigue and/or resistance (Mišćević & Mrak, 2017, p. 191). Moreover, the European Commission under the leadership of Jean-Claude Juncker (2014–2019) did not view enlargement as a high political priority. The Commission was and still is usually seen as the promoter of EU enlargement, but that was not the case for the Juncker Commission, where the question of EU enlargement was not viewed as a political priority. Firstly, Mr. Juncker himself stated, at the beginning of his mandate, that there would be no EU enlargement during his Commission’s term in office, which, although objectively was an obvious statement, sent a certain

political message (Mišćević & Mrak, 2017, p. 193). Another indicator that enlargement was not high on the Juncker Commission's agenda was the fact that enlargement lost its own commissioner, and Directorate-General Enlargement was renamed to Directorate-General Neighbourhood Policy and Enlargement Negotiations, thus making a clear indication about the priority of political choices (Mišćević & Mrak, 2017, p. 193).

Enlargement resistance does not pertain only to the governments of Member States and EU institutions, but also to public opinion. Since the 2004 enlargement, there has been a downward trend in public agreement regarding future enlargements of the EU, especially in Western Europe (Börzel et al, 2017, p. 167). A 2019 *YouGov* poll showed that citizens of 6 Member States (the UK, France, Germany, Sweden, Denmark, and Finland) were generally opposed to Western Balkan states joining the EU (Smith, 2019). Four years later, not much has changed, as evidenced by the 2023 European Council on Foreign Relations poll conducted in Austria, Denmark, France, Germany, Poland, and Romania. This poll showcases that citizens are divided into roughly 3 equal parts on whether the EU should accept new members at the moment; 35% are for enlargement, 37% are against, and 28% are indifferent or do not know (European Council on Foreign Relations (ECFR), 2023). Regarding the Western Balkans, citizens were generally opposed to Western Balkans states becoming EU members: Kosovo (20% for vs. 37% against), Albania (24% for vs. 35% against), Serbia (25% for vs. 35% against), North Macedonia (26% for vs. 27% against), Bosnia and Herzegovina (28% for vs. 29% against), and Montenegro (30% for vs. 25% against) (ECFR, 2023). This data underscores that opposition to EU enlargement towards the Western Balkans is not only a political and governmental issue, but also a societal one, as a significant part of the society is opposed to further EU enlargement, including enlargement towards the Western Balkans.

There are 3 main reasons for the emergence of enlargement resistance and why the current prospects of EU enlargement in the Western Balkans are slim, at least in the near future. Firstly, there is a difference between old enlargement fatigue and new enlargement resistance. The enlargement fatigue of the 2000s was the result of dealing with past enlargements, especially that of 2004, and to a lesser extent that of 2007. In contrast, today, the focus is on future EU enlargement and potential consequences of accepting new members, instead of resolving issues stemming from past enlargement (Economides, 2020, p. 3). The second reason is the fact that Western Balkan states are "unwilling or unable to complete the pre-accession and accession processes mapped out by the EU" (Economides, 2020, p. 4). This issue will be covered in much more detail later. The third reason behind this resistance stems from significant upheavals in the EU's political order, which directly threaten the integration project as a whole. (Economides, 2020, p. 4). These upheavals, "rooted in the domestic contexts of numerous Member States, question political governance and are a part of a broader backlash against the perceived effects of globalisation, and questions of identity, culture, and religion" (Economides, 2020, p. 4). This means that Member States and EU institutions are preoccupied with internal developments to such a degree that they cannot even envisage EU enlargement, causing the issue of enlargement not to be high on the political agenda. (Economides, 2020, p. 4). In other words, the EU and its Member States are concerned with maintaining the integrity and the stability of the EU, and because of that, the question of EU enlargement fades into the background, essentially becoming unimportant for the time being.

Internal Fragmentation and the Politicisation of the Accession Process

These upheavals lead to fragmentation and disintegration within the EU. These 2 phenomena are being manifested in various ways, namely in the rise of anti-elite, anti-establishment rhetoric, and protests that portray and accuse EU leadership and domestic pro-European leadership in Member States of distant, disconnected, and unrepresentative rule (Economides, 2020, p. 4). In the midst of various crises, this anti-establishment rhetoric became connected with populism, both on the left and the right, but mostly on the right, and became more national in its character (Economides, 2020, p. 4; Mudde, 2016, pp. 25–30). Furthermore, the fragmentation of the EU became evident, with certain states engaging in acts of unilateralism. For example, Germany and Hungary made unilateral decisions about the flow of migrants/refugees whilst not paying attention to official EU immigrant/refugee policy (Karnitschnig, 2018; Walker, 2019). All in all, the EU is experiencing the process of de-Europeanisation, i.e. the EU has become more heterogeneous with Member States not converging and sometimes being openly at odds around certain issues and topics, such as migration. This heterogeneity, coupled with various issues within the EU, is why the prospect of EU enlargement in the Western Balkans has come to a standstill, with no end in sight.

But how does this crisis and the heterogeneity of the EU affect the process of EU enlargement towards the Western Balkans? Firstly, there has been a simultaneous decline in the influence of the Commission and the rise of the influence of the Council and Member States in the accession process. In the past, the Commission had a central bureaucratic role in the accession process, which was balanced by both the Council and the Parliament. However, the Commission has been the pre-eminent actor within enlargement politics since taking on the responsibility for the newly democratising states in the CEE in the early 1990s (O'Brennan, 2013, p. 38). The process of EU enlargement was viewed as a process where the interests of specific Member States would be set aside in favour of collective decision-making (O'Brennan, 2013, p. 38). In other words, everyone within the EU agreed that the enlargement process should not be influenced or conditioned by the specific interests of Member States. However, due to the aforementioned crises within the EU, the situation has changed. Today, the process of EU enlargement has to contend with a much more muscular intergovernmentalism, and sometimes with the pursuit of national interests by self-regarding national actors within the Council. This results in the process of EU enlargement being more easily politicised in a domestic arena, where political parties with a populist, Eurosceptic and anti-immigration rhetorics, can harness social discontent to strengthen European citizens' uneasiness about the potential consequences of further EU enlargement (O'Brennan, 2013, p. 38; Balfour & Stratulat, 2012, p. 2).

All of this has severely weakened the Commission's influence in the enlargement process whilst empowering the Member States. The Commission is now faced with Member States that can, and in fact, are stalling the enlargement process to achieve their own national goals. Furthermore, it is noted that it is the Council that is now primarily responsible for setting accession benchmarks, thus determining the pace and the progress of accession talks (Mišćević & Mrak, 2017, p. 193; Balfour & Stratulat, 2012, p. 3). This increased role of the Member States has been manifested in various ways. For example, for a number of years, Greece was blocking the accession process of North Macedonia because of North Macedonia's name. Only when the Prespa Agreement was reached did

the Greeks stop blocking North Macedonia's entry into the EU. Moreover, in 2020 and 2021, Bulgaria vetoed the opening of EU accession talks with North Macedonia over the issue of the Macedonian language (Archick & Garding, 2022, pp. 93–94). Another example is Hungary, led by the Eurosceptic Orbán government, which is actively supporting EU enlargement in the Western Balkans, which is somewhat paradoxical (Huszka, 2017, pp. 591–593). Firstly, by supporting enlargement, Hungary wants to improve and further deepen bilateral relations with Western Balkan states (Huszka, 2017, pp. 593–595). Furthermore, Hungary uses its influence as a Member State to secure greater minority rights for Hungarians in the region, mostly in Serbia (Ker-Lindsay et al., 2017, p. 517; Huszka, 2017, p. 595). In fact, the issue of minority rights is key for Hungary not to block Serbia's accession process (Ker-Lindsay et al., 2017, p. 517). Furthermore, there is a general disagreement amongst Member States when it comes to enlargement. The previously mentioned instance of France blocking the opening of accession talks with Albania and North Macedonia in 2019 occurred because France believed that the existing formula for EU enlargement and the state of EU policies and institutions were severely lacking and in need of substantial reform before any further enlargement could take place (Fallon, 2020, p. 4; Hoxhaj, 2021, p. 152). France believed that there was no guarantee that a candidate state would subscribe to the Copenhagen Criteria and uphold the rule of law and EU liberal democratic values once it joined the EU, because there were no adequate mechanisms to address potential backsliding of democratic standards and the rule of law (Hoxhaj, 2021, p. 152). France's position was completely justified because, after Bulgaria's and Romania's accession into the EU, both countries experienced backsliding in the rule of law, and the EU had no effective way of combating said backsliding.

At the same time, Denmark and the Netherlands supported opening accession talks with North Macedonia, but not with Albania, due to concerns over political stability, corruption, organised crime, and the rule of law (Fallon, 2020, p. 5). There was also a proposition by several Member States to decouple the accession process of North Macedonia and Albania, but this was opposed by France. Yet another example of internal divisions was evident during the 2018 Belgrade–Pristina dialogue, where it seemed that the Presidents of both Serbia and Kosovo shared the same view about the possible and mutually acceptable exchange of territories or border corrections as compensation for Serbia's recognition of Kosovo's independence. However, this was opposed by a group of Member States led by Germany out of fear of setting a precedent that may further destabilise rather than stabilise the region (Petrović & Tzifakis, 2021, p. 158). As one can conclude, the process of EU enlargement has become more nationalised because Member States have gained significant influence in the process of EU enlargement and have begun to utilise this influence to pursue their own national interests, with the risk of stalling accession talks if their specific interests are not met. This has caused the enlargement process to become more politicised, resulting in a slowdown of the process.

Negative attitudes towards the Western Balkans

One of the reasons for disagreement over EU enlargement towards the Western Balkans is the negative way the Member States perceive the region, which further deepens enlarge-

ment resistance. The region of the Western Balkans is often negatively perceived as the region with a “distinct cultural mentality that demonstrates an uncommon attachment to corruption and rent-seeking behaviour amongst highly clientelist networks of local power” (O’Brennan, 2013, p. 39). This negative perception is, unfortunately, based on reality. Corruption, rent-seeking, and ethno-nationalist appeals are often favoured over economic, political, and societal reforms (Vachudova, 2019, p. 64). Because of this, the question arises whether the EU has the transformative power to bring about positive change in the region of the Western Balkans. While the EU could have indeed done more, the political, administrative, and economic backwardness of the Western Balkan states “is primarily the fault of rent-seeking elites, for whom the *status quo* offers power and wealth at the expense of reform” (Vachudova, 2019, p. 64). Furthermore, this negative perception of the Western Balkans has been further amplified by the negative experience of Bulgaria’s and Romania’s accession into the EU. After Bulgaria and Romania became Member States, both were perceived as inadequately prepared for membership. That membership has done little to change the fundamental problems of governance and state capacity (O’Brennan, 2013, p. 39). In fact, both countries experienced backsliding in certain areas, and even after 6 years of post-accession EU supervision, both states struggled in certain areas, namely corruption. The notion of the EU’s transformative power came into question. The EU asked itself how it can expect its engagement with the region of the Western Balkans to produce better outcomes, given that Bulgaria and Romania, considered the most developed countries in the neighbourhood, have failed to meet their commitments (O’Brennan, 2013, p. 39). In the popular European consciousness, the Western Balkans are still viewed as a region of “great fragility, defined by inter-ethnic contention for territory and power, mutually antagonistic nationalisms, incomplete state formation, deep and pervasive corruption, and endemic economic mismanagement” (O’Brennan, 2013, p. 40). It is no wonder that, due to these negative perceptions, certain Member States are reserved and more cautious when it comes to further EU enlargement.

Impact of the Eurozone Crisis and the Greek Financial Crisis

What additionally contributed to the development of enlargement resistance and, as such, to the slowdown of the process of EU enlargement were the eurozone crisis and the Greek financial crisis. First and foremost, the Western Balkan states have become very linked and interdependent with the EU’s economy and financial sectors, which made the region more sensitive and vulnerable to external shocks coming from the EU, but without any amortisation mechanisms in place (Bonomi, 2020, p. 6; Sadiku et al., 2014, p. 30). This was evident during the eurozone crisis, when the effects of said crisis spilled over into the Western Balkan states. The eurozone crisis caused contracting GDPs, a sharp fall in foreign capital inflows, decline in diaspora remittances, the rise of unemployment, and reduced industrial input and demand for Western Balkan exports, which led to the soaring of public deficits, inexorably followed by harsh austerity policies under EU and International Monetary Fund conditionality, and a rapid rise in external debt (Bonomi, 2020, p. 6; O’Brennan, 2013, p. 40).

The aforementioned negative effects were then further amplified by the 2009 Greek financial crisis. The Western Balkan states were, at the time, very interdependent with

Greece. Therefore, when Greece was hit with a severe financial crisis, it had major negative implications for the Western Balkan states. To be exact, 3 particular areas were impacted the most: trade, banking, and remittances. Trade relations with Greece were very important for Albania, Montenegro, and North Macedonia, whose exports to Greece account for between 12% and 16% of their total trade, with almost 4,000 Greek companies having invested in the region, helping create about 200,000 jobs (O'Brennan, 2013, p. 41). Additionally, Greek FDI accounted for 34% of total investments in Albania, about 17% in North Macedonia, and 15% in Serbia (O'Brennan, 2013, p. 41). Overall, by 2010, Greek disinvestment had cost the region around €1.6 billion (Panagiotou, 2013, p. 93). Secondly, during the 2000s, Greek banks invested heavily in the region by buying local banks, and in turn had a significant market share in the region (30% of total banking assets in North Macedonia, 25% in Albania, and 15% in Serbia) (Panagiotou, 2013, p. 94). So, when Greece was hit with a financial crisis and a €28 billion government bailout package was announced, Greek banks used the money to support themselves at home, not their subsidiaries in the Western Balkans (Panagiotou, 2013, p. 94). The situation got worse because widening spreads on Greek sovereign debt led to increased funding costs for Greek banks. When faced with such a liquidity squeeze, Greek banks started withdrawing their funds from the region, which not only disrupted the financial sectors in the region, but also had a significant impact on the local economies, given that all of these countries had bank-based financial systems where much of the borrowing was made through banks (Panagiotou, 2013, p. 94). Lastly, the Greek financial crisis led to a decline in remittances, as it became increasingly difficult for migrant workers to stay employed in Greece. Many of them were forced to their home countries which were often unable to absorb them into the workforce, thus leading to a further rise in unemployment (Panagiotou, 2013, p. 93).

These crises did not just negatively affect the economic development and growth of the Western Balkan states. In fact, the negative repercussions of the eurozone and the Greek financial crisis on the Western Balkan states were evident on many levels, including their “economies, prospects for growth, capacity for reform, social, political, and institutional structures, and their abilities to fulfil the EU accession criteria” (Panagiotou, 2013, p. 89). The resulting stagnation and/or decline in regional economies made it harder for those countries to meet set economic criteria and implement reforms needed for EU accession. The crisis' negative impact on the economies of the region made conditionality harder to achieve. Fulfilling the increasingly demanding accession criteria and conditions in the SAP became even more challenging (Panagiotou, 2013, p. 96). In essence, a worse economic situation led to fewer reforms, which led to candidate countries falling behind their accession goals. Additionally, “the Greek crisis brought about the political chaos and the discrediting of political structures and institutions, which sent worrying signals to a region still struggling to establish transparent, functioning, and western-style democracies” (Panagiotou, 2013, p. 97). Because of the eurozone crisis and the subsequent Greek financial crisis, the issue of the EU's transformative power once again came into question. Crucial questions were being raised regarding deep structural reforms and institutional change: if Greece, a member of the EU since 1981, has not been able to successfully tackle problems like corruption, tax evasion, clientelism, vested interests, etc., how can anyone expect that comparatively weaker Western Balkans states can do the same (Panagiotou, 2013, p. 97)?

Similarly to the eurozone and the Greek financial crisis, the recent economic recession that arose due to the COVID-19 pandemic, has once again brought about significant economic damage to the fragile economies of Western Balkan states. The Western Balkan states have been affected in various ways. Countries highly dependent on service exports, such as Albania, Kosovo, and Montenegro, were vulnerable to immediate shocks due to substantial losses in tourism during the summer season (Bonomi, 2020, p. 7). On the other hand, countries relying more on merchandise exports, such as Bosnia and Herzegovina, North Macedonia, and Serbia, experienced a strong decline in demand for some goods, so the effect lasted longer, because their recovery was dependent on the recovery of large EU countries such as Germany and Italy (Bonomi, 2020, p. 7). Additionally, all Western Balkan states experienced strong effects on their labour markets, which additionally contributed to already accumulated social and political tensions (Bonomi, 2020, p. 7). The economic recession caused by the COVID-19 pandemic once again showcased that the economies of the Western Balkans states are closely connected to the EU's economy. However, the negative side effect is that any economic crisis/recession that the EU experiences will spill over into the fragile economies of the Western Balkan states, which then hamper their efforts of fulfilling their accession criteria.

Despite the slowdown of EU enlargement towards the Western Balkans, the prospect of future enlargement is not so bleak. The EU is still actively engaged with the Western Balkans through various initiatives and programmes, such as the Instrument for Pre-Accession Assistance III (IPA III) mechanisms and the Western Balkans Investment Framework (WBIF). The aim of these programmes is to provide financial and technical assistance to reforms in the Western Balkans and boost economic growth through infrastructure investment projects. These programmes and initiatives showcase that despite the recent slowdown in the accession processes of Western Balkans states, the EU still views enlargement as a goal worthy of pursuing. Another indicator of the aforementioned statement was the recently adopted Growth Plan for the Western Balkans, through which the Commission intended to incentivise Western Balkan states to prepare for EU membership by bringing forward some of its benefits ahead of full integration into the EU, which should significantly accelerate the speed of the enlargement process and the growth of their economies. However, it must be noted that the “current structure of socio-economic relations between the EU and the Western Balkans is not leading to a swift convergence and lasting transformation of the region” (Bonomi, 2020, p. 4). Currently, the EU's relations with the Western Balkan states are characterised by providing financial and technical assistance, which is contributing to the economic growth of the Western Balkan economies but not leading to concrete changes in the political landscape, which is still dominated by strong men and clientelist networks.

Factors Slowing Enlargement: External to the EU

Geopolitics and the Presence of Non-EU Actors

It is not just factors within the EU, such as enlargement resistance, the eurozone crisis, the COVID-19-induced economic recession, and the rise of right-wing populism

and Euroscepticism, that have caused the slowdown of the process of EU enlargement in the Western Balkans. Factors outside of the EU also impact the process of EU enlargement in the Western Balkans. Firstly, non-EU states – such as Russia, China, Turkey, and the Gulf states – are present in the region and trying to influence the region according to their own visions. The involvement of said outsider states challenges and diminishes the EU's influence and authority in the region, as they provide potential “alternative sources of economic growth and foreign investment, as well as peddling political support and cultural and religious solidarity” (Economides, 2020, p. 7). For example, China is viewed very favourably by the Western Balkan states due to its investments through its 14+1 initiative. China's involvement with the region of the Western Balkans can potentially drive a wedge between the Western Balkan states and the EU. The states of the region can use China as leverage against the EU or take a pro-China stance and support certain Chinese policies that oppose the EU's policies. This can lead to the EU suspending accession talks or reversing already achieved progress. Similarly, Russia also has interests in the Western Balkans and maintains a special relationship with Serbia, alongside maintaining relations with Montenegro and North Macedonia. Even though Russia's projects have not been on the same level as China's, those that did take place took place in the energy sector (Rakić, 2017). Apart from investments, Russia's involvement in the region allows leaders such as Aleksandar Vučić to counterbalance the EU's and the USA's influence in the region (Economides, 2020, p. 8). Furthermore, the Gulf states – mainly the UAE and Saudi Arabia – and Turkey have been steadily increasing their presence in the Western Balkans, specifically in the states with a Muslim majority or a large Muslim minority: Bosnia and Herzegovina, Albania, Kosovo, and North Macedonia. The involvement of the Gulf states has sparked fears of potential radicalisation of Muslim populations and the emergence of jihadist tendencies in the region of the Western Balkans (Economides, 2020, p. 8).

The Legacy of the Yugoslav Wars

Another external factor is the legacy of the devastating and brutal Yugoslav wars, which still affect the politics and relationships of contemporary Western Balkan states. For example, the provisions of the Dayton Accords shaped Bosnia's institutions of today. Those institutions and the way Bosnian politicians utilise them are of serious hinderance in Bosnia's relationship with the EU, because Bosnia's “unwieldy institutions create terrible incentives for politicians, regardless of political turnover” (Vachudova, 2019, p. 76). Furthermore, it appears that Bosnia's politicians are fully cooperating in preserving a *status quo* that immiserates all citizens of Bosnia and Herzegovina (Vachudova, 2019, p. 76). Furthermore, the entirety of Serbia–Kosovo relations is influenced and shaped by the legacy of the Yugoslav Wars, which is hampering any real progress within the Belgrade–Priština Dialogue framework. Additionally, Croatia, as a former Yugoslav republic, still has unresolved issues with neighbouring Bosnia and Herzegovina (border demarcation, private property, and acquired rights issues), Serbia (border demarcations), and Montenegro (border demarcation, the *Jadran* boat) (EC, 2022, p. 87; EC, 2023, p. 82; EC, 2023, p. 86). These unresolved issues could slow down the accession process of Bosnia and Herze-

govina, Serbia and Montenegro, if Croatia decides to leverage the accession process as a means of addressing and resolving these issues.

Actions and Attitudes of Candidate Countries

By far the biggest external factor for the slowing down of the process of EU enlargement in the Western Balkans is the actions and attitudes of aspiring Western Balkan states. The enlargement is being hampered by the inability and unwillingness of the countries seeking to join the EU to comply with accession conditionality in the sense that they are not meeting accession criteria (Economides, 2020, p. 6). This also brings up the issue of the EU's transformative power. In other words, the EU's power to democratise, Europeanise, and modernise states before their accession into the EU is being put into question, which in turn makes the whole project of EU integration less appealing and attractive (Economides, 2020, p. 6; O'Brennan, 2013, p. 42). The Western Balkan states have multiple interconnected problems, which must be addressed if the states want to join the EU: backsliding, state capture, corruption, and non-compliance.

The issue of democratic backsliding is not uniquely a Western Balkans issue. That problem is present within the EU itself, most notably in the cases of Hungary and Slovakia. Freedom House ranked all 6 Western Balkan states as "partly free" in their 2023 rankings (Freedom House, 2024). Most of the countries have seen their scores deteriorate to varying degrees in recent years, with Serbia and Montenegro being downgraded from "free" to "partly free" in 2019 (Archick & Garding, 2021, p. 88). The issue of backsliding in the rule of law and good governance relates to human rights, more specifically, the freedom of expression and the freedom of the media (Huszka, 2018, pp. 359–365). Serbia is a prime example of the deterioration of the freedom of the media. In 2014 and 2015, Serbia implemented 4 laws ensuring the media's independence and transparency. These laws are indeed in accordance with the EU's legislative requirements. However, in practice, media independence and transparency have severely deteriorated in recent years, either by amending existing laws that severely watered them down, or through direct breaching of rules without any legal repercussions (Huszka, 2018, p. 360). The problem is not limited to difficulties in implementing legislation, but extends to the media climate in Serbia as well. Serbia's media climate is characterised by political pressure, threats, and violence against journalists, which leads to articles being withdrawn, TV programs being cancelled, and editorial policies being changed due to either political pressure, threats, or violence (Huszka, 2018, p. 361). Because of the fact that the EU so far has not sanctioned Serbia and the lack of domestic incentives to do so, Serbian elites have continued to curtail the freedom of media, and as such have essentially failed to meet EU conditions on freedom of speech and media freedom (Huszka, 2018, p. 363). This lack of media freedom is present in all Western Balkan countries, as proven by the data from Freedom House (Freedom House, 2024).

For example, in Republika Srpska, one of two entities that comprise the state of Bosnia and Herzegovina, the media climate is much worse, with numerous cases of journalists being threatened or physically assaulted to prevent them from exposing corruption in the state apparatus (Kalan, 2019). Media censorship by the state or self-censorship due to coercion further deepens the problem of corruption, which in turn weakens the demo-

cratic process, negatively affecting the process of EU accession. Moreover, democratic backsliding in the rule of law and good governance creates and intensifies state capture and high-level corruption. The relationship between democratic backsliding, state capture, and corruption is a two-way process. This means that state capture and corruption lead to further democratic backsliding on one hand, while democratic backsliding further deepens the problems of state capture and corruption. The result of this two-way process is a political set-up which favours a charismatic strong man unchecked by democratic mechanisms, and elites that favour rent-seeking and ethno-nationalist appeals over economic reform, media freedom, and the rule of law – a model of governance that increasingly resembles the Chinese and Russian model of political capitalism based on a predatory state, state capture, and high-level corruption. (Bonomi, 2020, p. 4; Vachudova, 2019, p. 64). Aleksandar Vučić and Milorad Dodik are the two most prominent examples of the aforementioned strong men.

This situation also leads to the so-called “Potemkin village” phenomenon, where the elites “engage in smoke and mirrors policy-making that gives the appearance of EU-trajectory reform, yet falls short on implementation” (O’Brennan, 2013, p. 42). In practice, the elites pay lip service when it comes to the EU membership and reform implementation, but they only care about their own interests. In other words, statements of intent are not followed through in any substantive way, and the gap between transpositions and implementation of EU laws is substantial (O’Brennan, 2013, p. 42). A good example of the Potemkin village phenomenon is Albania, which, since the early 2000s, has set EU integration as the primary objective for the country, with constant political declarations, formal strategies, and institutional packages aimed at tackling Albania’s main issue – corruption. In reality, little progress has been made, with political cases being persistently hindered, withdrawn, or dragged to a dead end during different stages of due process (Elbasani & Šelo Šabić, 2017, pp. 1325–1327). The irony of the situation is that the political elites are for EU accession because of the benefits of EU membership. However, the problem is that the elites prioritise short-term interests. This is at odds with the accession process and subsequently causes the whole process to stall because the EU halts the negotiation process if it deems a state is not properly implementing the required reforms (Vachudova, 2019, p. 80). This political climate produces even more problems that hamper the accession process for those states – problems such as low government accountability, uneven reform implementation, the concentration and personalization of power, deteriorating media climates, polarisation, and weakening checks on executive power (Archick & Garding, 2022, p. 89). A prime example of this situation is Serbia. In Serbia, the power is centralised in the hands of the President Aleksandar Vučić, even though Serbia is nominally a parliamentary democracy. Furthermore, the opposition in the National Assembly is disunited, whilst Vučić’s electoral alliance “Serbia Must Not Stop” holds a firm majority in the National Assembly, allowing him to do pretty much anything he wants. Alongside that, as already mentioned, the media is under firm control of Vučić’s ruling party. Even though Vučić’s Serbia is the most prominent example of an illiberal democracy in the Western Balkans, every other state, except Montenegro, ranks lower when it comes to the rule of law and good governance metrics (The World Bank, 2024). Even though Serbia is further up the enlargement ladder than most of its neighbours, it serves as an example of a general trend of democratic backsliding across the Western Balkans (Economides, 2020, p. 10). This situation raises a valid question: if the EU, after 9 years of accession negotiations, has not been able to utilise its transformative power to influence Serbia positively, then what

hope is there for other Western Balkan states ranked lower than Serbia by various metrics? If the EU has not been able to integrate Montenegro and Serbia after a decade of accession talks, that brings into question not just the EU's transformative power, but whether EU enlargement in the Western Balkans is even possible at this moment.

Closely linked with democratic backsliding is non-compliance. Non-compliance refers to non-compliance by Western Balkan states with the conditions set forth by the EU. Non-compliance can stem from very different sources. It could be that the state simply does not have the capacity, either political or administrative, to meet set conditions (Economides, 2020, p. 11). For example, the EU has criticised Montenegro on its Law on Civil Servants and State Employees because it lowered the requirements for competence, independence, and merit-based recruitment of civil servants, whereas Bosnia and Kosovo are so far behind in their basic capacities that accession negotiations have still not been opened (Gasmi & Prlja, 2022, p. 26; Koeth, 2012, p. 31). The EU has recognised the problem of the lack of capacity of Western Balkan countries and is actively spending its time and money to build the capacities and institutions that would be able to deal with the EU accession criteria. The thing is that non-compliance does not occur solely because a state lacks political and/or administrative capacity; it is also caused by the unwillingness of the political and economic elites (Economides, 2020, p. 12). Non-compliance can stem from ideological reasons. This means that the elites genuinely oppose the liberal values promoted by the EU, see their imposition as chipping away at their domestic authority, and hold on to power. Non-compliance can also be a side effect of state capture where "the elites wish to maintain control over the government and the administration for the purpose of pursuit of personal gain, thereby creating circles of crony capitalism rather than liberalised, deregulated economies, and spawning widespread corruption as a *lingua franca* of political interaction" (Economides, 2020, pp. 12–13).

Whatever the source of non-compliance may be, it is still a fact that non-compliance severely hurts the accession progress of the Western Balkans countries. The Commission is aware of the situation and has stated that the "Western Balkans leaders must deliver more credibly on their commitment to implement the fundamental reforms required, whether on rule of law, fighting corruption, the economy or ensuring the proper functioning of democratic institutions and public administration, and foreign policy alignment" (EC, 2020, p. 2). Non-compliance primarily takes the form of not implementing the reforms required by EU conditionality for accession. These reforms are carried out by states passing laws aimed at harmonising the standards of those states with EU standards. However, the problem is not whether the law has been passed, but whether the law is being enforced. This is one of the main issues regarding the Western Balkan states. These states pass laws, but they enforce the law only partially, or they do not enforce it at all. Furthermore, the whole reform implementation process is unbalanced because the state will only implement certain reforms partially and not to the fullest extent. For example, the adoption of the new constitution or amendments to the constitution was needed in all Western Balkan states to guarantee the independence of the judiciary and the removal of political influence over the process of appointment of judges and prosecutors. Even though all of the states did so, further adjustments are still required to align with the EU standards, meaning these reforms have not been properly implemented (Bošković & Koštić, 2021, p. 43). This uneven implementation of reforms leaves space for misconduct to continue as before. This results in a situation

where, by looking at the legislation of a state, it would appear that it has harmonised its legislation with the EU's legislation, but in practice, the same misconduct that had existed before the implementation of reforms is still present.

For example, the reform of the judicial system is a necessity for all Western Balkan states, since the rule of law is a central element in the accession process (Bošković & Koštić, 2021, p. 42). The rule of law focuses on the judicial system, fundamental rights, freedom, and security (Bošković & Koštić, 2021, p. 42). Regarding the judicial system, states aspiring to join the EU had to ensure the independence of the judiciary, objectivity, accountability, and respect for the principles of fairness (Bošković & Koštić, 2021, p. 42). Alongside that, one of the requirements they had to meet was to improve the efficiency of the judicial system, with special reference to a trial within a reasonable time (Bošković & Koštić, 2021, p. 42). Even with the rule of law playing the central role in accession talks and after two decades of judicial reform in the Western Balkans states, the EU is reporting that these states have made limited progress overall and they remain only moderately prepared to apply the EU *acquis* and EU standards in the Chapter 23 area (Bošković & Kostić, 2021, p. 42). Montenegro and Serbia, the two states that have progressed the furthest in implementing said judicial reforms, reported limited and mixed results (Bošković & Kostić, 2021, p. 43). In the 2021 Montenegro Progress Report, the Commission evaluated that Montenegro made no progress at all, with key judicial reforms stagnating, and that a decisive political commitment at all levels of government, parliament, and judiciary was needed to unblock progress towards meeting the rule of law interim benchmarks (EC, 2021, p. 4). This inadequate implementation of reforms led to the stagnation of corruption in the region of the Western Balkans. When examining the Corruption Perceptions Index, one can conclude that in the last 5 years, the perception of corruption has remained pretty much the same for all Western Balkan countries, and for Bosnia and Serbia the perception of corruption has continuously been on the rise (Transparency International, 2022). Of course, it is important to note that, except for Montenegro, all Western Balkan countries are ranked somewhere between 84th and 110th out of 180 according to the Corruption Perception Index (Transparency International, 2022). The high levels of corruption in all Western Balkan countries severely hinder their abilities for EU accession. If the conditions are such that justice can be bought and sold through bribery, "the overall ability of law enforcement and the judicial system to uphold the rule of law is profoundly undermined" (Hoxhaj, 2021, p. 164). So, it comes as no surprise that the EU is placing such emphasis on the rule of law as the basis for EU integration of the region of the Western Balkans. However, improving the rule of law in Western Balkan countries would disrupt the *status quo* of elites pursuing their own interests through various clientelist networks, which is why there has been so much resistance to implementing the necessary reforms. If the elites do not want to implement the necessary reforms, their countries cannot meet the accession criteria set forth by the EU, which means that the process of their accession into the EU reaches a standstill, with no end in sight.

Conclusion

This paper set out to describe why the process of EU enlargement towards the Western Balkans has experienced a slowdown. From everything presented so far, a conclusion can

be drawn that the enlargement process of the EU towards the Western Balkans has slowed down due to two sets of factors: factors internal to the EU and factors external to the EU. Internally, the EU is experiencing the so-called “enlargement fatigue”, that is, concerns about whether the EU will be able to function properly should it admit the Western Balkans states. Furthermore, various crises, such as the eurozone crisis, the migrant crisis, Brexit, the rise of populism, nationalism, etc., have caused the EU to shift its focus towards internal issues. This led to enlargement no longer being regarded as a political priority for Member States and EU institutions. Additionally, these crises caused various instances of fragmentation and disintegration, which take the focus further away from enlargement. Having the aforementioned in mind, enlargement fatigue has evolved into “enlargement resistance”, where Member States are no longer just worried about the potential impacts Western Balkans enlargement will bring for the EU – they are now hesitant, or in some cases, such as France, opposed to it. Additionally, it is not just Member States who are resistant to enlargement; the Juncker Commission did not prioritise EU enlargement, and public opinion is very much split on general EU enlargement and opposed to enlargement when it comes to the Western Balkans.

Moreover, in recent times, Member States have seen their influence rise in the accession process, while simultaneously the Commission has seen its influence diminish. This itself is not problematic for the accession process of Western Balkan states. What is problematic, however, is the fact that Member States can use their newfound influence to further their own domestic political goals through the accession process. An example is Bulgaria blocking the opening of North Macedonia’s accession talks. If Member States use the accession process to further their own agenda, the entire accession process can experience significant delays, which in turn causes a slowdown in EU enlargement. Additionally, there is a general disagreement and division in relation to EU enlargement. For example, Member States such as Denmark, France, and the Netherlands are concerned about whether the Western Balkan states can adhere to EU principles after their accession. Furthermore, Member States have an unfavourable view of the Western Balkans, with the regional countries being perceived as countries marked by corruption and rent-seeking behaviour. Lastly, economic shocks such as the eurozone crisis and the Greek financial crisis had a negative spillover effect on the economies of the Western Balkan states, where said states experienced a downturn in their economies. These downturns, in turn, made it more difficult for candidate countries to pass reforms and meet their accession criteria.

On the other side, factors external to the EU are also negatively impacting the EU’s enlargement towards the Western Balkans. Non-EU states, such as China, Russia, Turkey, and the Gulf states, are trying to exert their influence in the region, which can hamper the accession process of Western Balkan states, and in turn the EU’s enlargement. The legacy of the Yugoslav Wars is still present in the overall consciousness of the Western Balkans states, and is actively influencing inter- and intra-state relations, most notably in Bosnia, whose institutions are the result of the Dayton Accords, and in Serbia, with its relations with Kosovo. However, the biggest external factor slowing down the process of enlargement is that the aspiring countries are not doing enough to meet the criteria set by the EU, due to the lack of political and administrative capacities to tackle certain issues, or worse, their unwillingness to do so. The interrelation between democratic backsliding, non-compliance, and state capture and corruption is the main obstacle to the implementation

of reforms needed for accession. The interrelation between these problems is such that they mutually exacerbate each other, thus making the prospect of EU accession more challenging. Furthermore, the Western Balkan states are not doing enough to combat the issues at hand, because the elites profit substantially from the current state of affairs, where they pledge support for EU integration but in practice are not doing what they are preaching, because implementing said reforms would unravel the vast clientelist network produced by state capture from which these elites are directly profiting. With everything presented throughout this paper in mind, the initial hypothesis is confirmed – the process of EU enlargement towards the Western Balkans is experiencing a slowdown due to the interplay of factors both internal and external to the EU.

To conclude, the future of EU enlargement in the Western Balkans is uncertain. Forces inside the EU are causing disagreements and fragmentation around the issue of enlargement, whilst outside forces are halting any progress towards eventual enlargement. The prospect of EU enlargement is at a juncture. The Member States of the EU must wholeheartedly agree if they are indeed for or against EU enlargement because, as of right now, it seems the answer is not so clear. On the other hand, the Western Balkan countries must either fully commit themselves to the prospect of EU integration or seek an alternative path, because the *status quo* of preaching EU integration whilst doing nothing towards achieving it will not produce any long-term benefits. The Commission can freeze the whole process of Western Balkans enlargement if it deems that the countries in the region are not doing enough. However, that is a scenario where both the EU and the Western Balkans lose. In conclusion, both sides must wholeheartedly be for further EU integration and actively and jointly work to achieve it, because both the EU and the Western Balkan states can profit from it, especially the people of the Western Balkans, whose destiny is to be a part of a united Europe.

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